

- Limited entry for commercial vessels;
- Hard total allowable catch (TAC) output controls;
- Dedicated Access Privileges (DAPs); and
- Recreational measures for the these species.

Further information regarding each issue follows. Detailed information on each of these potential measures, including specific topics for which the Council is soliciting comment, are in the scoping document, available on the Council web site <http://www.nefmc.org>.

Limited Entry for Commercial Vessels

The Council voted to reaffirm the existing small-mesh multispecies control date of March 25, 2003, during their meeting on April 4, 2006. The purpose of this control date was to deter speculative entry into the fishery after its establishment. The Council is not obliged to limit entry into the commercial small-mesh fisheries, nor is it obliged to use participation before the control date as the basis for qualification. Qualification criteria may include such things as participation in the fishery prior to the control date, participation within a defined time period, historical landing levels by fishery participants, and dependency on the fishery.

Hard Total Allowable Catches

Hard TACs are an output control measure that limit total harvest by closing the fishery when the TAC is reached. As such, TACs may be considered to reduce the likelihood that overfishing may occur in the fishery. Hard TACs may be developed for individual species, species assemblages, areas, seasons, commercial or recreational fisheries. Hard TACs may be developed in conjunction with individual harvesting privileges and could be developed whether the fishery becomes limited entry or remains open access.

Dedicated Access Privileges

DAP programs may include such measures as fishing sector allocations, community quotas, harvesting cooperatives, or other group or individual access privileges. DAPs may provide for a management approach that can be tailored to a smaller number of vessels instead of developing an approach to accommodate several hundred vessels. DAPs may allow additional flexibility for participants to pool resources and maximize efficiency and economic benefits. If developed, the Council may consider safeguards to consolidation, transferability, allocation

changes over time, and how DAPs may change the fishery and fishing communities.

It is possible that during the scoping process other issues will be raised related to the purpose of this amendment, and if appropriate, those issues also will be considered by the Council.

Scoping Process

It is the Council's and NMFS' intent to encourage all persons affected by or otherwise interested in the management of small-mesh multispecies to participate in the process to determine the scope and significance of issues to be analyzed in the SEIS and amendment. All such persons are encouraged to submit written comments (see ADDRESSES) or attend one of the scoping meetings. Persons submitting written comments may wish to address the specific measures introduced in the previous section. The scope of the SEIS consists of the range of actions, alternatives, and impacts to be considered. Alternatives may include the following: Not amending the FMP (taking no action); developing an amendment that contains management measures such as those discussed in this notice; or other reasonable courses of action. Impacts may be direct, indirect, or cumulative.

This scoping process also will identify and eliminate from detailed analysis issues that are not significant. After the scoping process is completed, the Council will proceed with the development of an amendment to the NE Multispecies FMP and the Council will prepare an SEIS to analyze the impacts of the range of alternatives considered in the amendment. The Council will hold public hearings to receive comments on the draft amendment and on the analysis of its impacts presented in the draft SEIS.

Scoping Hearing Schedule

The Council will discuss and take scoping comments at the following public meetings:

1. Wednesday, May 24, 5 p.m., MA DMF of Marine Fisheries, Annisquam River Marine Station, 30 Emerson Avenue, Gloucester, MA 01930. Telephone (978) 282-0308.
2. Thursday, May 25, 5 p.m., Casco Bay Lines, 56 Commercial Street, Portland, ME 04101. Telephone (207) 774-7871.
3. Wednesday, May 31, 5 p.m., Narragansett Town Hall, 25 Fifth Avenue, Narragansett, RI 02882. Telephone (401) 789-1044.
4. Tuesday, June 6, 5 p.m., Stonington Office of Public Safety, 173 South Broad

Street, Route 1, Stonington, CT 06378. Telephone (860) 599-7510.

5. Wednesday, June 7, 5 p.m., Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901. Telephone (631) 727-3200.

6. Thursday, June 8, 5 p.m., Ferrara's Restaurant, 518 Arnold Avenue, Point Pleasant Beach, NJ 08742. Telephone (732) 899-3900.

Special Accommodations

These meetings are accessible to people with physical 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.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 08, 2006.

Alan D. Risenhoover,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042406C]

Marine Mammals; File No. 782-1812

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

ACTION: Notice; issuance of permit.

SUMMARY: Notice is hereby given that NMFS, National Marine Mammal Laboratory (Principle Investigator: Dr. Robert DeLong), Alaska Fisheries Science Center, Seattle, WA has been issued a permit to conduct research on California sea lions (*Zalophus californianus*), northern elephant seals (*Mirounga angustirostris*), harbor seals (*Phoca vitulina*), and northern fur seals (*Callorhinus ursinus*) on the southern California Channel Islands, surrounding waters, and at haul-out sites along the coast of California, Oregon, and Washington.

ADDRESSES: The permit 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, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1,

Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426; and Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

FOR FURTHER INFORMATION CONTACT: Andrew Wright or Dr. Tammy Adams, (301)713-2289.

SUPPLEMENTARY INFORMATION: On March 9, 2006, notice was published in the Federal Register (71 FR 12185) that a request for a scientific research permit to take the species identified above had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The permit authorizes the holder to conduct five research projects related to population and health assessment and studies of the ecology of and disease in these pinniped species. The permit authorizes the holder to harass, capture, sample (blood and various tissues), mark (by dye, flipper tag, neoprene patch, and hot brand), and attach instruments to individuals and to inject California sea lion and northern fur seal pups with either an antihelminthic treatment or placebo. The permit also authorizes NMML a limited number of mortalities of each species per year incidental to the research. Please refer to the tables in the permit for details of the numbers of marine mammals that are authorized to be taken during the course of the various research activities. The permit will expire on April 30, 2011.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: May 9, 2006.

Stephen L. Leathery,
Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E6-7356 Filed 5-12-06; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 050306A]

Small Takes of Marine Mammals Incidental to Specified Activities; Marine Geophysical Survey of the Western Canada Basin, Chukchi Borderland and Mendeleev Ridge, Arctic Ocean, July-August, 2006

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

ACTION: Notice; receipt of application and proposed incidental take authorization; request for comments.

SUMMARY: NMFS has received an application from the University of Texas at Austin Institute for Geophysics (UTIG) for an Incidental Harassment Authorization (IHA) to take small numbers of marine mammals, by harassment, incidental to conducting a marine seismic survey in the Arctic Ocean from approximately July 15 – August 25, 2006. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an authorization to incidentally take, by harassment, small numbers of several species of marine mammals during the seismic survey.

DATES: Comments and information must be received no later than June 14, 2006.

ADDRESSES: Comments on the application should be addressed to Steve Leathery, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. The mailbox address for providing email comments is PR1.050306A@noaa.gov. NMFS is not responsible for e-mail comments sent to addresses other than the one provided here. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

A copy of the application containing a list of the references 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 be viewed, by appointment, during regular business hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT: Jolie Harrison, Office of Protected Resources, NMFS, (301) 713-2289, ext 166.

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 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 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, and that 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 United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. 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].

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 issuance of the authorization.

Summary of Request

On March 8, 2006, NMFS received an application from UTIG for the taking, by