

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648–XC440

International Pacific Halibut Commission Appointments

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

ACTION: Notice of new call for nominations.

SUMMARY: In Spring 2012, NOAA Fisheries publicly solicited nominations for two presidential appointments to serve as U.S. Commissioners to the International Pacific Halibut Commission (IPHC). While the nomination list included many strong candidates, the combination of a number of factors resulted in the decision to re-initiate this public nomination process. These factors include heightened interest by diverse user groups, the lapse of time since original nominees expressed interest in an appointment, and considerations of balanced representation on the Commission. In their official IPHC duties, Commissioners represent the interests of the United States and all of its stakeholders in the Pacific halibut fishery, while working to develop the Pacific halibut stocks to levels that will permit the optimum yield from the Pacific halibut fishery. Thus, NOAA is again soliciting nominations for two individuals to serve as U.S. Commissioners to the IPHC.

DATES: Nominations must be received by February 15, 2013. A list of nominees will be published on the NMFS Alaska Regional Office Web site (<http://www.alaskafisheries.noaa.gov/>) on February 19, 2013. Public comments relating to this list of nominees will be accepted until March 18, 2013.

ADDRESSES: Nominations for U.S. Commissioners to the IPHC may be made in writing to Mr. Patrick E. Moran, Office of International Affairs, National Marine Fisheries Service, at 1315 East-West Highway, Silver Spring, MD 20910. Nominations may also be sent via fax (301–713–2313) or email (IPHC2013nominations@noaa.gov). Please send all public comments via email to IPHC2013comments@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Patrick E. Moran, (301) 427–8370.

SUPPLEMENTARY INFORMATION:**Background**

The IPHC is a bilateral regional fishery management organization

established pursuant to the Convention between Canada and the United States for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea (Convention). The Convention was signed at Ottawa, Ontario, on March 2, 1953, and was amended by a Protocol Amending the Convention signed at Washington, DC, on March 29, 1979. The Convention's central objective is to develop the stocks of Pacific halibut in waters off the west coasts of Canada and the United States to levels that will permit the optimum yield from the Pacific halibut fishery and to maintain the stocks at those levels. The IPHC fulfills this objective in part by recommending Pacific halibut fishery conservation and management measures for approval by the United States and Canada. Pursuant to the Northern Pacific Halibut Act of 1982, the Secretary of State, with the concurrence of the Secretary of Commerce, may accept or reject, on behalf of the United States, conservation and management measures recommended by the IPHC. 16 U.S.C. 773b. Measures accepted by the Secretary of State are adopted as binding regulations governing fishing for Pacific halibut in Convention waters of the United States. 16 U.S.C. 773c(b)(1). More information on the IPHC can be found at <http://www.iphc.int>.

Section 773a of the Northern Pacific Halibut Act of 1982 (16 U.S.C. 773a) requires that the United States be represented on the IPHC by three U.S. Commissioners. U.S. Commissioners are appointed for a term not to exceed 2 years, but are eligible for reappointment. Of the Commissioners:

- (1) One must be an official of the National Oceanic and Atmospheric Administration; and
- (2) Two must be knowledgeable or experienced concerning the Northern Pacific halibut fishery; of these, one must be a resident of Alaska and the other shall be a nonresident of Alaska. Of the three commissioners described in paragraphs (1) and (2), one must also be a voting member of the North Pacific Fishery Management Council.
- (3) Commissioners who are not Federal employees are not considered to be Federal employees except for the purposes of injury compensation or tort claims liability as provided in section 8101 *et seq.* of title 5 and section 2671 *et seq.* of title 28.

In their official IPHC duties, Commissioners represent the interests of the United States and all of its stakeholders in the Pacific halibut fishery. These duties require a modest amount of travel (typically two or three

trips per year lasting less than a week), and travel expenses are paid by the U.S. Department of State. Commissioners receive no compensation for their services.

Nomination Process

NOAA Fisheries is currently accepting nominations for two U.S. Commissioners for the IPHC who are not officials of NOAA. Successful nominees will be considered for appointment by the President and (pending Presidential action) interim designation by the Department of State.

Nomination packages should provide details of an individual's knowledge and experience in the Pacific halibut fishery. Examples of such knowledge and/or experience could include (but are not limited to) such activities as: Participation in commercial, tribal, Community Development Quota (CDQ) and/or sport and charterboat halibut fishing operations; participation in halibut processing operations; and participation in Pacific halibut management activities

Nomination packages should document an individual's qualifications and state of residence. Self-nominations are acceptable, and current and former IPHC Commissioners are eligible for reappointment. Résumés, curriculum vitae, and/or letters of recommendation are useful but not required. Nomination packages will be evaluated on a case-by-case basis by officials in NOAA and the Department of Commerce who are familiar with the duties and responsibilities of IPHC Commissioners; evaluations will consider the aggregate of an individual's prior experience and knowledge of the Pacific halibut fishery, residency requirements, and any letters of recommendation provided. Nominees will be notified of their status (including rejection or approval) and any need for further information once the nomination process is complete.

Dated: January 10, 2013.

Jean-Pierre Plé,

Acting Director, Office of International Affairs, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648–XC062

Draft 2012 Marine Mammal Stock Assessment Reports

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of availability; reopening of public comment period.

SUMMARY: NMFS reviewed the Alaska, Atlantic, and Pacific regional marine mammal stock assessment reports (SARs) in accordance with the Marine Mammal Protection Act, and solicited public comment on draft 2012 SARs. Subsequently, SARs for ten stocks of marine mammals in the Atlantic region have been updated with revised abundance estimates and some corrections to bycatch estimates. NMFS solicits public comments on revised draft 2012 SARs for these ten stocks.

DATES: Comments must be received by April 16, 2013.

ADDRESSES: The ten revised 2012 draft SARs and supporting documentation are available in electronic form via the Internet at <http://www.nmfs.noaa.gov/pr/sars/draft.htm>. Copies of the ten revised draft Atlantic SARs may be requested from Gordon Waring, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543.

You may submit comments, identified by NOAA–NMFS–2012–0119, by any of the following methods:

Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal. <http://www.regulations.gov>. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2012-0119, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

Mail: Send comments or requests for copies of reports to: Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3226, Attn: Stock Assessments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter N/A in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT:

Shannon Bettridge, Office of Protected Resources, 301–427–8402, Shannon.Bettridge@noaa.gov; or Gordon Waring, 508–495–2311, Gordon.Waring@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

Section 117 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*) requires NMFS and the U.S. Fish and Wildlife Service (FWS) to prepare stock assessments for each stock of marine mammals occurring in waters under the jurisdiction of the United States. These reports must contain information regarding the distribution and abundance of the stock, population growth rates and trends, estimates of annual human-caused mortality and serious injury from all sources, descriptions of the fisheries with which the stock interacts, and the status of the stock. Initial reports were completed in 1995.

The MMPA requires NMFS and FWS to review the SARs at least annually for strategic stocks and stocks for which significant new information is available, and at least once every three years for non-strategic stocks. The term strategic stock means a marine mammal stock: (A) For which the level of direct human-caused mortality exceeds the potential biological removal level; (B) which, based on the best available scientific information, is declining and is likely to be listed as a threatened species under the Endangered Species Act within the foreseeable future; or (C) which is listed as a threatened species or endangered species under the Endangered Species Act. NMFS and the FWS are required to revise a SAR if the status of the stock has changed or can be more accurately determined. NMFS, in conjunction with the Alaska, Atlantic, and Pacific independent Scientific Review Groups (SRGs), reviewed the status of marine mammal stocks as required and revised reports in the Alaska, Atlantic, and Pacific regions to incorporate new information. NMFS solicited public comments on the draft 2012 SARs on August 7, 2012 (77 FR 47043); the 90-day public comment period closed on November 5, 2012.

Subsequent to soliciting public comment on the draft 2012 SARs, NMFS revised the 2011 abundance estimates and the 2010 northeast sink gillnet serious injury and mortality estimates for several Atlantic marine mammal stocks after discovering errors based upon further review of the abundance estimation methods and upon receiving updated bycatch data. This new

information prompted the agency to correct and revise the SARs for the following marine mammal stocks affected by these updates: fin whale, western North Atlantic stock; sei whale, Nova Scotia stock; minke whale Canadian east coast stock; sperm whale, North Atlantic stock; Cuvier’s beaked whale, western North Atlantic stock; Gervais’ beaked whale, western North Atlantic stock; Sowerby’s beaked whale, western North Atlantic stock; Risso’s dolphin, western North Atlantic stock; Atlantic white-sided dolphin, western North Atlantic stock; and harbor porpoise, Gulf of Maine/Bay of Fundy stock. NMFS solicits public comment on the revised draft 2012 SARs for these ten stocks.

Summary of Revisions to Atlantic Reports

The following summarizes the revisions made to the original draft 2012 SARs. The 2011 abundance estimate for fin whale, western North Atlantic stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 3,628 (CV = 0.24) to 1,595 (CV = 0.33). This change does not affect the minimum population estimate (Nmin) or the potential biological removal level (PBR) calculation, as the 2007 estimate is still considered the best abundance estimate and is used to calculate Nmin and PBR.

The abundance estimate for sei whale, Nova Scotia stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 467 (CV = 0.67) to 357 (CV = 0.52); Nmin changed from 279 to 236; and PBR changed from 0.6 to 0.5.

The 2011 abundance estimate for minke whale, Canadian east coast stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 7,817 (CV = 0.29) to 2,591 (CV = 0.81). This change does not affect Nmin or the PBR calculation, as the 2007 estimate is still considered the best abundance estimate and is used to calculate Nmin and PBR.

The abundance estimate for sperm whale, North Atlantic stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 1,584 (CV = 0.40) to 1,593 (CV = 0.36); Nmin changed from 1,142 to 1,187; and PBR changed from 2.3 to 2.4.

The abundance estimate for Cuvier’s beaked whale, western North Atlantic stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 5,611 (CV = 0.42) to 4,962 (CV = 0.37); Nmin changed from 3,992 to 3,670; and PBR declined from 40 to 37.

The abundance estimate for Gervais’ beaked whale, western North Atlantic stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 1,945 (CV = 1.0) to 1,847 (CV =

0.96); Nmin changed from 966 to 935; and PBR changed from 9.7 to 9.4.

The abundance estimate for Sowerby's beaked whale, western North Atlantic stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 3,748 (CV = 0.86) to 3,653 (CV = 0.69); Nmin increased from 2,008 to 2,160; and PBR increased from 20 to 22.

The abundance estimate for Risso's dolphin, western North Atlantic stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 17,734 (CV = 0.42) to 15,197 (CV = 0.55); Nmin decreased from 12,630 to 9,857; and PBR changed from 121 to 95.

The abundance estimate for Atlantic white-sided dolphin, western North Atlantic stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 45,592 (CV = 0.54) to 48,819 (CV = 0.61); Nmin increased from 29,806 to 30,403; and PBR increased from 298 to 304. Total annual estimated average fishery-related mortality or serious injury to this stock during 2006–2010 changed from 213 to 212. Average annual estimated fishery-related mortality attributed to the Northeast sink gillnet fishery during 2006–2010 decreased from 39 to 38 white-sided dolphins per year.

The abundance estimate for harbor porpoise, Gulf of Maine/Bay of Fundy stock, in the draft 2012 SAR (77 FR 47043, August 7, 2012) has changed from 61,959 (CV = 0.32) to 79,833 (CV = 0.32); Nmin increased from 47,635 to 61,415; and PBR changed from 548 to 706. The total annual estimated average human-caused mortality changed from 840 to 835 harbor porpoises per year; 791 attributed to U.S. fisheries (changed from 796). The average annual harbor porpoise mortality and serious injury attributed to the Northeast sink gillnet fishery from 2006 to 2010 changed from 515 to 511 (CV = 0.17).

The average annual harbor porpoise mortality and serious injury attributed to the mid-Atlantic gillnet fishery listed in the draft 2012 SAR (77 FR 47043, August 7, 2012) from 2006 to 2010 has changed from 276 to 275 (CV = 0.35).

Dated: January 10, 2013.

Helen M. Golde,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC434

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Scoping Process; Mid-Atlantic Fishery Management Council; Public Hearings

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

ACTION: Notice; request for comments.

SUMMARY: The Mid-Atlantic Fishery Management Council (Mid-Atlantic Council) announces its intention to prepare, in cooperation with NMFS, an EIS in accordance with the National Environmental Policy Act to assess potential effects on the human environment of alternative measures to protect deep-sea corals in the Mid-Atlantic region.

This notice announces a public process for determining the scope of issues to be addressed, and for identifying the significant issues related to deep-sea coral protections in the Mid-Atlantic. This notice is to alert the interested public of the scoping process, the development of the Draft EIS, and to provide for public participation in that process. If, during development of the Draft EIS, it can be determined that the alternatives are not expected to have significant impacts on the human environment, an Environmental Assessment (EA) may be prepared in place of an EIS. This determination will depend on the scope of issues raised and the alternatives developed. Information obtained during the scoping process will be used to develop either an EIS or an EA as appropriate. This action is necessary to provide analytical support for an amendment (Amendment 16) to the Fishery Management Plan (FMP) for Atlantic Mackerel, Squid, and Butterfish (MSB), which addresses protections of deep-sea corals from the impacts of fishing gear.

DATES: Written comments must be received on or before 11:59 p.m., EST, on February 15, 2013. Two public scoping meetings will be held during this comment period. See

SUPPLEMENTARY INFORMATION for dates, times, and locations.

ADDRESSES: Written comments may be sent by any of the following methods:

- Email to the following address: nmfs.ner.msbam16@noaa.gov;
- Mail or hand deliver to Dr. Christopher M. Moore, Executive

Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901. Mark the outside of the envelope "Deep Sea Corals Amendment Scoping Comments"; or

- Fax to (302) 674-5399.

The scoping document may also be obtained from the Mid-Atlantic Council office at the previously provided address, or by request to the Mid-Atlantic Council by telephone (302) 674-2331, or via the Internet at <http://www.mafmc.org/fmp/msb.htm>.

Comments may also be provided verbally at either of the two public scoping meetings. See **SUPPLEMENTARY INFORMATION** for dates, times, and locations.

FOR FURTHER INFORMATION CONTACT: Dr. Christopher M. Moore, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901, (telephone 302-674-2331).

SUPPLEMENTARY INFORMATION:

Background

The Mid-Atlantic Council has initiated this amendment to minimize the impacts of fishing gear on deep-sea corals within the Council's jurisdiction. The Mid-Atlantic Council and the New England Fishery Management Council (New England Council) have developed a Memorandum of Understanding (MOU) identifying areas of consensus and common strategy related to conservation of corals and mitigation of the negative impacts of fishery/coral interactions. The terms of the MOU include defined areas of jurisdiction for deep-sea coral protection measures, aligning with the Mid-Atlantic and New England Council region boundaries as defined in 50 CFR 600.105.

The New England Council began developing alternatives for deep-sea coral protections as part of their Essential Fish Habitat (EFH) Omnibus Amendment 2, and at their September 2012 meeting, voted to split the range of alternatives pertaining to deep sea corals into a separate omnibus amendment. The Mid-Atlantic Council will develop alternatives applicable to areas south of the inter-council boundary with the New England Council, with the understanding that the New England Council will implement coral-related measures north of this boundary.

At this time, the Mid-Atlantic Council is expected to consider several types of management measures, including, but not limited to:

- No action; no additional measures would be adopted.
- Designation of deep-sea coral protection zones, under the