

Subpart A—General Provisions**§ 229.3 Limitation on applicability.**

MMS will not enter into a delegation agreement with a State under this part to carry out audit and related investigation activities for leases on Federal lands within the State. This part applies only to delegation agreements with States to perform audits, inspections, and investigations for Indian lands. See part 227 of this title for delegations of authority to States for Federal lands.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 229**

[I.D. 041797A]

Authorization for Commercial Fisheries under the Marine Mammal Protection Act; Take Reduction Plan Regulations and Emergency Regulations; Public Hearings

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

ACTION: Public hearings; request for comments.

SUMMARY: NMFS is announcing the dates, times and locations for 11 public hearings that will address the proposed Atlantic Large Whale Take Reduction Plan (ALWTRP or Plan) and implementing regulations intended to reduce the level of serious injury and mortality of 4 large whale stocks (right, humpback, fin, and minke) that occur incidental to 4 east coast fisheries (northeast sink gillnet, mid-Atlantic coastal gillnet, American lobster pot, and southeastern U.S. shark net).

DATES: Written comments on this document, the proposed take reduction plan and its implementing regulations must be submitted no later than May 15, 1997. Testimony may also be presented at the public hearings, which are scheduled to be held from April 28, 1997, through May 6, 1997. See **SUPPLEMENTARY INFORMATION** for specific hearing dates and times.

ADDRESSES: Written comments should be sent to, and copies of the proposed rule are available from, Chief, Marine Mammal Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver

Spring, MD 20910 (FAX: 301-713-0376). The hearings will be held in Maine, New Hampshire, Massachusetts, Rhode Island, New Jersey, Maryland, and Virginia. See **SUPPLEMENTARY INFORMATION** for specific locations.

FOR FURTHER INFORMATION CONTACT: Kevin Chu, NMFS, Northeast Region, (508) 495-2291.

SUPPLEMENTARY INFORMATION:

Pursuant to section 118 of the Marine Mammal Protection Act, NMFS proposed the ALWTRP and implementing regulations on April 7, 1997 (62 FR 16519). The objective of the Plan and its regulations is to reduce the level of serious injury and mortality of 4 large whale stocks (right, humpback, fin, and minke) that occur incidental to 4 east coast fisheries (northeast sink gillnet, mid-Atlantic coastal gillnet, American lobster pot, and southeastern U.S. shark net). By this document, NMFS is announcing 11 public hearings which will provide the public with the opportunity to submit oral or written testimony on the proposed Plan and implementing regulations.

NMFS requests that persons planning to speak at the hearings provide a written copy of their testimony to NMFS at the hearing. The dates, times, and locations of the hearings are scheduled as follows:

1. Monday, April 28, 1997, 6 p.m. EST—Massachusetts Maritime Academy, 101 Academy Dr., Buzzards Bay, MA 02532; (508) 830-5000.

2. Monday, April 28, 1997, 1 p.m. EST—Holiday Inn at the Tower, Junction US Rte. 1 & 138 West, S. Kingston, RI 02881; (401) 789-1051.

3. Tuesday, April 29, 1997, 1 p.m. EST—Double Tree Club Hotel, 880 Military Highway, Norfolk, VA 23502; (757) 461-9192.

4. Wednesday, April 30, 1997, 1 p.m. EST—Radisson Eastland Hotel, 157 High Street, Portland, ME 04101; (207) 775-5411.

5. Wednesday, April 30, 1997, 1 p.m. EST—Sheraton Fontainebleau Hotel, 10100 Coastal Highway, Ocean City, MD 21842; (410) 524-3535.

6. Thursday, May 1, 1997, 1 p.m. EST—Trade Winds Motor Inn, 2 Park View Drive, Rockland, ME 04856; (207) 596-6661.

7. Thursday, May 1, 1997, 1 p.m. EST—Holiday Inn, 290 Highway - Route 37 East/Clifton Avenue, Tom's River, NJ 08754; (908) 244-4000.

8. Friday, May 2, 1997, 1 p.m. EST—White Birches, Rte 1 - East of Ellsworth, Ellsworth, ME 04605; (207) 667-3621.

9. Saturday, May 3, 1997, 1 p.m. EST—University of Maine, Science Building, Room 102, 9 O'Brien Avenue, Machias, ME 04654; (207) 255-1200.

10. Monday, May 5, 1997, 6 p.m. EST—Fuller School, 4 School House Road, Gloucester, MA 01930; (508) 281-9841.

11. Tuesday, May 6, 1997, 7 p.m. EST—Urban Forestry Center, 45 Elwyn Road, Portsmouth, NH 03801; (603) 431-6774.

Special Accommodations

These hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the appropriate regional contact (see **FOR FURTHER INFORMATION CONTACT**) at least 5 days prior to the hearing date.

Authority: 16 U.S.C. 1361 *et seq.*

Dated: April 18, 1997.

Thomas C. Eagle,

Acting Chief Marine Mammal Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Parts 600 and 648**

[I.D. 041697B]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Applications for Experimental Fishing Permits (EFPs)

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

ACTION: Notification of experimental fishery applications; request for comments.

SUMMARY: NMFS issues this notice to announce that the Regional Administrator, Northeast Region, NMFS (Regional Administrator), is considering approval of three experimental fishing proposals that would permit vessels to conduct operations otherwise restricted by regulations governing the Fisheries of the Northeastern United States. The experimental fisheries would involve fishing for and retention and limited landing of various species of fish, including regulated multispecies and invertebrates with small mesh in the Gulf of Maine/Georges Bank Regulated Mesh Area. Provisions under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notice to provide interested parties the

opportunity to comment on the proposed experimental fisheries.

DATES: Comments must be received on or before May 9, 1997.

ADDRESSES: Comments should be sent to Andrew A. Rosenberg, Ph.D., Regional Administrator, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Proposed Experimental Fisheries."

FOR FURTHER INFORMATION CONTACT: Peter Christopher, Fishery Management Specialist, 508-281-9288.

SUPPLEMENTARY INFORMATION: Edward Boynton submitted an application for an experimental fishing permit (EFP) on March 5, 1997. The applicant received a Saltonstall/Kennedy (S/K) Grant to investigate the food web link between estuaries and near shore waters of Ipswich Bay through sampling areas with a small mesh beam trawl. He

would conduct experimental fishing activity on his vessel with a small-mesh beam trawl in near shore waters throughout Ipswich Bay. Various estuarine, pelagic and bottom dwelling species, including regulated multispecies, would be targeted with short duration tows to study the links between the estuarine and near shore fishery systems. A limited number of species would be retained and landed on some of the trips for meat sample tests.

The Mount Desert Island (MDI) Biological Laboratory submitted an EFP application on March 20, 1997, to collect various species for medical studies. The MDI Biological Laboratory would charter a fishing vessel to use a small-mesh otter trawl to collect various species for medical studies. Target collection numbers of 100 to 300 fish, depending on the species, has been requested.

The MDI Oceanarium submitted an EFP application on March 13, 1997, to collect various species for public display. The MDI Oceanarium would charter a commercial fishing vessel to collect various species for public display. A maximum of six of each species would be collected for display.

EFPs would be issued to the participating vessels to exempt them from the possession limit, mesh size, minimum fish size, and days-at-sea restrictions of the Northeast Multispecies Fishery Management Plan.

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

Dated: April 18, 1997.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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