

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 072902B]

**Proposed Information Collection; Comment Request; Reporting of Sea Turtle Incidental Take in Virginia Chesapeake Bay Pound Net Operations****AGENCY:** National Oceanic and Atmospheric Administration (NOAA).**ACTION:** Notice.

**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 September 30, 2002.

**ADDRESSES:** Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6608, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via Internet at *MClayton@doc.gov*).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Mary Colligan, Assistant Regional Administrator for Protected Resources, National Marine Fisheries Service (NMFS), One Blackburn Drive, Gloucester, MA 01930 (ph. 978-281-9116, fax 978-281-9394).

**SUPPLEMENTARY INFORMATION:****I. Abstract**

This proposed reporting measure would require all Virginia Chesapeake Bay pound net fishermen to report interactions with endangered and threatened sea turtles, found both live and dead, in their pound net operations. When a live or dead sea turtle is discovered during a pound net trip, the Virginia pound net fisherman would be required to report the incidental take to NMFS and, if necessary, the appropriate rehabilitation and stranding network. This information will be used to monitor the level of incidental take in the state-managed Virginia pound net fishery and ensure that the seasonal pound net leader restriction (50 CFR

223.206(d)(2)(v)) is adequately protecting listed sea turtles.

**II. Method of Collection**

At any time during the year, if a sea turtle is taken live and uninjured in any portion of the pound net operation, in the pound, heart, or leader, the operator of the vessel would be required to report the incident to the NMFS Northeast Regional Office within 24 hours of returning from the trip in which the incidental take was discovered. At any time during the year, if a sea turtle is taken in a pound net operation, and is determined to be injured, or if a sea turtle is captured dead, the operator of the vessel would be required to immediately notify the NMFS Northeast Regional Office and the appropriate rehabilitation or stranding network, as determined by the NMFS Northeast Regional Office.

**III. Data**

OMB Number: None.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations, individuals or households (specifically, Virginia pound net fishermen).

Estimated Number of Respondents: 80.

Estimated Time Per Response: 10 minutes.

Estimated Total Annual Burden Hours: 74.

Estimated Total Annual Cost to Public: \$1,323.

**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: July 25, 2002.

**Madeleine Clayton,***Departmental Paperwork Clearance Officer, Office of Chief Information Officer.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 072502A]

**Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:**

**SUMMARY:** The Makah Indian Tribe, and the Washington Department of Fish and Wildlife as the co-managing fisheries resource manager, have submitted a joint Resource Management Plan (RMP) pursuant to the protective regulations promulgated for the Ozette Lake Sockeye Salmon Evolutionary Significant Unit (ESU) under the Endangered Species Act (ESA). The RMP specifies artificial propagation, research, and monitoring and evaluation measures potentially affecting listed Ozette Lake sockeye salmon. This document serves to notify the public of the availability for comment of the proposed evaluation of the Secretary of Commerce (Secretary) as to how the RMP addresses the criteria in the ESA. NMFS also announces the availability of a draft Environmental Assessment (EA) for the pending determination.

**DATES:** Written comments on the Secretary's evaluation must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on September 3, 2002.

**ADDRESSES:** Written comments and requests for copies of the proposed evaluation and draft environmental assessment should be addressed to Tim Tynan, Sustainable Fisheries Division, National Marine Fisheries Service, 510 Desmond Drive, Suite 103, Olympia, WA 98503. Comments may also be sent via fax to 360/753-9517. The documents are also available on the Internet at <http://www.nwr.noaa.gov/>, Sustainable Fisheries Division site. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Tim Tynan at phone number: 360/753-9579, or e-mail: *Tim.Tynan@noaa.gov* regarding the RMP.