

San Francisco Regional Office at (415) 744-3001.

**ADDRESSES:** Mail applications to the U.S. Department of Commerce, Minority Business Development Agency, MBDA Executive Secretariat, 14th & Constitution Avenue, NW, Room 5073, Washington, D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:** Melda Cabrera at (415) 744-3001.

(Catalog of Federal Domestic Assistance: 11.801 Native American Program)

Dated: October 28, 1997.

**Donald L. Powers,**

*Federal Register Liaison Officer, Minority Business Development Agency.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101497D]

#### **Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Offshore Cetacean Take Reduction Plan Environmental Assessment**

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** NMFS has prepared an Environmental Assessment (EA) on the alternatives being considered for implementation of the Atlantic Offshore Cetacean Take Reduction Plan. NMFS is requesting comments on the EA before it is finalized.

**DATES:** Written comments must be received on or before December 4, 1997.

**ADDRESSES:** Copies of the EA or the draft Atlantic Offshore Cetacean Take Reduction Plan may be obtained from Chief, Marine Mammal Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or by calling (301) 713-2322.

Written comments should be submitted to Chief, Marine Mammal Division, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Victoria Cornish, Office of Protected Resources, (301) 713-2322.

**SUPPLEMENTARY INFORMATION:** Section 118(f) of the Marine Mammal Protection Act (MMPA) requires NMFS to establish a Take Reduction Team (TRT) to

prepare a draft Take Reduction Plan (TRP) designed to assist in the recovery or to prevent the depletion of each strategic marine mammal stock that interacts with certain fisheries. The immediate goal of a TRP is to reduce, within 6 months of its implementation, the mortality and serious injury of strategic stocks incidentally taken in the course of commercial fishing operations to below the Potential Biological Removal (PBR) levels established for such stocks.

The U.S. Atlantic, Caribbean, Gulf of Mexico pelagic drift gillnet fishery for swordfish, tuna, and shark interacts with several strategic marine mammal stocks, including long-finned and short-finned pilot whales, common dolphins, Atlantic spotted dolphins, the offshore stock of bottlenose dolphin, humpback whales, northern right whales, and sperm whales. The U.S. Atlantic, Caribbean, Gulf of Mexico pelagic longline fishery for swordfish, tuna, and shark interacts with two strategic marine mammal stocks: Pilot whales and Atlantic spotted dolphins (62 FR 3005, January 21, 1997). These stocks are considered strategic under the MMPA because they are listed as either an endangered or threatened species under the Endangered Species Act or because the level of human-caused mortality is greater than their PBR levels.

NMFS established the Atlantic Offshore Cetacean TRT on May 23, 1996 (61 FR 25846) to prepare a draft plan aimed at reducing bycatch of the strategic marine mammals stocks taken as bycatch in the U.S. Atlantic pelagic drift gillnet and longline fisheries. The Team submitted a draft Atlantic Offshore Cetacean Take Reduction Plan to NMFS on November 25, 1996.

NMFS has prepared an EA on the alternatives being considered for implementation of the final Plan. The EA addresses four alternatives: (1) A no-action alternative, (2) adoption of the draft plan as submitted by the Team, (3) adoption of a modified plan, with a marine mammal bycatch limit for drift gillnets, and (4) adoption of a modified plan, with a drift gillnet gear prohibition.

This assessment considers information that was not available to the Team at the time of their deliberations. This new information has resulted in the development of Alternatives 3 and 4, which are based on take reduction strategies discussed by the team while they were developing their draft plan. NMFS is making this EA available to the public, with a discussion of the new information and the rationale for the development of Alternatives 3 and 4, to

provide an opportunity for public consideration and comment before regulations to implement a TRP for the drift gillnet and longline fisheries are proposed. As a result, this EA does not indicate a preferred alternative or identify a proposed action for implementation of the plan. After the close of the public comment period on this EA, NMFS will identify the preferred alternative for reducing incidental takes of marine mammals in these fisheries and request public comments on these proposed regulations.

A brief description of the take reduction strategies in each alternative is as follows:

#### *Alternative 1: Status Quo, or No Action, Alternative*

The no-action alternative would maintain existing regulations for both the pelagic drift gillnet and longline fisheries. This alternative would allow continued mortality and serious injury of strategic marine mammal stocks in these fisheries at a level above each stock's PBR level, which is in violation of section 118 of the MMPA.

#### *Alternative 2: Take Reduction Plan, as Drafted by the Atlantic Offshore Cetacean Take Reduction Team*

This alternative would adopt the Team's draft plan as submitted to NMFS on November 25, 1997. This plan would prohibit fishing in right whale critical habitat areas by both the drift gillnet and longline fisheries. This plan would regulate the drift gillnet fishery using the following strategies: (1) 100 percent marine mammal observer coverage, (2) limited entry for the swordfish drift gillnet fishery, (3) prohibition of drift gillnet gear south of Hudson Canyon from December 1 through May 31, and (4) a set allocation designed to reduce the derby nature of the fishery. In the longline fishery, the following regulatory strategies would be implemented: (1) Length-of-gear limit on pelagic longline gear from August to November in the Mid-Atlantic Bight, (2) reduction in maximum soak time in the Mid-Atlantic Bight during August-November by hauling gear in the order it was set, and (3) a requirement that longliners move after one entanglement with a marine mammal. In addition to these regulatory changes, the Team's draft plan included several non-regulatory strategies which were not considered in the preparation of the EA. Non-regulatory measures recommended by the team primarily focus on NMFS' long-term research, monitoring, and management objectives which would not be implemented by regulation in the near future and are an extension of actions currently underway to

implement the broad management goals of the MMPA, Magnuson-Stevens Fishery Conservation and Management Act, and the Atlantic Tunas Convention Act.

*Alternative 3: Modified Plan, with Marine Mammal Bycatch Limit for the Drift Gillnet Fishery*

This alternative would modify the Team's draft plan to include a marine mammal bycatch limit for the drift gillnet fishery. Under this alternative, the following combination of measures are proposed for the drift gillnet fishery: (1) Limited entry to the drift gillnet fishery, (2) prohibition of drift gillnet gear south of Hudson Canyon year-round, (3) prohibition on the use of drift gillnet gear from November 1 through July 31, (4) 100 percent marine mammal observer coverage, (5) mandatory education workshops for all vessel operators, and (6) a per-vessel marine mammal bycatch limit. The longline fishery would be subject to the same regulations specified in Alternative 2, with the following exceptions: (1) The areas subject to regulation would be expanded to include the Northeast Coastal area and (2) educational workshops would be mandatory for all vessel operators.

*Alternative 4: Modified Plan, with Prohibition of Drift Gillnet Gear*

This alternative would modify the team's draft plan to include a ban on the use of drift gillnet gear to target swordfish, tuna, and shark, except where otherwise authorized (i.e., the southeast U.S. shark gillnet fishery). This alternative would adopt the longline fishery take reduction strategies outlined in Alternative 3.

Dated: October 29, 1997.

**Patricia A. Montanio,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 102797C]

#### Gulf of Mexico Fishery Management Council; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene a public meeting of the Florida/

Alabama Habitat Protection Advisory Panel (AP).

**DATES:** The meeting will be held on Thursday, November 20, 1997, and is scheduled to begin at 9:00 a.m. and adjourn at 3:00 p.m.

**ADDRESSES:** The meetings will be held at the at the Radisson Bay Harbor Inn, 7700 Courtney Campbell Causeway, Tampa, FL 33609; telephone: 813-281-8900.

*Council address:* Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

**FOR FURTHER INFORMATION CONTACT:** Jeff Rester, Habitat Specialist, Gulf States Marine Fisheries Commission; telephone: 601-875-5912.

**SUPPLEMENTARY INFORMATION:** At this meeting, the AP will discuss an update on the Fenholloway River, and the expansion of U.S. 1 in Monroe County. The AP will also hear reports on the status of completion of the Essential Fish Habitat (EFH) guidelines being developed by NMFS; and of completion of a generic amendment by the Council which describes EFH as required by the Sustainable Fisheries Act. An overview of the Florida Marine Research Institute's mapping of fisheries habitat, and an update of the status of artificial reefs in Florida will also be presented.

A copy of the agenda can be obtained by calling 813-228-2815. Although other issues not on the agenda may come before the AP for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal AP action during this meeting. AP action will be restricted to those issues specifically identified in the agenda listed as available by this notice.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see **ADDRESSES**) by November 13, 1997.

Dated: October 29, 1997.

**Bruce C. Morehead,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 102497D]

#### South Atlantic Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) will hold a meeting of its Habitat Committee and Habitat Research and Monitoring Subgroup, Joint Habitat Committee and Habitat Advisory Panel chairmen and agency representatives to the Habitat Advisory Panel, Marine Reserves Committee, Information and Education (I & E) Committee, Mackerel Committee, Scientific and Statistical Selection Committee (CLOSED SESSION), Advisory Panel Selection Committee (CLOSED SESSION), Personnel Committee (CLOSED SESSION), Snapper Grouper Committee, and a Scoping Meeting of the Atlantic Coastal Cooperative Statistics Program. A Council Session will also be held.

**DATES:** The meetings will be held from November 17-21, 1997. See

**SUPPLEMENTARY INFORMATION** for specific dates and times.

**ADDRESSES:** The meetings will be held at the Duke University Nicholas School of the Environment Marine Laboratory, 135 Duke Marine Lab Road, Beaufort, NC 28516; telephone: (919) 504-7504.

*Council address:* South Atlantic Fishery Management Council, One Southpark Circle, Suite 306; Charleston, SC 29407-4699.

**FOR FURTHER INFORMATION CONTACT:** Susan Buchanan, Public Information Officer; telephone: (803) 571-4366; fax: (803) 769-4520; email: susan.buchanan@noaa.gov

**SUPPLEMENTARY INFORMATION:**

#### Meeting Dates

*November 17, 1997, 1:30 p.m. to 5:00 p.m.—Habitat Committee/Habitat Research and Monitoring Subgroup;*

The Committee will observe the Subgroup workshop. The Subgroup will review present research efforts to identify and describe essential fish habitat and determine fishery and non-fishery impacts on these habitats and discuss the structure of the research section of the Habitat Fishery Management Plan (FMP).

*November 17, 1997, 5:00 p.m. until all business is complete —Atlantic Coastal*