

exempted fishery within regulated mesh areas. Because one of the research goals is to use the information to expand the whiting fishery exemption area, staying within this 5-percent multispecies bycatch cap would be useful for future management decisions based on this research. No NE multispecies would be landed for sale, with the exception of whiting. Additionally, this EFP would include an exemption from multispecies minimum size limits at § 648.86 for sampling purposes only. This exemption would allow sampling of undersized species prior to their discard.

Whiting caught during the research would be landed and sold, up to the current possession limit, to provide additional funding for the project. All other organisms, including whiting with high expected survival return rates, would be released as quickly and carefully as practicable. The applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: June 26, 2008.

Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E8-14943 Filed 7-1-08; 8:45 am]
BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XI66

Marine Mammals; File No. 545-1761

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

ACTION: Notice; withdrawal of amendment request.

SUMMARY: Notice is hereby given that the North Gulf Oceanic Society (Craig O. Matkin, Principal Investigator), 2030 Mary Allen Avenue, Homer, AK 99603 has withdrawn its application for an amendment to Permit No. 545-1761-00 for use of a mini-helicopter during killer whale (*Orcinus orca*) research.

ADDRESSES: The documents related to this action are available for review upon written request or by appointment in the following offices:

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; and

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7221; fax (907)586-7249.

FOR FURTHER INFORMATION CONTACT: Carrie Hubbard or Amy Sloan, (301)713-2289.

SUPPLEMENTARY INFORMATION: On June 6, 2008 a notice was published in the **Federal Register** (73 FR 32307) that an application for an amendment had been filed by North Gulf Oceanic Society. The permit holder requested authorization to use a mini-helicopter, during an opportunistic, limited time period in Alaska during August/September 2008. The applicant has withdrawn the amendment request from further consideration.

Dated: June 27, 2008.

P. Michael Payne,
Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.
[FR Doc. E8-15050 Filed 7-1-08; 8:45 am]
BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XI76

Western Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meetings.

SUMMARY: This notice advises the public that the Western Pacific Fishery Management Council (Council) will convene a meeting of the Hawaii Archipelago Regional Ecosystem Advisory Committee (REAC) in Honolulu, HI.

DATES: The Hawaii Archipelago Regional Ecosystem Advisory Committee meeting will be held Thursday, July 17, 2008. For the specific date, time, and agenda for the meeting, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting of the Hawaii Archipelago Regional Ecosystem Advisory Committee will be held at the

Council Office, 1164 Bishop St. Suite 1400, Honolulu, HI 96814.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

SUPPLEMENTARY INFORMATION: The date, time and agenda for the meeting is as follows:

Thursday, July 17, 2008, 9 a.m. - 5 p.m.

1. Welcome and Introduction of Members
2. Approval of Draft Agenda
3. Update on Federal Fisheries Management Actions
 - a. Main Hawaiian Islands bottomfish Management
 - b. Summary of Pelagic Fishery Management Actions
 - c. Discussion
4. Coastal Ecosystems
 - a. Fresh Water Use and Diversion in Hawaii
 - b. Characterization of Fish and Benthic Organisms in Pearl Harbor
5. Guest Presentations
 - a. Review of Global Sea Level Rise: global factors and local impacts
 - b. Pacific Ocean Productivity Modeling
 - c. Discussion
6. Community Marine Management Forum
 - a. Aha Moku Process
 - b. Discussion
 7. Public Comments
 8. REAC Discussion and Action

The order in which agenda items are addressed may change. Public comment periods will be provided throughout each agenda. The Regional Ecosystem Advisory Committee will meet as late as necessary to complete scheduled business.

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically identified 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 Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

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

Dated: June 26, 2008.

Tracey L. Thompson,

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

[FR Doc. E8-14936 Filed 7-1-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-X162

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Coastal Commercial Fireworks Displays at Monterey Bay National Marine Sanctuary, CA

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

ACTION: Notice of issuance of a letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA) and implementing regulations, notification is hereby given that a 1-year Letter of Authorization (LOA) has been issued to the Monterey Bay National Marine Sanctuary (MBNMS) to incidentally take, by Level B harassment only, California sea lions (*Zalophus californianus*) and Pacific harbor seals (*Phoca vitulina*) incidental to professional fireworks displays within the MBNMS in California waters.

DATES: This authorization is effective from July 4, 2008, through July 3, 2009.

ADDRESSES: The LOA and supporting documentation are available for review in the Permits, Conservation, and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, by contacting one of the individuals listed here (**FOR FURTHER INFORMATION CONTACT**), or online 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 and at the Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

FOR FURTHER INFORMATION CONTACT: Jeannine Cody, Jaclyn Daly, or Jolie Harrison, Office of Protected Resources, NMFS, (301) 713-2289, or Monica DeAngelis, Southwest Regional Office, NMFS, (562) 980-4023.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs 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 regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Authorization shall be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements for monitoring and reporting of such taking.

Regulations governing the taking of California sea lions and Pacific harbor seals, by Level B harassment, incidental to commercial fireworks displays within the Monterey Bay National Marine Sanctuary (MBNMS) became effective on July 4, 2006, and remain in effect until July 3, 2011. For detailed information on this action, please refer to the original **Federal Register** notice (71 FR 40928, July 19, 2006). These regulations include mitigation, monitoring, and reporting requirements for the incidental taking of marine mammals during the fireworks displays within the Sanctuary boundaries. This will be the third LOA issued pursuant to these regulations.

Summary of Request

On February 27, 2008, NMFS received a request for a LOA pursuant to the aforementioned regulations that would authorize, for a period not to exceed 1 year, take of marine mammals incidental to fireworks displays at the MBNMS. Justification for conducting fireworks displays within the MBNMS can be found in the proposed rule (71 FR 25544, May 1, 2006).

Summary of Activity and Monitoring Under the Current LOA

For the City of Monterey Independence Day Fireworks Celebration, MBNMS was required to: (i) conduct counts of marine mammals present within the fireworks impact area immediately before and one day after the event; (ii) conduct behavioral observations of marine mammals present during the display; and (iii) conduct NMFS-approved acoustic monitoring of sound levels for the duration of the event. The regulations set forth in 50 CFR 216.115 (b)(1-2) specified that the behavioral census and acoustic study were one-time events. To fulfill these requirements, MBNMS contracted with a private environmental consulting firm to conduct the acoustic and behavioral study and submitted a 91-page report titled, "Marine Mammal Acoustic and Behavioral Monitoring for the Monterey Bay National Marine Sanctuary Fireworks Display 4 July 2007." to NMFS on November 8, 2007. Following is a summary of that report.

Acoustic Monitoring

The acoustic technician used two separate systems to monitor sound levels in the environment on July 4, 2007. The first system, customized for recording low frequency sounds associated with impulsive noise such as explosions, consisted of a digital audio tape recorder and a microphone with a low frequency cut-off. The second acoustic monitoring system, a sound level meter, measured the sound pressure associated with fireworks shell detonations during the display.

Acoustic monitoring began at 6 p.m. on July 4, 2007. Consultants placed the monitoring equipment at the east end of the U.S. Coast Guard (USCG) pier approximately 800 meters from the fireworks launch site to measure ambient noise, sea lion vocalizations, fireworks detonations, and aircraft noise. From 6 p.m. to 9 p.m. PDT, the average sound level measured over one hour (Leq 1 hour) ranged from 58.8 to 59 decibels (dB) and included sounds from sea lions barking, random fireworks in the local area, and recreational boat traffic.

The fireworks display began at 9:15 p.m. PDT with two sets of fireworks detonations and ended with a grand finale of multiple explosions at 9:35 p.m. PDT. The average sound level measured during the hour containing the fireworks display was 72.9 dB (Leq 1 hour), approximately 14.0 dB greater than ambient levels recorded before the display.