

SUPPLEMENTARY INFORMATION: The subject permits are requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226).

Each application is summarized below. For specific take numbers of each species, please refer to the associated application.

File No. 16163: Northwest Fisheries Science Center, requests a permit to conduct scientific research on thirty seven species of cetaceans and unidentified mesoplodon and baleen species in all U.S. and international waters in the Pacific Ocean, including waters of Alaska, Washington, Oregon, California, and Hawaii. Seven of the 37 species to be targeted for research are listed as endangered or have a stock listed as endangered: blue whale (*Balaenoptera musculus*), fin whale (*B. physalus*), humpback whale (*Megaptera novaeangliae*), North Pacific right whale (*Eubalaena japonica*), sei whale (*B. borealis*), killer whale (*Orcinus orca*) Southern Resident stock, and sperm whale (*Physeter macrocephalus*). The false killer whale (*Pseudorca crassidens*) Hawaiian insular stock is proposed for listing under the ESA. Seven species of pinnipeds may be incidentally harassed from research activities, including three species listed as endangered: Steller sea lions (*Eumetopias jubatus*), Guadalupe fur seals (*Arctocephalus townsendi*), and Hawaiian monk seals (*Monachus schauinslandi*). The purposes of the proposed research are to study: (1) Abundance, population structure, social organization, fecundity, and mortality; (2) Distribution, seasonal movements, and habitat use; (3) Responses to anthropogenic impacts; (4) Health assessment including contaminant burdens, breath and fecal borne pathogens; and (5) Prey availability including prey selection and energetics. Harassment of all species of cetaceans may occur through vessel approach for sighting surveys, photographic identification, behavioral research, opportunistic sampling (breath, sloughed skin, fecal material, and prey remains), acoustic imaging with echosounders, and aerial surveys. Twenty seven cetacean species and unidentified mesoplodon species would be biopsied, dart, and/or suction-cup tagged. Ultrasound sampling would be

directed at killer whales including the Southern Resident stock. Active acoustic playback studies would be directed at Southern Resident killer whales. Import and export of marine mammal prey specimens, sloughed skin, fecal and breath samples obtained is requested for research purposes. Research would occur over a five-year period.

File No. 16160: The Whale Museum requests a five year permit to study marine mammals in the inland waters of Washington State. The purpose of the proposed research is to monitor and record vessel activities around marine mammal species routinely encountered by commercial and recreational vessels. This research would contribute to a long-term data set (Orca Master) that has provided critical information on characterizing annual vessel trends around Southern Resident killer whales and an evaluation of the effectiveness of federal, state and local marine wildlife guidelines and regulations through the Soundwatch program. Research methods would include close vessel approach for photo-identification, behavioral observation, and monitoring. The main focus species are killer whales from the Southern Resident stock. Additionally, Pacific white-sided dolphins (*Lagenorhynchus obliquidens*), Dall's porpoise (*Phocoenoides dalli*), harbor porpoise (*Phocoena phocoena*), eastern gray whale (*Eschrichtius robustus*), humpback whale, killer whale, and minke whale (*B. acutorostrata*) may be harassed.

File No. 15569: The Center for Whale Research requests a five-year permit to continue research currently authorized under Permit No. 532–1822–02 with the goal of determining the population size and structure of the ESA-listed Southern Resident killer whales and other ecotypes of killer whales throughout their range in the Eastern North Pacific Ocean. The core area of research will be the inland marine waters of Washington State, but the study area will opportunistically include the wider area of the coastal eastern North Pacific from the southern boundary of California to Alaskan waters east of Kodiak Island, including all territorial waters up to 200 nautical miles offshore. Research methods would primarily involve photo-identification of individuals and behavioral observations, but other benign techniques such as fecal sampling and prey sampling in trail of whales, remote measuring (aerial and laser techniques), and passive acoustic recording will be conducted. Other non-target species that may be opportunistically taken include 17 cetacean species and four pinnipeds

species. Those species that are listed as endangered include the blue whale, fin whale, sei whale, humpback whale, and North Pacific right whale, in addition to the threatened eastern stock of Steller sea lions.

A draft environmental assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), to examine whether significant environmental impacts could result from issuance of the proposed scientific research permits. The draft EA is available for review and comment simultaneous with the scientific research permit applications.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Documents May Be Reviewed in the Following Locations

Permits and Conservation 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;

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

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213; phone (562) 980–4001; fax (562) 980–4018; and

Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814–4700; phone (808) 973–2935; fax (808) 973–2941.

Dated: October 28, 2011.

Tammy C. Adams,

Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2011–28550 Filed 11–2–11; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XA777

Atlantic Highly Migratory Species; Advisory Panel

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

ACTION: Notice; solicitation of nominations.

SUMMARY: NMFS solicits nominations for the Atlantic Highly Migratory Species (HMS) Advisory Panel (AP). NMFS consults with and considers the comments and views of the HMS AP when preparing and implementing Fishery Management Plans (FMPs) or FMP amendments for Atlantic tunas, swordfish, sharks, and billfish. Nominations are being sought to fill one-third (11) of the seats on the HMS AP for a 3-year appointment. Individuals with definable interests in the recreational and commercial fishing and related industries, environmental community, academia, and non-governmental organizations will be considered for membership in the HMS AP.

DATES: Nominations must be received on or before December 5, 2011.

ADDRESSES: You may submit nominations and requests for the Advisory Panel Statement of Organization, Practices, and Procedures by any of the following methods:

- *Email:*

HMSAP.Nominations@noaa.gov. Include in the subject line the following identifier: "HMS AP Nominations."

- *Mail:* Jenni Wallace, Highly Migratory Species Management Division, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.
- *Fax:* (301) 713-1917.

FOR FURTHER INFORMATION CONTACT: Jenni Wallace at (301) 427-8503.

SUPPLEMENTARY INFORMATION:

Introduction

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.*, as amended by the Sustainable

Fisheries Act, Public Law 104-297, provided for the establishment of Advisory Panels to assist in the collection and evaluation of information relevant to the development of any Fishery Management Plan (FMP) or FMP amendment. NMFS has consulted with the HMS AP on the FMP for Atlantic Tunas, Swordfish, and Sharks (final in April 1999), Amendment 1 to the Billfish FMP (final in April 1999), Amendment 1 to the 1999 FMP (final in November 2003), the Consolidated HMS FMP (final in July 2006), Amendments 1, 2, and 3 to the Consolidated HMS FMP (June 2009, April 2008, and March 2010, respectively), and on the development of the upcoming Amendments 4, 5, and 6 to the Consolidated HMS FMP.

Procedures and Guidelines

A. Nomination Procedures for Appointments to the Advisory Panel

Nomination packages should include:

1. The name of the applicant or nominee and a description of his/her interest in HMS or in particular species of sharks, swordfish, tunas, or billfish;
2. Contact information, including mailing address, phone, and email of the applicant or nominee;
3. A statement of background and/or qualifications;
4. A written commitment that the applicant or nominee shall actively participate in good faith in the meetings and tasks of the HMS AP; and
5. A list of outreach resources that the applicant has at his/her disposal to communicate HMS issues to various interest groups.

Tenure for the HMS AP

Member tenure will be for 3 years (36 months), with approximately one-third of the members' terms expiring on

December 31 of each year. Nominations are sought for terms beginning January 2012 and expiring December 2014.

B. Participants

Nominations for the HMS AP will be accepted to allow representation from commercial and recreational fishing interests, the scientific community, and the environmental community who are knowledgeable about Atlantic HMS and/or Atlantic HMS fisheries. Current representation on the HMS AP, as shown in Table 1, consists of 12 members representing commercial interests, 12 members representing recreational interests, 4 members representing environmental interests, 4 academic representatives, and the International Commission for the Conservation of Atlantic Tunas (ICCAT) Advisory Committee Chairperson. Each HMS AP member serves a 3-year term with approximately one-third (11) of the total number of seats (33) expiring on December 31 of each year. NMFS seeks to fill 5 commercial, 3 recreational, 2 environmental, and 1 academic vacancy by December 31, 2011. NMFS will seek to fill vacancies based primarily on maintaining the current representation from each of the sectors. NMFS also considers species expertise and representation from the fishing regions (Northeast, Mid-Atlantic, South Atlantic, Gulf of Mexico, and Caribbean) to ensure the diversity and balance of the AP. Table 1 includes the current representation on the HMS AP by sector, region and species with terms that are expiring identified in bold. It is not meant to indicate that NMFS will only consider persons who have expertise in the species or fishing regions that are listed. Rather, NMFS will aim toward having as diverse and balanced an AP as possible.

TABLE 1—CURRENT REPRESENTATION ON THE HMS AP BY SECTOR, REGION, AND SPECIES

[Terms that are expiring are in bold. NMFS tries to maintain diversity and balance in representation among fishing regions and species; the AP Bylaws only dictate representation by Sector.]

Sector	Fishing region	Species	Date appointed	Date term expires
Academic	All	Tuna	1/1/2009	12/31/2011
Academic	All	Tuna	1/1/2010	12/31/2012
Academic	All	Shark	1/1/2010	12/31/2012
Academic	All	Swordfish/HMS	1/1/2010	12/31/2012
Commercial	Northeast	HMS	1/1/2009	12/31/2011
Commercial	Northeast	Tuna	1/1/2009	12/31/2011
Commercial	Southeast	HMS	1/1/2009	12/31/2011
Commercial	Northeast	Tuna	1/1/2009	12/31/2011
Commercial	Northeast	Tuna	1/1/2009	12/31/2011
Commercial	Mid-Atlantic	Shark	1/1/2010	12/31/2012
Commercial	Southeast	Swordfish/Tuna	1/1/2010	12/31/2012
Commercial	Northeast	Tuna	1/1/2011	12/31/2013
Commercial	Mid-Atlantic	HMS/Shark	1/1/2011	12/31/2013
Commercial	Southeast	Swordfish	1/1/2011	12/31/2013
Commercial	Gulf of Mexico	Shark	1/1/2011	12/31/2013

TABLE 1—CURRENT REPRESENTATION ON THE HMS AP BY SECTOR, REGION, AND SPECIES—Continued

[Terms that are expiring are in bold. NMFS tries to maintain diversity and balance in representation among fishing regions and species; the AP Bylaws only dictate representation by Sector.]

Sector	Fishing region	Species	Date appointed	Date term expires
Commercial	Gulf of Mexico	Shark	1/1/2011	12/31/2013
Environmental	All	Shark	1/1/2009	12/31/2011
Environmental	All	Shark	1/1/2009	12/31/2011
Environmental	All	Tuna	1/1/2011	12/31/2013
Environmental	All	Tuna	1/1/2011	12/31/2013
Recreational	Northeast	Tuna/Shark	1/1/2009	12/31/2011
Recreational	Mid-Atlantic	HMS	1/1/2009	12/31/2011
Recreational	Mid-Atlantic	Tuna	1/1/2009	12/31/2011
Recreational	Northeast	Tuna/Shark	1/1/2010	12/31/2012
Recreational	Southeast	Swordfish	1/1/2010	12/31/2012
Recreational	Northeast	Tuna	1/1/2010	12/31/2012
Recreational	All	HMS	1/1/2010	12/31/2012
Recreational	Mid-Atlantic	HMS	1/1/2010	12/31/2012
Recreational	Southeast	HMS	1/1/2011	12/31/2013
Recreational	Mid-Atlantic	HMS	1/1/2011	12/31/2013
Recreational	All	Billfish	1/1/2011	12/31/2013
Recreational	Gulf of Mexico	HMS	1/1/2011	12/31/2013

Regardless of fishing region or species, each sector must be adequately represented, and the intent is to have a group that, as a whole, reflects an appropriate and equitable balance and mix of interests given the responsibilities of the HMS AP. Criteria for membership include one or more of the following: (1) Experience in the HMS recreational fishing industry; (2) experience in the HMS commercial fishing industry; (3) experience in fishery-related industries (e.g., marinas, bait and tackle shops); (4) experience in the scientific community working with HMS; and/or (5) representation of a private, non-governmental, regional, national, or international organization representing marine fisheries; or environmental, governmental, or academic interests dealing with HMS.

Five additional members on the HMS AP include one member representing each of the following Councils: New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, the South Atlantic Fishery Management Council, the Gulf of Mexico Fishery Management Council, and the Caribbean Fishery Management Council. The HMS AP also includes 22 ex-officio participants: 20 representatives of the coastal states and two representatives of the interstate commissions (the Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission).

NMFS will provide the necessary administrative support, including technical assistance, for the HMS AP. However, NMFS will not compensate participants with monetary support of any kind. Depending on availability of funds, members may be reimbursed for

travel costs related to the HMS AP meetings.

C. Meeting Schedule

Meetings of the HMS AP will be held as frequently as necessary but are routinely held twice each year in the spring and fall. The meetings may be held in conjunction with public hearings.

Dated: October 31, 2011.

Steven Thur,

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

[FR Doc. 2011-28551 Filed 11-2-11; 8:45 am]

BILLING CODE 3510-22-P

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