

Dated: October 8, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Report of Right Whale Sighting; Proposed Collection; Comment Request

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before December 14, 1998.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Greg Silber, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, Maryland 20910; (phone 301-713-2322 or fax 301-713-4060).

SUPPLEMENTARY INFORMATION:

I. Abstract

The Marine Mammal Protection Act mandates the protection and conservation of marine mammals and makes the killing or serious injury of marine mammals a violation of the Act. The northern right whale (*Eubalaena glacialis*) has been recognized as the world's most endangered large whale species. Vessel interactions are identified as one of the major threats facing these whales especially collisions with and disturbances from, vessels. Human interactions with right whales are a very serious problem for right whales in the western North Atlantic. In particular, where human activities coincide with the distribution of right whales off the east coast of the United States, especially where vessel traffic

and similar activities occur, there is the potential that right whales may be disturbed or their behavior otherwise altered, or that they may be injured or killed. In addition to disturbances caused by vessel movement or noise, vessels may affect right whales indirectly. For example, feeding behavior may be interrupted or affected as a result of a vessel breaking up dense surface zooplankton patches in certain feeding areas. The National Marine Fisheries Service (NMFS) issued regulations that prohibit all approaches within 500 yards (460m), whether by vessel, aircraft or other means, and requires whale avoidance measures under specified circumstances.

Similarly, NMFS has recognized that approaches to marine mammals by aircraft below certain altitudes has the potential to harass marine mammals and has imposed restrictions on these types of approaches as conditions in various permits. If a right whale is positively identified, lookouts and/or vessel operators are encouraged to report the right whale sighting and location to the U.S. Coast Guard or other appropriate port authority, and request assistance if appropriate. Knowledge of the location of right whales may help prevent collisions and allow vessels to implement appropriate whale avoidance measures.

II. Method of Collection

If a right whale is positively identified and observed near a port, in a channel, in an established shipping lane, or in other areas with a high concentration of shipping activity, a vessel operator is encouraged to report the sighting to the U.S. Coast Guard or other appropriate port authority, and request assistance, if appropriate. Instructions from the Coast Guard or other port authority may require a collection of information. For example, the Coast Guard may require a vessel operator to respond on channel 16 of VHF radio.

III. Data

OMB Number: 0648-0322.

Form Number: N/A.

Type of Review: Regular submission.

Affected Public: Business or other for-profit; individuals, not-for profit institutions; Federal government; and state, local, or tribal governments (vessel operators).

Estimated Number of Respondents: 30.

Estimated Time Per Response: 15 minutes.

Estimated Total Annual Burden Hours: 8.

Estimated Total Annual Cost to Public: \$0.

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: October 8, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Intent To Prepare a Supplemental Environmental Impact Statement and Notice of Scoping Meetings for the Proposed Tortugas Ecological Reserve in the Florida Keys National Marine Sanctuary

AGENCY: Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), Office of Ocean and Coastal Resource Management (OCRM), Sanctuaries and Reserves Division (SRD).

ACTION: Notice of intent; Notice of scoping meetings.

SUMMARY: SRD has initiated the process to establish an Ecological Reserve within the Florida Keys National Marine Sanctuary (FKNMS or Sanctuary) west of the Dry Tortugas National Park. The Sanctuary intends to prepare a Supplemental Environmental Impact Statement (SEIS) and hold scoping meetings to receive public input.

DATES AND ADDRESSES: Interested parties are invited to submit written comments by December 17, 1998, to assure full consideration during the scoping process. Written comments may be sent to Billy D. Causey, Superintendent,