

**Reef Fish Management Committee Agenda, Tuesday, June 24, 2014, 8:30 a.m. until 11:30 a.m. & 1 p.m. until 5:30 p.m.**

1. Discussion of the SEDAR 33 Benchmark Assessments for Gag and Greater Amberjack
2. Review of Amendment 28—Red Snapper Allocation and Recreational Accountability Measures
3. Review of the Red Snapper Slot Limit and Hook Size Analysis
4. Review of Amendment 40—Recreational Red Snapper Sector Separation Public Hearing Draft
5. Final Review of the Correction to Codified Text for IFQ Species Complexes
6. Federal For-Hire Red Snapper Limited Access Privilege Program
7. Discussion of Recreational Red Snapper Management Feedback—Recess—

**Shrimp Committee Agenda, Wednesday, June 25, 2014, 8:30 a.m. until 9:30 a.m.**

1. Review of Public Hearing Draft for Shrimp Amendment 15—Status Determination Criteria for Penaeid Shrimp and Adjustments to the Shrimp FMP Framework Procedure
2. Review of the April 2014 ESA Section 7 Consultation on the Continued Implementation of Sea Turtle Conservation Regulations under ESA and the Continued Authorization of the Southeast U.S. Shrimp Fisheries in Federal Waters
3. Update on the Shrimp Workshop

**Data Collection Committee Agenda, Wednesday June 25, 2014, 9:30 a.m. until 11:30 a.m.**

1. Discussion of Technical Subcommittee for Electronic Charter Boat Reporting Recommendations
2. Update on Headboat Collaborative Program
3. Discussion of Southeast Region's Electronic Monitoring and Reporting Implementation Program
4. Discussion of MRIP Methodology to Monitor Recreational Landings—Recess—

**Outreach and Education Committee Agenda, Wednesday, June 25, 2014, 1 p.m. until 1:30 p.m.**

1. Summary of Outreach and Education Advisory Panel Meeting

**Sustainable Fisheries/Ecosystem Committee Agenda, Wednesday, June 25, 2014, 1:30 p.m. until 4:30 p.m.**

1. Review of the GOM Ecosystem Assessment Status Report

2. Review of the Status Determination Criteria, Optimum Yield, and Red Snapper ACL Designation Options Paper
3. Discussion of the Permits for Veterans Proposal—Recess—

**Council Session Agenda, Wednesday, June 25, 2014, 5 p.m. until 8:15 p.m.**

- 5 p.m.—5:15 p.m.: Call to Order, introductions, adoption of agenda and approval of minutes
- 5:15 p.m.—8:15 p.m.: The Council will receive public testimony on Final Action—Correction to Codified Text for IFQ Species Complexes, Updated Draft Amendment 28—Red Snapper Allocation and Recreational Accountability Measures. The Council will also hold an open public comment period regarding any other fishery issues or concerns. People wishing to speak before the Council should complete a public comment card prior to the comment period.—Recess—

**Council Session Agenda, Thursday, June 26, 2014, 8:30 a.m. until 4:30 p.m.**

- 8:30 a.m.—10:15 a.m.: The Council will receive the following presentations: Florida Keys National Marine Sanctuary Status of Management, RESTORE Act Presentation, Summary of NOAA Restoration Science Program Advisory Working Group (RSPAWG), Discussion of RESTORE Act.
- 10:15 a.m.—4:30 p.m.: The Council will receive committee reports from the Advisory Panel Selection, Red Drum, Outreach and Education, Data Collection, Shrimp, Sustainable Fisheries/Ecosystem and the Administrative Policy.—Recess—

**Council Session Agenda, Friday, June 27, 2014, 9 a.m. until 11:30 a.m.**

- 9 a.m.—11 a.m.: The Council will continue to receive committee reports from the Reef Fish committee.
- 11 a.m.—11:30 a.m.: The Council will discuss other business.—Adjourn—
- The Agenda is subject to change, and the latest version will be posted on the Council's file server, which can be accessed by going to the Council Web site at <http://www.gulfcouncil.org> and clicking on FTP Server under Quick Links. The meetings will be webcast over the internet. A link to the webcast will be available on the Council's Web site, <http://www.gulfcouncil.org>.
- 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 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 Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kathy Pereira at the Council Office (see **ADDRESSES**), at least 5 working days prior to the meeting.

**Note:** The times and sequence specified in this agenda are subject to change.

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

Dated: June 3, 2014.

**Tracey L. Thompson,**

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

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**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648–XD325**

**Caribbean Fishery Management Council; Public Hearings and Meetings**

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

**ACTION:** Notice of public hearings and scoping meetings.

**SUMMARY:** The Caribbean Fishery Management Council (Council) will hold public hearings to obtain input from fishers, the general public and the local agencies representatives on the Draft Comprehensive Amendment to the U.S. Caribbean Fishery Management Plans (FMPs): Annual Catch Limit Control Rule. Immediately following, the Council will hold scoping meetings on the Scoping Document that addresses the Timing of Accountability Measure-Based Seasonal Closures in all the U.S. Caribbean FMPs. These are separate actions, each of which would amend the Council FMPs for the Reef Fish Resources, Corals and Reef Associated Plants and Invertebrates, Spiny Lobster, and Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands.

*Dates and Addresses:* The Public Hearings and Scoping Meetings will be held on the following dates and locations:

In Puerto Rico:

June 23rd, 2014—7 p.m.–10 p.m.—  
Holiday Inn Ponce & Tropical Casino,  
3315 Ponce By Pass, Ponce, Puerto Rico.

June 24th, 2014—7 p.m.–10 p.m.—  
Doubletree by Hilton San Juan Hotel, De  
Diego Avenue, San Juan, Puerto Rico.

June 25th, 2014—7 p.m.–10 p.m.—  
Club Náutico de Arecibo, Rd. 681 Km  
1.4, Arecibo, Puerto Rico.

June 26th, 2014—7 p.m.–10 p.m.—  
Mayaguez Holiday Inn, 2701 Hostos  
Avenue, Mayaguez, Puerto Rico.

June 30th, 2014—7 p.m.–10 p.m.—  
Asociación de Pescadores Unidos de  
Playa Húcares de Naguabo, Naguabo,  
Puerto Rico.

In the U.S. Virgin Islands:

June 23rd, 2014—7 p.m.–10 p.m.—  
Windward Passage Hotel, Charlotte  
Amalie, St. Thomas, U.S. Virgin Islands.

June 24th, 2014—7 p.m.–10 p.m.—  
Buccaneer Hotel, Estate Shoys,  
Christiansted, St. Croix, U.S. Virgin  
Islands.

**FOR FURTHER INFORMATION CONTACT:**

Caribbean Fishery Management Council,  
270 Muñoz Rivera Avenue, Suite 401,  
San Juan, Puerto Rico 00918–1903,  
telephone: (787) 766–5926.

**SUPPLEMENTARY INFORMATION:** The Council will first convene the public hearing to take comments on the Annual Catch Limit Control Rule. Immediately following that public hearing the Council will convene the scoping meeting to discuss alternative approaches for establishing fishing season closures that are required in response to overages of an annual catch limit. Specifically, the Council intends to receive public input on the following management actions:

**Public Hearing**

*Draft Comprehensive Amendment to the U.S. Caribbean Fishery Management Plans: Annual Catch Limit Control Rule*

*Summary:* NMFS, in collaboration with the Council, has developed this Comprehensive Amendment and its Draft Environmental Assessment to establish an “Annual Catch Limit (ACL) Control Rule” to adjust the current buffer reduction applied to the overfishing limit (OFL), or to the acceptable biological catch (ABC) (if specified), to derive the ACL for species managed by the Council in Puerto Rico, St. Croix, and St. Thomas/St. John Exclusive Economic Zone (EEZ). The control rule would apply a specific buffer reduction based on the current status of the fishery management unit

(FMU) as determined by NMFS. Establishing this control rule would provide the Council and NMFS the flexibility to respond quickly to changes in the fishery.

The alternatives considered in this Comprehensive Amendment address the following issue:

The 2010 Caribbean ACL Amendment (FR 76 82404) and the 2011 Caribbean ACL Amendment (FR 76 82414), both implemented in 2012, established ACLs for all species managed by the Council. Annual catch limits for managed species were derived from buffer reductions to their respective OFL or ABC to account for scientific and management uncertainty. The Council considered the overfishing status of stocks at the time of preparation of these amendments when determining how much uncertainty (percent reduction) should be applied to the OFL or the ABC (if specified) to derive the ACL for each FMU and sector (commercial or recreational) within the unit.

Since the completion of these amendments, the overfishing status of several of these FMUs has changed, and it is anticipated that future changes in overfishing status will occur. To respond to this situation, the Council requested a modification to the regulations to ensure that, when the overfishing status of a stock changes, the buffer reduction applied to the appropriate management reference point to determine the ACL should be changed accordingly. Establishing an “ACL Control Rule” through this comprehensive amendment would provide for a new and straightforward process that would allow for ACL revisions based on overfishing status.

*Proposed Action and Alternatives*

*Action:* Establish a control rule to adjust the buffer reduction applied to the OFL or to the ABC used to derive the ACL to reflect a change in overfishing status of the stock. There are three alternatives for this action:

*Alternative 1: No Action.* Do not establish a control rule to adjust the buffer reduction applied to the OFL or the ABC to determine the ACL for all FMUs for which harvest is allowed. The buffer reductions to the OFL or the ABC would continue to be those defined in the 2010 and 2011 Caribbean ACL Amendments.

*Alternative 2:* For all FMUs for which harvest is allowed (or where applicable), establish an ACL Control Rule where  $ACL = [OFL \text{ (or ABC)} \times (0.85)]$  for FMUs determined to be subject to overfishing, and where  $ACL = [OFL \text{ (or ABC)} \times (0.90)]$  for FMUs determined not to be subject to overfishing in a specific year.

*Alternative 3 (Preferred):* Establish an ACL Control Rule where  $ACL = [OFL \text{ (or ABC)} \times (0.85)]$  for FMUs determined to be subject to overfishing, and where  $ACL = [OFL \text{ (or ABC)} \times (0.90)]$  for FMUs determined not to be subject to overfishing in a specific year. The ACL control rule would apply to FMUs for which harvest is allowed, with the exception of the following FMUs, for which buffer reductions to the OFL or ABC specified in the 2010 and/or 2011 Caribbean ACL amendment would continue to be applied to derive the ACL:

*Sub-alternative 3a (Preferred).*

*Parrotfish FMU—*As defined in the 2010 Caribbean ACL Amendment,  $ACL = [ABC \times (0.85)]$ . An additional 5.8822% reduction to the ACL of the parrotfish FMU would continue to be applied in the St. Croix management area to further reduce harvest from this direct fishery in recognition of the ecological role of parrotfish as herbivores. *Sub-alternative 3b (Preferred).* *Surgeonfish FMU—*As defined in the 2011 Caribbean ACL Amendment,  $ACL = [ABC \times (0.75)]$  to reflect the ecological role of surgeonfish as herbivores in coral reefs.

*Sub-alternative 3c (Preferred).*

*Angelfish FMU—*As defined in the 2011 Caribbean ACL Amendment,  $ACL = [ABC \times (0.75)]$  to reflect the ecological role of angelfish as spongivores in coral reefs. *Sub-alternative 3d (Preferred).* *Queen conch FMU—*As defined in the 2010 Caribbean ACL Amendment, for St. Croix,  $ACL = ABC$  specified by the Caribbean Fishery Management Council’s Scientific and Statistical Committee. For Puerto Rico and St. Thomas/St. John,  $ACL = 0$ . *Sub-alternative 3e (Preferred).* *Aquarium trade species FMU—*As defined in the 2011 Caribbean ACL Amendment,  $ACL = [ABC \times (0.75)]$  for aquarium trade species in the Corals and Reef Associated Plants and Invertebrates FMP and in the Reef Fish FMP.

**Scoping Meeting**

*Scoping Document To Address the Timing of Accountability Measure-Based Seasonal Closures in All U.S. Caribbean Fishery Management Plans*

*Summary:* In U.S. Caribbean federal waters, accountability measures (AMs) require NMFS’ Assistant Administrator to shorten the length of the fishing season if it has been determined that prior year(s) landings exceeded the ACL for an FMU. The fishing season would be shortened in the year following an overage determination by the amount necessary to constrain landings to the ACL. These AM-based reductions in the length of the fishing season, for any

FMU for which the ACL has been exceeded, are implemented beginning on December 31st of the appropriate year and extending backwards in the year for the number of days necessary to achieve the required reduction in landings. Fishers have expressed to the Council that the timing of these closures results in negative socio-economic impacts. To address this issue, the Council is proposing to develop a mechanism that allows them and NMFS to establish closure dates other than the standard end of the year closures in the event of an overage of the ACL for a specific group of species. There are several approaches that the Council could consider to evaluate and eventually establish a mechanism to guide the selection of AM-based seasonal closures:

#### Default AM-Closure Date—No Action

Accountability measure-based closures would continue to be implemented beginning on December 31st of the appropriate year and extending backwards in the year for the number of days necessary to achieve the required reduction in landings.

#### “Customized” Approach/Mechanism

Change the default AM-closure date (closures start from December 31st going backwards). This procedure to set the timing of the closures would consist of performing an analysis every year for those units that exceeded the ACL over the average of a chosen number of years, and choosing the best date to close the season for the next year based on that specific analysis.

#### “Upfront” Timing Approach (Pre-Determined AM-Based Closure Dates)

This approach would also change the default AM-closure date but in a different way than the “Customized” Process/Mechanism. This approach would consist of a one-time pre-determination and establishment of closure dates (e.g., start or end date) for all Council FMUs (or alternatively apply the analysis to a selected group of FMUs) and implement through rulemaking. The start or end date would not have to be the same for each FMU.

The goal of this Scoping Hearing is to allow the public to comment on the options listed above and to provide alternative options not yet considered by the Council and NMFS, considering the goals of remaining within the ACL and lessening the socio-economic impact of AMs.

Written comments can be sent to the Council not later than July 25th, 2013, by regular mail to the address below, or via email to [graciela\\_cfm@yahoo.com](mailto:graciela_cfm@yahoo.com).

### Special Accommodations

These meetings are physically accessible to people with disabilities. For more information or request for sign language interpretation and other auxiliary aids, please contact Mr. Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918-1903, telephone: (787) 766-5926, at least 5 days prior to the meeting date.

Dated: June 3, 2014.

**Tracey L. Thompson,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XD022**

#### Takes of Marine Mammals Incidental to Specified Activities; Construction Activities at the Children's Pool Lifeguard Station at La Jolla, California

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

**ACTION:** Notice; issuance of an Incidental Harassment Authorization (IHA).

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), notification is hereby given that NMFS has issued an IHA to the City of San Diego to take small numbers of marine mammals, by Level B harassment, incidental to construction activities at the Children's Pool Lifeguard Station in La Jolla, California.

**DATES:** Effective June 28, 2014 through June 27, 2015.

**ADDRESSES:** A copy of the IHA and the application are available by writing to Jolie Harrison, Supervisor, Incidental Take Program, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910 or by telephoning the contacts listed below (see **FOR FURTHER INFORMATION CONTACT**).

An electronic copy of the IHA application containing a list of the references used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or visiting the Internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents

cited in this notice, including the IHA application, may also be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Howard Goldstein or Jolie Harrison, Office of Protected Resources, NMFS, 301-427-8401.

### SUPPLEMENTARY INFORMATION:

#### Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*), directs the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals, by United States citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Authorization for the incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring, and reporting of such takings are set forth. NMFS has defined “negligible impact” in 50 CFR 216.103 as “\* \* \* an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.”

Except with respect to certain activities not pertinent here, the MMPA defines “harassment” as: Any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment].

#### Summary of Request

On November 26, 2013, NMFS received an application from the City of San Diego, Engineering and Capital Projects Department, requesting an IHA for the taking of marine mammals incidental to construction activities. NMFS determined that the IHA application was adequate and complete