

the following Amendments to the 2006 Consolidated HMS FMP: Draft Amendment 6 on the future of shark fishery, providing updates on Amendment 5b on dusky shark management and Amendment 9 on smoothhound shark management and ongoing stock assessment, reviewing Final Amendment 7 on bluefin tuna management measures, as well as discussing the HMS Essential Fish Habitat 5-Year Review. The meeting will also include discussion of the Electronic Technologies Implementation Plan for Atlantic HMS, implementation of 2014 ICCAT recommendations, and updates on the Atlantic HMS Management-Based Research Priorities document and other research activities, among other updates.

Additional information on the meeting and a copy of the draft agenda will be posted prior to the meeting at: [http://www.nmfs.noaa.gov/sfa/hms/advisory\\_panels/hms\\_ap/meetings/ap\\_meetings.html](http://www.nmfs.noaa.gov/sfa/hms/advisory_panels/hms_ap/meetings/ap_meetings.html).

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Peter Cooper at (301) 427-8503 at least 7 days prior to the meeting.

Dated: February 20, 2015.

**Alan D. Risenhoover,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XD791**

#### Caribbean Fishery Management Council: Scoping Meetings

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

**ACTION:** Notice of scoping meetings on Caribbean Federal permits.

**SUMMARY:** The harvest activities of all fishing sectors must be understood to the greatest degree possible to assure that societal goals encompassed in the Magnuson-Stevens Fishery Conservation and Management Act are met. Thus, the need for timely, effective, and efficient means to monitor harvest from all sectors is fundamental. The goal of this Scoping Hearing is to allow the public to comment on the scoping

document and to provide alternative options and ideas not yet considered by the Council and NMFS.

#### Dates and Addresses:

Written comments can be sent to the Council not later than April 10th, 2015, by regular mail to the address below, or via email to [graciela\\_cfmc@yahoo.com](mailto:graciela_cfmc@yahoo.com) or [Miguel.lugo@noaa.gov](mailto:Miguel.lugo@noaa.gov).

#### In Puerto Rico

March 11, 2015—7 p.m.–10 p.m.—

Verdanza Hotel, Tartak St. Isla Verde Puerto Rico

March 25, 2015—7 p.m.–10 p.m.—

Mayaguez Holiday Inn, 2701 Hostos Avenue, Mayagüez, Puerto Rico

#### In the U.S. Virgin Islands

March 16, 2015—7 p.m.–10 p.m.—The

Buccaneer Hotel, Estate Shoys, Christiansted, St. Croix, U.S. Virgin Islands

March 18, 2015—7 p.m.–10 p.m.—

Windward Passage Hotel, Charlotte Amalie, St. Thomas, U.S. Virgin Islands.

#### FOR FURTHER INFORMATION CONTACT:

Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918-1903, telephone: (787) 766-5926.

**SUPPLEMENTARY INFORMATION:** The Caribbean Fishery Management Council is considering establishing federal permits for fishing in the U.S. Caribbean exclusive economic zone (EEZ), and is conducting scoping meetings to obtain public comments regarding this matter.

#### Background

A permitting system provides a comprehensive method to achieve this goal. Permitting supports professionalization of individual fisheries, identifying and acknowledging those fishers dedicated to and reliant upon a specific component of the commercial fishery. Permits also allow for direct communication with fishing entities, enabling focused outreach and education opportunities.

A permitting system allows fishery scientists and managers to gather more accurate data, decreasing both scientific and management uncertainty. Scientific uncertainty can be mitigated to some degree by increasing knowledge of the fishery and the health of the fish populations that support that fishery. A permit system that identifies the universe of fishers operating within a fishing sector and allows tracking of the disposition and characteristics of harvested resources would substantially enhance knowledge of the fishery. Data derived from a comprehensive permit

system would also contribute to reducing management uncertainty by providing better estimates of harvesting effort and the timing of harvest, thereby improving management design and responsiveness. More accurate and reliable catch data allows for more informed management.

The absence of a federal permit system, or mandatory federal reporting requirements, has been identified as a major contributor to the lack of fishing effort information in the U.S. Caribbean EEZ. A permitting system would allow better estimates for measuring fishing effort for the Council-managed fisheries while shedding light on the effectiveness of regulations implemented to manage that effort.

Some of the needs and Issues that a permitting system could address in the EEZ:

1. Provide accurate and timely data on landings.
2. Allow estimation of catch per unit of fishing effort.
3. Identify spatial and temporal trends in effort, including the relative importance of fishing to individual communities.
4. Manage competing interests for the resource.
5. Identify trends in the health of targeted fish stocks.
6. Quantify the socioeconomic importance of permitted fishing sectors and mitigate negative impacts of management to fishing communities.
7. Provide permitted fishers with a better understanding of their fishery and the opportunities and implications of management to that fishery.

There are many aspects to implementing fishing permits in the U.S. Caribbean exclusive economic zone (EEZ) and many options regarding the design of a permit system. Options for developing and designing a permit system include, but are not limited to:

1. Require commercial fishers to obtain a federal permit to fish in the U.S. Caribbean EEZ;
2. Require commercial fishers to obtain a commercial fishing license from either Puerto Rico or the U.S. Virgin Islands (USVI) to fish in the U.S. Caribbean EEZ;
3. Require commercial fishers to obtain a federal permit or a commercial fishing license from either Puerto Rico or the USVI to fish in the U.S. Caribbean EEZ;
4. Require a species/species group/fishery-specific permit in the U.S. Caribbean EEZ;
5. Require a gear-specific permit in the U.S. Caribbean EEZ;
6. Require a dealer permit to purchase fish harvested from the U.S. Caribbean EEZ;

7. Conduct a pilot study with some or all fishers from some or all island groups to evaluate the practicality of permits in the U.S. Caribbean EEZ.

The goal of these scoping meetings is to allow the public to comment on the options listed above and to provide alternative options not yet considered by the Council and NMFS.

Copy of the Scoping Document to address the Development of Federal Permits in the U.S. Caribbean Exclusive Economic Zone can be found at [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/caribbean/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/caribbean/index.html) under Current Rule Making or the Caribbean Council Web site at [caribbeanfmc.com](http://caribbeanfmc.com).

### Special Accommodations

These meetings are physically accessible to people with disabilities. For more information or request for sign language interpretation and other auxiliary aids, please contact Mr. Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918-1903, telephone (787) 766-5926, at least 5 days prior to the meeting date.

Dated: February 20, 2015.

**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-XD444**

#### **Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to San Francisco Bay Area Water Emergency Transportation Authority Central Bay Operations and Maintenance Facility Project in Alameda, California**

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

**ACTION:** Notice; issuance of an incidental take authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA) regulations, notification is hereby given that NMFS has issued an Incidental Harassment Authorization (IHA) to the San Francisco Bay Area Water Emergency Transportation Authority (WETA) to take, by harassment, small numbers of two

species of marine mammals incidental to pile driving and removal associated with the Central Bay Operations and Maintenance Facility Project in the City of Alameda, California, between December 1, 2015, through November 30, 2016.

**DATES:** Effective December 1, 2015, through November 30, 2016.

**ADDRESSES:** A copy of the application containing a list of the references used in this document, NMFS's Environmental Assessment (EA), Finding of No Significant Impact (FONSI), and the IHA may be obtained visiting the Internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may be viewed, by appointment, during regular business hours, at 1315 East West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Shane Guan, 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 U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified 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.

An 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."

Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as: Any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has

the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment].

### Summary of Request

On April 9, 2014, NMFS received an application from WETA for the taking of marine mammals incidental to the construction of a Central Bay Operations and Maintenance Facility (Project). The purpose of the Project is to serve as the central San Francisco Bay (Bay) base for WETA's ferry fleet. After NMFS provided comments on the draft IHA application, WETA submitted a revised IHA application on May 15, 2014. NMFS determined that the application was adequate and complete on July 31, 2014. No changes were made for the proposed WETA's construction Project as described in the proposed IHA except the Project duration was changed to December 1, 2015, through November 30, 2016, from the original June 15 through October 15, 2014, due to funding and other constraints. Please refer to **Federal Register** notice for the proposed IHA for a detailed description of the project activities.

### Comments and Responses

A notice of NMFS' proposal to issue an IHA to WETA was published in the **Federal Register** on September 17, 2014 (79 FR 55479). That notice described, in detail, WETA's activity, the marine mammal species that may be affected by the activity, and the anticipated effects on marine mammals. During the 30-day public comment period, NMFS received comments from the Marine Mammal Commission (Commission), the Sierra Club, the San Francisco Bay Conservation and Development Commission (BCDC), and 40 private citizens.

All comments specific to WETA's application that address the statutory and regulatory requirements or findings NMFS must make to issue an IHA are addressed in this section of the **Federal Register** notice.

**Comment 1:** The Commission recommends NMFS issue the IHA to WETA, subject to inclusion of the proposed mitigation and monitoring measures described in the proposed IHA. In addition, the Commission recommends that NMFS only authorize in-season adjustments in the sizes of the exclusion and/or disturbance zones (zones of influence) if the size(s) of the estimated zones are determined to be too small.