

hereby given that the ACEHR will hold a meeting via teleconference on Friday, April 20, 2012, from 1 p.m. until 3 p.m. Eastern Time. There will be no central meeting location. Interested members of the public will be able to participate in the meeting from remote locations by calling into a central phone number. The primary purpose of this meeting is to develop the Committee's draft annual report to the NIST Director. Any draft meeting materials will be posted on the NEHRP Web site at <http://nehrrp.gov/>.

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Committee's affairs are invited to request detailed instructions by contacting Michelle Harman on how to dial in from a remote location to participate in the meeting. Michelle Harman's email address is [michelle.harman@nist.gov](mailto:michelle.harman@nist.gov), and her phone number is 301-975-5324. Approximately fifteen minutes will be reserved from 2:45 p.m.-3 p.m. Eastern Time for public comments; speaking times will be assigned on a first-come, first-serve basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated, and those who were unable to participate are invited to submit written statements to the ACEHR, National Institute of Standards and Technology, 100 Bureau Drive, MS 8604, Gaithersburg, Maryland 20899-8604, via fax at (301) 975-5433, or electronically by email to [info@nehrrp.gov](mailto:info@nehrrp.gov).

All participants of the meeting are required to pre-register. Anyone wishing to participate must register by close of business Friday, April 13, 2012, in order to be included. Please submit your name, email address, and phone number to Michelle Harman. After registering, participants will be provided with detailed instructions on how to dial in from a remote location in order to participate. Michelle Harman's email address is [michelle.harman@nist.gov](mailto:michelle.harman@nist.gov), and her phone number is (301) 975-5324.

Dated: March 21, 2012.

**Willie E. May,**

*Associate Director for Laboratory Programs.*

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**BILLING CODE 3510-13-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XB114

#### Notice of Availability of Draft Documents for Public Comment Related to a Fishery Conservation Plan and Research Permits for the Washington State Department of Fish and Wildlife

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

**ACTION:** Notice.

**SUMMARY:** The Washington State Department of Fish and Wildlife (WDFW) has submitted applications to NMFS for four scientific research permits and one incidental take permit (Permits) under the Endangered Species Act of 1973, as amended (ESA). We prepared a draft Environmental Assessment (EA) to support permit-issuance decisions. As required by the ESA, WDFW has also prepared a Conservation Plan (Plan) designed to minimize and mitigate any such take of endangered or threatened species. The Permit applications are related to scientific research and fisheries management measures in waters of the Puget Sound/Georgia Basin, Washington. The research permits and fishery permit and the Plan each have a proposed term of 5 years.

We request comments from the public on the draft EA, the proposed Plan and associated applications. All comments received will become part of the public record.

**DATES:** Written comments on the draft EA and proposed Plan and associated applications must be received on or before April 23, 2012.

**ADDRESSES:** Address all written comments to: Dan Tonnes, National Marine Fisheries Service, 7600 Sand Point Way NE., Building Number 1, Seattle, WA 98115-6349, facsimile (206) 526-6426. Comments may be submitted by email to the following address: [WDFWEA.nwr@noaa.gov](mailto:WDFWEA.nwr@noaa.gov). In the subject line of the email, include the Document identifier: WDFW EA. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the office listed in the **ADDRESSES** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Dan Tonnes, National Marine Fisheries Service, 7600 Sand Point Way NE., Building Number 1, Seattle, WA 98115-

6349, facsimile (206) 526-6426, phone (206) 526-4643, email: [Dan.Tonnes@noaa.gov](mailto:Dan.Tonnes@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Statutory Authority

Section 9 of the ESA and its implementing Federal regulations prohibit the taking of a species listed as endangered or threatened. The term "take" is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct (16 U.S.C. 1532(19)). "Harm" is defined to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering (64 FR 60727, November 8, 1999). "Harass" is defined as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns including breeding, feeding, and sheltering.

NMFS may issue permits, under limited circumstances, to allow the take of listed species incidental to, and not the purpose of, otherwise lawful activities, and for scientific research. NMFS proposes to issue four research permits pursuant to section 10(a)(1)(A) and one incidental take permit pursuant to section 10(a)(1)(B) of the ESA. NMFS regulations governing permits for threatened and endangered species are at 50 CFR 222.307.

##### Background

Fisheries within portions of the Puget Sound/Georgia Basin are managed by the WDFW. ESA-listed yelloweye rockfish (*Sebastes ruberrimus*), canary rockfish (*Seb. pinniger*), and bocaccio (*Seb. paucispinis*) and threatened Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*) are incidentally caught in the commercial shrimp trawl fishery and the recreational bottom fish fishery authorized by the state. The threatened southern DPS of eulachon (*Thaleichthys pacificus*) and threatened southern DPS of North American green sturgeon (*Acipenser medirostris*) can be incidentally caught in the commercial shrimp trawl fishery that occur in the Puget Sound/Georgia Basin. WDFW conducts scientific research in the Puget Sound/Georgia Basin that takes ESA-listed rockfish, the threatened Evolutionarily Significant Units (ESUs) of Puget Sound Chinook salmon and Hood Canal summer-run chum salmon (*O. keta*), the DPSs of threatened Puget Sound steelhead (*O. mykiss*), southern

North American green sturgeon, and southern eulachon. The Permit applications WDFW submitted to NMFS address the potential take these listed species.

On April 27, 2010, NMFS listed the Puget Sound/Georgia Basin Distinct Population Segments (DPSs) of yelloweye rockfish, and canary rockfish, as threatened, and bocaccio as endangered species under the ESA (75 FR 22276). Prior to the listing, WDFW initiated discussions with NMFS to pursue ESA compliance for state authorized fisheries and research activities that are likely to incidentally encounter ESA-listed rockfish within state waters of the DPSs. NMFS has provided assistance to the WDFW in development of a Conservation Plan and an application for an incidental take permit (ITP) for ESA-listed rockfish and other species likely to be affected by several state-authorized fisheries and state-conducted research efforts.

The draft EA analyzes three alternatives. In the no-action alternative NMFS would not issue research permits or incidental take permit, and WDFW would close the the commercial shrimp trawl fishery and the recreational bottom fish fishery, and no longer conduct certain research. In the proposed alternative NMFS would issue all four research permits, and the fisheries permit. The fishery permit would be issued with additional protections to limit and track take of listed fish. In the third alternative NMFS would issue all four research permits and the fishery permit. The fishery permit would include less fisheries restrictions and would result in greater take numbers of ESA-listed rockfish. NMFS's proposed action is to issue the four research permits and the fisheries permit that include protections to further reduce and track take of listed fish.

NMFS will evaluate the applications, associated documents, and comments submitted to determine whether the applications meet requirements of the ESA and NEPA. We will then prepare the final EA. Our decisions of whether to issue an incidental take permit and scientific research permits will be made upon completion of the final EA and the ESA determination.

#### Document Availability

The documents are available electronically on the World Wide Web at <http://www.nwr.noaa.gov>.

Dated: March 21, 2012.

#### Larissa Plants,

*Acting Chief, Endangered Species Division,  
Office of Protected Resources, National  
Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XB043**

#### Identification of Nations Whose Fishing Vessels Are Engaged in Illegal, Unreported, or Unregulated Fishing

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

**ACTION:** Request for information.

**SUMMARY:** NMFS is seeking information regarding nations whose vessels are engaged in illegal, unreported, or unregulated (IUU) fishing, bycatch of protected living marine resources (PLMRs), and/or fishing activities in waters beyond any national jurisdiction that target or incidentally catch sharks. Such information will be reviewed for the purposes of the identification of nations pursuant to the High Seas Driftnet Fishing Moratorium Protection Act (Moratorium Protection Act).

**DATES:** Information should be received on or before April 30, 2012.

**ADDRESSES:** Information should be submitted to NMFS Office of International Affairs, Attn.: MSRA Information, 1315 East-West Highway, Silver Spring, MD 20910. Email address: [IUU.PLMR.Sharks@noaa.gov](mailto:IUU.PLMR.Sharks@noaa.gov) or fax (301) 713-2313.

**FOR FURTHER INFORMATION CONTACT:** Kristin Rusello, 301-427-8376.

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) amended the Moratorium Protection Act (16 U.S.C.1826d-k) to require actions be taken by the United States to strengthen international fishery management organizations and address IUU fishing and bycatch of PLMRs. The Shark Conservation Act of 2010 (S.850) further amended the Moratorium Protection Act by requiring that actions be taken by the United States to strengthen shark conservation.

Specifically, the Moratorium Protection Act requires the Secretary of Commerce (Secretary) to identify in a biennial report to Congress those

nations whose fishing vessels are engaged, or have been engaged at any point during the preceding two years, in IUU fishing. In this context, IUU fishing is defined (16 U.S.C. 1826j; 50 CFR 300.200-201) as:

(1) Fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, and bycatch reduction requirements;

(2) Overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; and

(3) Fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.

In addition, the Secretary must identify in the biennial report those nations whose fishing vessels are engaged, or have been engaged in the previous calendar year in fishing activities either (1) in waters beyond any national jurisdiction that result in bycatch of a PLMR, or (2) beyond the U.S. exclusive economic zone (EEZ) that result in bycatch of a PLMR shared by the United States. In this context, PLMRs are defined as non-target fish, sea turtles, sharks, or marine mammals that are protected under U.S. law or international agreement, including the Marine Mammal Protection Act, the Endangered Species Act, the Shark Finning Prohibition Act, and the Convention on International Trade in Endangered Species of Wild Flora and Fauna. PLMRs do not include species, except sharks, managed under the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tunas Convention Act, or any international fishery management agreement. A list of species considered as PLMRs for this purpose is available online at: [http://www.nmfs.noaa.gov/msa2007/docs/list\\_of\\_protected\\_lmr\\_act\\_022610.pdf](http://www.nmfs.noaa.gov/msa2007/docs/list_of_protected_lmr_act_022610.pdf).

Furthermore, the Shark Conservation Act requires that the Secretary of Commerce identify nations in a biennial report to Congress whose fishing vessels are engaged, or have been engaged during the calendar year previous to the biennial report in fishing activities or practices in waters beyond any national