

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 011999A]

Small Takes of Marine Mammals
Incidental to Specified Activities; La
Jolla Children's Pool Beach
Management and Water Quality Project

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

ACTION: Notice of withdrawal of a request for a small take exemption authorization.

SUMMARY: On April 8, 1999, NMFS was notified by the City of San Diego's Park and Recreation Department that it was withdrawing its request for an authorization under the Marine Mammal Protection Act (MMPA) to take small numbers of Pacific harbor seals by harassment incidental to excavating and removing beach sand at the La Jolla Children's Pool, La Jolla, CA.

ADDRESSES: A copy of the application and/or the letter of withdrawal may be obtained by writing to Donna Wieting, Acting Chief, Marine Mammal Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225 or by telephoning one of the contacts listed in **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead, Office of Protected Resources at 301-713-2055, or Joe Cordaro, Southwest Regional Office at 562-980-4017.

SUPPLEMENTARY INFORMATION: On December 28, 1998, NMFS received a request from the City of San Diego for authorization under section 101(a)(5)(D) of the MMPA (16 U.S.C. 1371(a)(5)(D)) to take small numbers of Pacific harbor seals (*Phoca vitulina*) and possibly 1 to 2 California sea lions (*Zalophus californianus*) and northern elephant seals (*Mirounga angustirostris*) by harassment incidental to excavating and removing 3,000 yd³ (2,295 m³) of beach sand at the La Jolla Children's Pool. The La Jolla Children's Pool was constructed in 1931 to provide a sheltered swimming area for children in La Jolla. Over time, the beach behind the breakwater has gradually widened as sand has accumulated in the sheltered pool. By 1998, the shoreline had advanced to near the end of the breakwater, at the mouth of the pool, leaving very little area for recreational

swimming. The lack of a protected swimming area and the proximity to dangerous rip current conditions near the breakwater opening have created significant safety concerns.

In addition to the restricted use and associated dangers due to sand accretion, recreational use has been further compromised by a population of harbor seals that regularly use the Children's Pool area as a haul-out area. Seal feces from the concentrated harbor seal population have resulted in fecal coliform bacteria counts that significantly exceed State water quality standards for bathing beaches and body contact areas. DNA testing has confirmed the harbor seal population as the source of the bacterial contamination. As a result, the Children's Pool has been determined unsafe for human contact and has been closed to the public for all water contact since September 4, 1997. Moreover, the presence of the large seal population attracts large numbers of non-bathing observers to the beach area. This interaction has raised additional safety concerns for both humans and the seals.

The La Jolla Children's Pool Beach Management and Water Quality Project proposed to restore a safe swimming area and acceptable water quality to the pool by reducing the beach width. Out of 4,200 yd³ (3,213 m³) of sand in the pool area, approximately 3,000 yd³ (2,295 m³) was to have been excavated and removed to narrow the beach. The City of San Diego expected that, by excavating and enlarging the area available for recreational swimming, it would provide a safe region for the public away from the dangerous rip currents, and, by reducing the area available for harbor seals, water quality levels are expected to return to former levels that were acceptable and safe for human contact.

A notice of receipt of the application and proposed incidental harassment authorization issued under the MMPA was published on February 22, 1999 (64 FR 8548), and a 30-day public comment period was provided on the application and proposed authorization. Several comments were received during the comment period.

Subsequent to the close of the comment period, on April 8, 1999, NMFS was notified by the Park and Recreation Department that it was withdrawing its request for an authorization under section 101(a)(5)(D) of the MMPA to take small numbers of Pacific harbor seals by harassment incidental to excavating and removing beach sand at the La Jolla Children's Pool, La Jolla, CA. The letter noted that the City will be evaluating alternatives

to sand removal in order to reduce the level of fecal contamination in the pool waters and may submit a renewed application in the future.

Dated: April 22, 1999.

Hilda Diaz-Soltero,

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

[FR Doc. 99-10641 Filed 4-27-99; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042199G]

Caribbean 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 Caribbean Fishery Management Council (Council) will hold a series of fact-finding meetings in Puerto Rico and the U.S. Virgin Islands.

DATES: See **SUPPLEMENTARY INFORMATION** for specific dates.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for specific locations.

FOR FURTHER INFORMATION CONTACT: Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, PR 00918-2577, telephone: (787) 766-5926.

SUPPLEMENTARY INFORMATION:

Tuesday May 11, 1999 -- 7:00 p.m. to 10:00 p.m.

Location: Conference Room, Legislature Building, Charlotte Amalie, St. Thomas, U.S.V.I.

Wednesday, May 12, 1999 -- 7:00 p.m. to 10:00 p.m.

Location: Conference Room, Legislature Building, St. John, U.S.V.I.

Thursday, May 13, 1999 -- 7:00 p.m. to 10:00 p.m.

Location: Conference Room, Caravelle Hotel, 44A Queen Cross Street, Christinasted, St. Croix, U.S.V.I.

Monday, May 17, 1999 -- 7:00 p.m. to 10:00 p.m.

Location: Refugio Las Marias, Vieques, PR

Tuesday, May 18, 1999 -- 1:00 p.m. to 4:00 p.m.

Location: El Meson Criollo, Carr. 987, Km. 3.2, Fajardo, PR

Tuesday May 18, 1999 -- 7:00 p.m. to 10:00 p.m.

Location: Conference Room, Casa Alcaldia of Naguabo, Naguabo, PR

Wednesday, May 19, 1999 -- 7:00 p.m. to 10:00 p.m.

Location: Conference Room, Ponce Hilton Hotel, 1150 Ave. Caribe, Ponce, PR

Thursday, May 20, 1999 -- 1:00 p.m. to 4:00 p.m.

Location: Conference Room, Villa Parguera Hotel, 304 St., Km. 3.3, La Parguera, Lajas, PR

Thursday, May 20, 1999 -- 7:00 p.m. to 10:00 p.m.

Location: Conference Room, Joyuda Beach Hotel, Rd. 102, Bo. Joyuda, Cabo Rojo, PR

Friday, May 21, 1999 -- 6:00 p.m. to 9:00 p.m.

Location: Centro Comunal of Barrio Jarealito, Arecibo, PR

The Caribbean Fishery Management Council will hold a series of fact finding meetings in Puerto Rico and the U.S. Virgin Islands to obtain input from fishery and the general public on possible management measures proposed by, among others, Project Reef Keeper and some concerned citizens. The first of the proposed measures is the phasing out of fish traps in around ten years. The idea here is to avoid the damage to the reef and fish species when traps are deployed on top of reefs, and when these are lost continuing killing fish for a long time. The Council has not taken a position on this or any of the measures that are to be discussed at the meetings. The other two measures the Council need comments on are the banning of gill nets and the prohibition to use SCUBA gear to fish for queen conch, lobster and some reef fishes, the commercial and/or recreational fisheries. The proponents of these measures believe that the use of gill nets is jeopardizing the recovery of the already over-exploited resources. Furthermore, there is the notion that SCUBA is the main reason why the stocks of queen conch and lobster are so depleted. The Council wishes to find more information on these important and drastic measures before the preparation of an option paper that could initiate the process of development of amendments to the fishery management plans to ban any of these methods of fishing written statements regarding agenda issues.

Although other issues not contained in this agenda may come before this Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, 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.

Special Accommodations

These meetings are physically accessible to people with disabilities. For more information or request for sign language interpretation and/or other auxiliary aids, please contact Mr. Miguel A. Rolon, Executive Director, Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, PR 00918-2577, telephone: (787) 766-5926, at least 5 days prior to the meeting date.

Dated: April 22, 1999.

Bruce C. Morehead,

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

[FR Doc. 99-10637 Filed 4-27-99; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042199E]

New England 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 New England Fishery Management Council (Council) is scheduling a public meeting of its Groundfish Oversight Committee and Groundfish Advisory Panel in May, 1999 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from these groups will be brought to the full Council for formal consideration and action, if appropriate.

DATES: The meeting will be held on May 11, 1999. See **SUPPLEMENTARY INFORMATION** for specific times.

ADDRESSES: The meeting will be held in Peabody, MA. See **SUPPLEMENTARY INFORMATION** for specific locations.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council (781) 231-0422. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1036; telephone: (781) 231-0422.

SUPPLEMENTARY INFORMATION:

Meeting Dates and Agenda

Tuesday, May 11, 1999, 9:30 a.m.— Groundfish Oversight Committee and

Groundfish Advisory Panel Joint Meeting

Location: Holiday Inn, One Newbury Street (Route 1 North), Peabody, MA 01960; telephone: (978) 535-4600.

The committee and panel will review draft proposals and analysis for Framework Adjustment 31 to the Northeast Multispecies Fishery Management Plan (FMP), and recommend a preferred alternative for consideration by the Council at its

May 26-27 meeting. Framework Adjustment 31 would modify the FMP regulations pertaining to the Georges Bank cod fishery, including: a proposal for vessels to take a 30-day block out of the multispecies fishery during each quarter; reductions in the allowable number of hooks used by hook vessels and gillnets used by Day Gillnet category vessels; increasing the minimum size of cod to 21 inches; and eliminating the "running clock" provision of the Gulf of Maine cod trip limit program. The committee and panel will also discuss and advise the Council on issues and measures to be included in a public hearing document for Amendment 13 to the FMP, including but not limited to: management of the recreational and party/charter fishery, management policy and strategy for the commercial fishery, action to rebuild all stocks in the fishery management unit as needed under new overfishing definitions; managing fleet fishing capacity, including possible implementation of a two-tier permit system to address latent fishing permits; proposals for industry support systems involving scientific research and conservation engineering programs; modification of the annual adjustment schedule and possible change to the fishing year; the use of electronic vessel monitoring systems (VMS); and other issues that may be identified during the scoping process.

Although other issues not contained in this agenda may come before this Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least five days prior to the meeting dates.