

effort, and socioeconomic characteristics of fishers using this mode of fishing on St. Croix. Collection B will be a survey of boat-based, non-commercial fishers on St. Croix to document levels of catch and effort for this mode of fishing.

The data gathered will be used to describe recreational and subsistence sectors in St. Croix, and evaluate the socio-economic impacts of federal regulatory actions.

In addition, the information will be used to strengthen and improve fishery management decision-making, satisfy legal mandates under Executive Order 12866, the Magnuson Stevens Fishery Conservation and Management Act (U.S.C. 1801 *et seq.*), the Regulatory Flexibility Act, the Endangered Species Act, and the National Environmental Policy Act, and other pertinent statutes.

II. Method of Collection

Collection A, which will take place over a 12-month period, will be comprised of two data collection activities: (1) A survey of shore-based fishers, and (2) counts of shore-based fishers. Collection B, which will take place over a 24-month period, will include two data collection activities: (1) A survey of fishers at boat ramps and, (2) a count of boat trailers or vehicles at launch sites where surveys are administered.

III. Data

OMB Control Number: None.

Form Number: None.

Type of Review: Regular submission (request for a new information collection).

Affected Public: Individuals or households.

Estimated Number of Respondents: 5,400.

Estimated Time per Response: Collection A survey, 10 minutes; Collection B survey, 5 minutes.

Estimated Total Annual Burden Hours: 484 (Collection A, 67; Collection B, 417).

Estimated Total Annual Cost to Public: \$0 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be

collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: December 4, 2012.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC358

Appointments to a Recreational Fisheries Working Group by the Marine Fisheries Advisory Committee

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

ACTION: Notice; request for nominations.

SUMMARY: Nominations are being solicited for appointment to a Recreational Fisheries Working Group of the Marine Fisheries Advisory Committee (MAFAC). The members will be appointed by MAFAC in consultation with NOAA and will serve for an initial term of up to two years, with the option to apply to be re-appointed. The term would begin in February or March 2013. Nominees should possess demonstrable expertise in the management or business of recreational fishing and/or fisheries science; a well-informed background in recreational fisheries issues; an operational knowledge of federal agencies and interactions with the Fishery Management Councils and/or regional and state partners; and be able to fulfill the time commitments required for up to two annual meetings.

DATES: Applications must be received on or before January 9, 2013, via mail or email.

ADDRESSES: Applications should be sent to Danielle Rioux, Recreational Fisheries Policy Specialist, NMFS SF-13336, 1315 East-West Highway, Silver Spring, MD 20910 or Danielle.Rioux@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Danielle Rioux, Recreational Fisheries

Policy Specialist; (301) 427-8516; email: Danielle.Rioux@noaa.gov.

SUPPLEMENTARY INFORMATION: MAFAC is the only Federal advisory committee with the responsibility to advise the Secretary of Commerce (Secretary) on all matters concerning living marine resources that are the responsibility of the Department of Commerce. MAFAC established a Recreational Fisheries Working Group (RFGW) in 2010, to assist it in the development of recommendations to the Secretary on regulations, policies and programs critical to the mission and goals of the NMFS. The RFGW is composed of people with a specific interest and qualification related to NOAA's recreation-related activities. Beginning in 2013, half of the RFGW appointments will expire every year, and applications/nominations will be solicited each year to fill these seats. The RFGW is expected to have no more than 25 members to be selected from a balance of the diverse national and regional recreational fisheries sector and community perspectives. With this solicitation NOAA will fill 6 currently empty seats, as well as any vacancies that develop during the reappointment process.

MAFAC established the RFGW to advise MAFAC on issues of importance to the recreational fishing community, including, but not limited to: (1) Review and possible revision of the NOAA National and Regional Recreational Fisheries Action Agendas, (2) planning for a second National Saltwater Recreational Fisheries Summit, and such other recreational fisheries issues and activities identified as appropriate by MAFAC.

The RFGW members cannot be employed by NOAA or a member of a Regional Fishery Management Council or have been registered as a lobbyist with the Secretary of the Senate and the Clerk of the House of Representatives within two years of the date of appointment. Membership is voluntary, and except for reimbursable travel and related expenses, service is without pay.

Each submission should provide the nominee's name and affiliation (i.e. private angler, charterboat, trade association, etc.) and contact information including address, phone number, fax number, and email address (if available); and should describe the nominee's qualifying experience in the following areas:

1. Expertise in the management or business of recreational fishing, and/or fisheries science;
2. Informed background in recreational fisheries issues; and

3. Operational knowledge of federal agencies and interactions with the Fishery Management Councils and/or regional and state partners.

Letters of support will be accepted, and may be submitted with the application or separately. Applications and letters of support should be sent to (see **ADDRESSES**) and must be received by (see **DATES**). The full text of the MAFAC Charter and its current membership can be viewed at the NMFS Web page at www.nmfs.noaa.gov/ocs/mafac/.

Dated: December 5, 2012.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, performing the functions and duties of the Assistant Administrator for Fisheries.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC374

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seismic Survey in Cook Inlet, AK

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

ACTION: Notice; proposed incidental harassment authorization; request for comments.

SUMMARY: NMFS received an application from Apache Alaska Corporation (Apache) for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to a proposed 3D seismic survey in Cook Inlet, Alaska, between January 2013 and January 2014. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS requests comments on its proposal to issue an IHA to Apache to take, by Level B harassment only, five species of marine mammals during the specified activity.

DATES: Comments and information must be received no later than January 9, 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. The mailbox address for providing email

comments is ITP.Hopper@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> 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.

An electronic copy of the application used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or visiting the Internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT: Brian D. Hopper, 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.

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."

Section 101(a)(5)(D) of the MMPA established an expedited process by

which citizens of the U.S. can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Section 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny the authorization.

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

NMFS received an application on June 15, 2012, from Apache for the taking, by harassment, of marine mammals incidental to a 3D seismic survey program in Cook Inlet, Alaska. This is the second IHA application NMFS has received from Apache for takes of marine mammals incidental to conducting a seismic survey in Cook Inlet. On April 30, 2012, NMFS issued a one-year IHA to Apache for their first season of seismic acquisition in Cook Inlet (77 FR 27720). Except for the location and the size of the survey area, the activities proposed for the second survey season are essentially the same as those conducted during the first season.

The proposed 3D seismic surveys would employ the use of two source vessels. Each source vessel would be equipped with compressors and 2400 in³ air gun arrays, as well as additional lower-powered and higher frequency survey equipment for collecting bathymetric and shallow sub-bottom data. In addition, one source vessel would be equipped with a 440 in³ shallow water air gun array, which it can deploy at high tide in the intertidal area in less than 1.8 m of water. The proposed survey would take place in Cook Inlet, and during the second survey season Apache anticipates completing ~1,010 km² of seismic acquisition in an area that extends from just south of Anchor Point along the east coast extending up to Point Possession and along the west coast from the