

the intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 3 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 19, 2013.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC776

Advisory Committee to the U.S. Section of the International Commission for the Conservation of Atlantic Tunas; Fall Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: In preparation for the 2013 International Commission for the Conservation of Atlantic Tunas (ICCAT) meeting, the Advisory Committee to the U.S. Section to ICCAT is announcing the convening of its fall meeting.

DATES: The meeting will be held October 10–11, 2013. There will be an open session on Thursday, October 10, 2013, from 9 a.m. through approximately 2:15 p.m. The remainder of the meeting will be closed to the public and is expected to end by 5 p.m. on October 11. Interested members of the public may present their views during the public comment session on October 10, 2013.

ADDRESSES: The meeting will be held at the Sheraton Hotel, 8777 Georgia Ave., Silver Spring, MD 20910. Written comments should be sent via email (Rachel.O'Malley@noaa.gov). Comments may also be sent via mail to Rachel O'Malley at NMFS, Office of International Affairs, Room 10653, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Rachel O'Malley, Office of International Affairs, 301-427-8373.

SUPPLEMENTARY INFORMATION: The Advisory Committee to the U.S. Section to ICCAT will meet October 10–11, 2013, first in an open session to consider management- and research-related information on stock status of Atlantic highly migratory species and then in a closed session to discuss sensitive matters. There will be an opportunity for oral public comment during the October 10, 2013, open session. The open session will be from 9 a.m. through 2:15 p.m. The public comment portion of the meeting is scheduled to begin at approximately 12:00 p.m. but could begin earlier depending on the progress of discussions. Comments may also be submitted in writing for the Advisory Committee's consideration. Interested members of the public can submit comments by mail or email; use of email is encouraged. All written comments must be received by October 8, 2013 (see **ADDRESSES**).

ICCAT has recently initiated a 3-year process to develop amendments to its Convention in several areas. Key issues under discussion include: (1) Clarification of the scope of the Convention, in particular with respect to shark conservation and management; (2) ecosystem considerations and the precautionary approach; (3) improvements to the decision-making processes of the Commission (e.g., voting rules, objection procedures, the timing of entry into force of measures, and dispute settlement); and (4) provisions to allow the participation of fishing entities such as Taiwan (known as Chinese Taipei) in ICCAT.

Clarifying the scope of the Convention is one of the more significant issues being considered in this process. ICCAT has adopted conservation and management measures for sharks and other bycatch species caught in association with ICCAT fisheries over the years. It is generally agreed, however, that there would be a benefit to clarifying the authority of the organization in this regard. In addition, some Contracting Parties to the organization consider that ICCAT should have unambiguous authority to manage certain shark species, whether taken in directed fisheries or as bycatch.

ICCAT has not yet determined how it will proceed with regard to the question of Convention scope as it relates to sharks. Some approaches to this issue that have been discussed include those reflected in existing Pacific tuna treaties, namely, the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and the Antigua Convention. These models,

if applied in the ICCAT context, would bring a wide array of shark species and fisheries under the competence of the ICCAT Convention. Another option suggested during the Convention Amendment Working Group Meeting was to amend the Convention to cover those shark species that are “oceanic, pelagic, and highly migratory.” The intention of the proposal was to narrow the shark species that would come under ICCAT management by excluding purely coastal sharks—whether they occur only within one country's exclusive economic zone or are shared among two or more countries.

Any expansion of ICCAT's management authority for sharks has potential implications for ICCAT, for the covered shark species and fisheries, and for U.S. domestic shark management. ICCAT's Convention Working Group is also considering a number of other important issues, including ecosystem approaches to management, the precautionary approach, and the decision making processes of the Commission. The United States is in the process of considering its position with respect to these matters and welcomes any views that members of the public may wish to share.

NMFS expects members of the public to conduct themselves appropriately at the open session of the Advisory Committee meeting. At the beginning of the public comment session, an explanation of the ground rules will be provided (e.g., alcohol in the meeting room is prohibited, speakers will be called to give their comments in the order in which they registered to speak, each speaker will have an equal amount of time to speak and speakers should not interrupt one another). The session will be structured so that all attending members of the public are able to comment, if they so choose, regardless of the degree of controversy of the subject(s). Those not respecting the ground rules will be asked to leave the meeting.

After the open session, the Advisory Committee will meet in closed session to discuss sensitive information relating to upcoming international negotiations regarding the conservation and management of Atlantic highly migratory species.

Special Accommodations

The meeting location is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Rachel O'Malley at (301) 427-8373 or Rachel.O'Malley@noaa.gov at least 5 days prior to the meeting date.

Dated: September 19, 2013.

Dean Swanson,

*Acting Director, Office of International
Affairs, National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-BD69

Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Mariana Islands Training and Testing Study Area

AGENCY: National Marine Fisheries
Service (NMFS), National Oceanic and
Atmospheric Administration (NOAA),
Commerce.

ACTION: Notice; receipt of application for
letter of authorization; request for
comments and information.

SUMMARY: NMFS has received a request
from the U.S. Navy (Navy) for
authorization to take marine mammals
incidental to the training and testing
activities conducted in the Mariana
Islands Training and Testing (MITT)
Study Area from July 2015 through July
2020. Pursuant to the Marine Mammal
Protection Act (MMPA), NMFS is
announcing our receipt of the Navy's
request for the development and
implementation of regulations
governing the incidental taking of
marine mammals and inviting
information, suggestions, and comments
on the Navy's application and request.

DATES: Comments and information must
be received no later than October 24,
2013.

ADDRESSES: Comments on the
application should be addressed to
Michael Payne, Chief, Permits and
Conservation Division, Office of
Protected Resources, National Marine
Fisheries Service, 1315 East-West
Highway, Silver Spring, MD 20910-
3225. The mailbox address for providing
email comments is
ITP.Magliocca@noaa.gov. NMFS is not
responsible for email comments sent to
addresses other than the one provided
here. Comments sent via email,
including all attachments, must not
exceed a 10-megabyte file size.

Instructions: All comments received
are a part of the public record and will
generally be posted to [http://
www.nmfs.noaa.gov/pr/permits/
incidental.htm](http://www.nmfs.noaa.gov/pr/permits/incidental.htm) without change. All
Personal Identifying Information (for

example, name, address, etc.)
voluntarily submitted by the commenter
may be publicly accessible. Do not
submit Confidential Business
Information or otherwise sensitive or
protected information.

A copy of the Navy's application may
be obtained by visiting the internet at:
[http://www.nmfs.noaa.gov/pr/permits/
incidental.htm](http://www.nmfs.noaa.gov/pr/permits/incidental.htm). The Navy's Draft
Environmental Impact Statement (DEIS)
for MITT was made available to the
public on September 13, 2013. A 60-day
public comment period is open through
November 12, 2013. Documents cited in
this notice may also be viewed, by
appointment, during regular business
hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT:
Michelle Magliocca, Office of Protected
Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the
MMPA (16 U.S.C. 1361 *et seq.*) direct
the Secretary of Commerce to allow,
upon request, the incidental, but not
intentional, taking of small numbers of
marine mammals by United States
citizens who engage in a specified
activity (other than commercial fishing)
within a specific geographical region if
certain findings are made and either
regulations are issued or, if the taking is
limited to harassment, a notice of a
proposed authorization is provided to
the public for review.

Authorization for incidental takings
shall be granted if NMFS finds that the
taking will have a negligible impact on
the species or stock(s), will not have an
unmitigable adverse impact on the
availability of the species or stock(s) for
subsistence uses (where relevant), and if
the permissible methods of taking and
requirements pertaining to the
mitigation, monitoring and reporting of
such takings are set forth. NMFS has
defined "negligible impact" in 50 CFR
216.103 as "* * *an impact resulting
from the specified activity that cannot
be reasonably expected to, and is not
reasonably likely to, adversely affect the
species or stock through effects on
annual rates of recruitment or survival."

With respect to military readiness
activities, the MMPA defines
"harassment" as: "(i) any act that
injures or has the significant potential to
injure a marine mammal stock in the
wild [Level A Harassment]; or (ii) any
act that disturbs or is likely to disturb
a marine mammal or marine mammal
stock in the wild by causing disruption
of natural behavioral patterns,
including, but not limited to, migration,
surfacing, nursing, breeding, feeding, or

sheltering, to a point where such
behavioral patterns are abandoned or
significantly altered [Level B
Harassment]."

Summary of Request

On April 22, 2013, NMFS received an
application from the Navy requesting a
Letters of Authorization (LOA) for the
take of 26 species of marine mammals
incidental to Navy training and testing
activities to be conducted in the MITT
Study Area over 5 years. The Navy is
requesting a 5-year LOA for training and
testing activities to be conducted from
2015 through 2020. The Study Area
includes the existing Mariana Islands
Range Complex, a transit corridor
between the Mariana Islands and the
Hawaii Range Complex, and Navy
pierside locations where sonar
maintenance or testing may occur (see
Figure 2-1 of the Navy's application for
a map of the MITT Study Area). The
activities conducted within the MITT
Study Area are classified as military
readiness activities. The Navy states that
these activities may expose some of the
marine mammals present within the
MITT Study Area to sound from
underwater acoustic sources and
explosives. In addition, incidental takes
of marine mammals may occur from
ship strike. The Navy is requesting
authorization to take 26 marine mammal
species by Level B (behavioral)
harassment; 15 of those marine mammal
species may be taken by injury or
mortality.

Description of the Specified Activity

In the application submitted to
NMFS, the Navy requests authorization
to take marine mammals incidental to
conducting the following training and
testing activities: anti-surface warfare;
anti-submarine warfare; mine warfare;
naval special warfare; major training
activities; Naval Air Systems Command
(NAVAIR) testing; anti-surface warfare
testing; anti-submarine warfare testing;
Naval Sea Systems Command
(NAVSEA) testing; and Office of Naval
Research (ONR) and Naval Research
Laboratory (NRL) testing. Detailed
descriptions of these activities,
including duration, location, and
equipment involved, are provided in the
Navy's application. The Navy has also
prepared a Draft Environmental Impact
Statement (DEIS) analyzing the effects
on the human environment of
implementing their preferred alternative
(among others).

Information Solicited

Interested persons may submit
information, suggestions, and comments
concerning the Navy's request (see