

provided in Figure 7 in the MMS application (MMS, 2005a).

### Reporting Requirements

All explosive-severance activities in the GOM would be mandated to abide by the reporting requirements listed in this section. The information collected will be used by MMS and NMFS to continually assess mitigation effectiveness and the level of marine mammal/sea turtle impacts.

The reporting responsibilities will be undertaken by the NMFS' marine mammal/sea turtle observer for scenarios B1–E4 (Table 2) and the collected data will be prepared and routed in accordance with previously established guidelines for filing times and distribution.

For very-small blasting scenarios A1–A4, the company observer will be responsible for recording the data and preparing a trip report for submittal within 30-days of completion of the severance activities. Trip reports for scenarios A1–A4 will be sent to MMS and NMFS Gulf/Southeast regional offices.

In addition to basic operational data (i.e., area and block, water depth, company/platform information, etc.), the trip reports must contain all of the applicable information listed in Table 10 in MMS' application. In the event that a marine mammal or sea turtle is shocked, injured, or killed during the severance activities, the operations will cease and the observer will contact MMS and NMFS' Southeast Regional Office. If the animal does not revive, efforts should be made to recover it for necropsy in consultation with the appropriate NMFS' Stranding Coordinator.

### Conclusions

MMS has concluded that impacts to marine mammals from explosive-severance activities conducted under the proposed action are potentially adverse but not significant. The projected Level A harassment takes are very unlikely and, would be limited to 3 species. No deaths or serious injuries to marine mammals or sea turtles are projected. If any marine mammals are displaced from preferred grounds, it will be for the short term, and no critical habitat is involved. Level B harassment takes may disrupt behavioral patterns in a few individuals of a few species, but no effect is projected on annual recruitment or survival. With proposed mitigation measures in place, the potential impacts on marine mammals are expected to be negligible.

### ESA

Under section 7 of the ESA, MMS has begun consultation on the proposed explosive severance activity. NMFS will also consult on the issuance of regulations and LOAs under section 101(a)(5)(A) of the MMPA for this activity. Consultation will be concluded prior to a determination on the issuance of regulations.

### NEPA

MMS completed and released its PEA to the public on February 28, 2005. That document is available for review (see ADDRESSES).

NMFS is reviewing the PEA and will either adopt it or prepare its own NEPA document before making a determination on the issuance of regulations and LOAs for this activity.

### Information Solicited

NMFS requests interested persons to submit comments and information concerning this request (see ADDRESSES). NMFS requests commenters also read the MMS application and PEA on this action prior to submitting comments.

Dated: August 18, 2005.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 081905A]

### New England Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) will hold a 3-day Council meeting in September, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

**DATES:** The meeting will be held on Tuesday, September 13 through Thursday, September 15, 2005, beginning at 9 a.m. on Tuesday and 8:30 a.m. on Wednesday and Thursday.

**ADDRESSES:** The meeting will be held at the Holiday Inn Express, 110 Middle Street High Street, Fairhaven, MA; telephone: (508) 997–1281.

**Council address:** New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; telephone: (978) 465–0492.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

### SUPPLEMENTARY INFORMATION:

#### Tuesday, September 13, 2005

Following introductions, the Council will review and approve a revised policy concerning the election of new officers and conduct elections for 2005–06 officers. Reports will follow from the Council Chairman and Executive Director, the NMFS Regional Administrator, Northeast Fisheries Science Center and Mid-Atlantic Fishery Management Council liaisons, NOAA General Counsel and representatives of the U.S. Coast Guard, NMFS Enforcement and the Atlantic States Marine Fisheries Commission. There also will be an update on the New England Fleet Visioning Project. During the morning session, the Council also will receive a briefing on a proposed rule that will address issues related to the management of Atlantic tunas, swordfish, shark and billfish fisheries. The Magnuson-Stevens Act Committee will provide recommendations for Council approval concerning positions on changes to the Act. The remainder the day will be spent on habitat and ecosystem-related issues. There will be a summary of the most recent activities currently underway and associated with development of essential fish habitat (EFH) Omnibus Amendment 2, as well as consideration and approval of a Council policy on Marine Protected Areas. There also will be an update on the Habitat/Marine Protected Area (MPA)/Ecosystem Committee's progress to develop and recommend alternatives for Habitat Areas of Particular Concern in the EFH Omnibus Amendment. The day will conclude with a report on jurisdictional issues related to wind farm, liquified natural gas and aquaculture projects in the Northeast and an update on the Council's ecosystem project.

#### Wednesday, September 14, 2005

During the Wednesday morning session, the Council receive a presentation on the Data Quality Act. This will be followed by an open public comment period to address items not listed on the agenda. The Scallop Committee will then present its recommendations for measures to be included in Framework Adjustment 18 to the Sea Scallop Fishery Management

Plan (FMP). The Council will consider alternatives and provide final approval on issues related to area rotation, specifications for trip and days-at-sea allocations in 2006 and 2007, a streamlined procedure to adjust the Elephant Trunk Area and open area allocations in 2007, the general category scallop fishery, crew size limits on controlled area access trips and a new bycatch data collection and monitoring program. Also included will be changes in controlled access area trip exchanges, the broken trip limit exemption program and the research set-aside program. Consideration of Framework Adjustment 18 is likely to take most of the day on Wednesday.

#### Thursday, September 15, 2005

There will be a presentation of the assessment summary from the 41st Northeast Regional Stock Assessment Workshop. Species to be addressed include summer flounder, bluefish and tilefish. This will be followed by a report on a video monitoring pilot study that explores alternative means to supplement and complement observer activities on fishing vessels. The Council also will discuss and consider establishing a control date for party and charter boats in the multispecies fishery, as recommended by the its Recreational Fishing Advisory Panel. During the remainder of the day the Council will take further action on Framework Adjustment 42 to the Northeast Multispecies FMP by identifying additional measures to be analyzed and further considered in the action. These will include the Category B (regular) days-at-sea pilot program, a formal rebuilding program for Georges Bank yellowtail flounder with associated measures, a standardized bycatch reporting methodology, and possible modifications to the rolling closures now in effect to reduce groundfish fishing mortality. The Transboundary Management Guidance Committee is scheduled to ask for approval of its recommendations for the 2006 total allowable catches for cod, haddock and yellowtail flounder in a specific area of Georges Bank that is governed by the U.S./Canada Resource Sharing Understanding. Prior to addressing any other outstanding business, the Council will consider and possibly approve retaining the 2005 herring specifications through the 2006 fishing year.

Although other non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subjects of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any

issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided that the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: August 19, 2005.

**Emily Menashes,**

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

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[I.D. 080205C]

##### Endangered Species; File No. 1527

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that the John A. Musick, Ph.D., Virginia Institute of Marine Science (VIMS), Gloucester Point, VA 23062, has applied in due form for a permit to take loggerhead (*Caretta caretta*), Kemp's ridley (*Lepidochelys kempii*), leatherback (*Dermochelys coriacea*), green (*Chelonia mydas*), and hawksbill (*Eretmochelys imbricata*) sea turtles for purposes of scientific research.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before September 23, 2005.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; and

Northeast Regional Office, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9328; fax (978)281-9394.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division,

F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1527.

#### FOR FURTHER INFORMATION CONTACT:

Patrick Opay or Shane Guan, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The purpose of the proposed research is to study loggerhead, Kemp's ridley, leatherback, green, and hawksbill sea turtles in the waters of the Chesapeake Bay (Bay), and the Virginia (VA) and Maryland (MD) tributaries to the Bay to identify relative abundance over time; detect changes in sea turtle size and age composition; monitor and document movement and migration patterns; and to study sea turtle interactions with whelk pot gear. The applicant proposes to take up to 100 loggerhead, 30 Kemp's ridley, 10 leatherback, 10 green, and 5 hawksbill sea turtles each year over the course of a 5-year permit. Of the 100 loggerhead turtles taken annually, 74 would be taken in VA waters, and the remaining 26 would be taken in MD waters. Likewise, the numbers by state of the other species are: 22 Kemp's ridleys from VA and 8 from MD; 7 leatherbacks from VA and 3 from MD; 7 greens from VA and 3 from MD; and 3 hawksbills from VA and 2 from MD. Seventy-one of the loggerhead, 21 of the Kemp's ridley, 7 of the leatherback, 7 of the green, and 3 of the hawksbill sea turtles are expected to be caught in pound nets. The remaining turtles would be captured utilizing relocation trawls as part of dredging activities authorized under separate permits and then turned over to the applicant. All turtles would be blood sampled, measured, weighed when practicable, flipper tagged, and PIT tagged. A subset of these animals would have satellite or