

the dates and locations of seismic operations, and all marine mammal sightings (dates, times, locations, activities, associated seismic survey activities), and the amount and nature of potential take of marine mammals by harassment or in other ways.

#### Endangered Species Act

On March 5, 2007, NMFS concluded consultation with NSF under section 7 of the ESA on the proposed marine geophysical surveys in the ETP and issued a biological opinion on April 22, 2008. The finding of that consultation was that the marine geophysical surveys in the ETP may adversely affect, but is not likely to jeopardize, the continued existence of blue and sperm whales, and leatherback, green, olive ridley, hawksbill, and loggerhead turtles. The proposed marine geophysical surveys are not likely to adversely affect sei or fin whales. NMFS' IHA will not have impacts beyond what was analyzed in the biological opinion. Therefore, additional consultation is not required.

#### National Environmental Policy Act (NEPA)

In April 2007, LGL Ltd. (LGL) prepared a draft *Environmental Assessment of Two Marine Geophysical Surveys by the R/V Marcus G. Langseth in the Eastern Tropical Pacific, 2007* (EA) for L-DEO and NSF. NMFS has reviewed this EA and has adopted it. Therefore, the preparation of another EIS or EA is not warranted. NMFS issued a Finding of No Significant Impact Statement on April 23, 2008.

#### Determination

Based on the preceding information, and provided that the aforementioned mitigation and monitoring measures are incorporated, NMFS has determined that the impact of conducting the marine seismic survey in the ETP may result, at worst, in a temporary modification in behavior of small numbers of certain species of marine mammals. While behavioral and avoidance reactions may be made by these species in response to the resultant noise from the airguns, these behavioral changes are expected to have a negligible impact on the affected species and stocks of marine mammals.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the area of seismic operations, the number of potential harassment takings is estimated to be relatively small in light of the population sizes (see Tables 3, 4, and 5). NMFS anticipates the actual take of individuals to be even lower than the

numbers depicted in the tables, because those numbers do not reflect either the implementation of the mitigation numbers or the fact that some animals likely will avoid the sound at levels lower than those expected to result in harassment.

In addition, no take by death and/or injury is anticipated, and the potential for temporary or permanent hearing impairment will be avoided through the incorporation of the mitigation measures described in this document.

#### Authorization

NMFS has issued an IHA to L-DEO for the potential Level B harassment of small numbers of cetaceans incidental to conducting marine geophysical surveys in the ETP, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: April 23, 2008.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

**RIN: 0648-XH60**

##### New England Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Research Steering Committee in May, 2008 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** This meeting will be held on Monday, May 19, 2008 at 10 a.m. and Tuesday, May 20, 2008 at 8:30 a.m.

**ADDRESSES:** This meeting will be held at the Hilton Hotel, 25 Allied Drive, Dedham, MA 02026; telephone: (781) 329-7900; fax: (781) 329-5552.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.  
**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New

England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:** The committee's agenda for the meeting is as follows:

1. *Monday, May 19, 2008;* The committee will review final reports generated through cooperative research partnerships. Reports to be reviewed address groundfish, monkfish, sea scallops, herring and related topics.

2. *Tuesday, May 20, 2008;* The committee will review habitat-related final research reports that have been funded through organizations that support cooperative research in the New England region. The committee may consider other topics at their discretion.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: April 29, 2008.

**Tracey L. Thompson,**

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

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

**RIN: 0648-XH59**

##### North Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The North Pacific Fishery Management Council's (Council) Pacific Northwest Crab Industry Advisory Committee (PNCIAC) will meet in