

(including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: June 24, 2014.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2014-15207 Filed 6-27-14; 8:45 am]

**BILLING CODE 3510-13-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XD353**

#### Permits; Foreign Fishing

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

**ACTION:** Notice of application for permit; request for comments.

**SUMMARY:** NMFS publishes for public review and comment information regarding a permit application for transshipment of Atlantic herring by Canadian vessels, submitted under provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). This action is necessary for NMFS to make a determination that the permit application can be approved.

**DATES:** Written comments must be received by July 14, 2014.

**ADDRESSES:** Written comments on this action, identified by RIN 0648-XD353, should be sent to Mark Wildman in the NMFS Office of International Affairs at 1315 East-West Highway, Silver Spring, MD 20910 (phone: (301) 427-8386, fax: (301) 713-2313, email: [mark.wildman@noaa.gov](mailto:mark.wildman@noaa.gov)).

**FOR FURTHER INFORMATION CONTACT:** Mark Wildman at (301) 427-8386 or by email at [mark.wildman@noaa.gov](mailto:mark.wildman@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 204(d) of the Magnuson-Stevens Act (16 U.S.C. 1824(d))

authorizes the Secretary of Commerce (Secretary) to issue a transshipment permit authorizing a vessel other than a vessel of the United States to engage in fishing consisting solely of transporting fish or fish products at sea from a point within the United States Exclusive Economic Zone (EEZ) or, with the concurrence of a state, within the boundaries of that state, to a point outside the United States. In addition, Public Law 104-297, section 105(e), directs the Secretary to issue section 204(d) permits for up to 14 Canadian transport vessels to receive Atlantic herring harvested by United States fishermen and to be used in sardine processing. Transshipment must occur from within the boundaries of the State of Maine or within the portion of the EEZ east of the line 69 degrees 30 minutes west and within 12 nautical miles from Maine's seaward boundary.

Section 204(d)(3)(D) of the Magnuson-Stevens Act provides that an application may not be approved until the Secretary determines that "no owner or operator of a vessel of the United States which has adequate capacity to perform the transportation for which the application is submitted has indicated . . . an interest in performing the transportation at fair and reasonable rates." NMFS is publishing this notice as part of its effort to make such a determination with respect to the application described below.

#### Summary of Application

NMFS received an application requesting authorization for five Canadian transport vessels to receive transfers of herring from United States purse seine vessels, stop seines, and weirs for the purpose of transporting the herring to Canada for processing. The transshipment operations will occur within the boundaries of the State of Maine or within the portion of the EEZ east of the line 69°30' W longitude and within 12 nautical miles from Maine's seaward boundary.

Dated: June 24, 2014.

**Jean-Pierre Plé,**

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

[FR Doc. 2014-15266 Filed 6-27-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XD124**

#### National Environmental Policy Act Compliance for Council-Initiated Fishery Management Actions Under the Magnuson-Stevens Act

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

**ACTION:** Notice of availability of draft revised and updated National Environmental Policy Act (NEPA) procedures for Magnuson-Stevens Act fishery management actions; request for comments.

**SUMMARY:** The purpose of this notice is to notify the public that on February 19, 2013, NMFS issued an internal policy pertaining to complying with NEPA in the context of Magnuson-Stevens Act (MSA) fishery management actions. This policy, entitled "National Environmental Policy Act Compliance for Council-Initiated Fishery Management Actions under the Magnuson-Stevens Act" (the policy) clarifies roles and responsibilities of NMFS and the Regional Fishery Management Councils (Council or FMCs), explains timing and procedural linkages, provides guidance on documentation needs, and fosters partnerships and cooperation between NMFS and FMCs on NEPA compliance.

NMFS consulted with the Councils and with the Council on Environmental Quality (CEQ) on proposed revisions to the 2013 NMFS NEPA policy directive, and based on those consultations NMFS now proposes to use this policy as a basis for issuing revised and updated NEPA procedures for MSA actions in the form of a line-office supplement to NOAA Administrative Order (NAO) 216-6.

**DATES:** NMFS will accept written comments on the draft revised NEPA procedures until September 29, 2014.

**ADDRESSES:** You may submit comments on this document, identified by NOAA-NMFS-2014-0024, by any of the following methods:

- Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/](http://www.regulations.gov/)#!docketDetail;D=NOAA-NMFS-2014-0024, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- Mail:** Submit written comments to Steve Leathery, NMFS NEPA

Coordinator, Room 10828, 1315 East-West Highway, Silver Spring MD 21755.

**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](http://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:** Steve Leathery, 301-427-8014.

**SUPPLEMENTARY INFORMATION:** The 2007 Magnuson-Stevens Reauthorization Act (MSRA) required NMFS to "revise and update" agency procedures to comply with NEPA for fisheries management actions. In developing a proposed approach, NMFS conducted extensive public outreach which included the following:

- Consulted with the Council on Environmental Quality (CEQ) and the Councils.
- Posted Trigger Questions, developed by NMFS, and a Strawman proposal, developed by the Council Coordination Committee (CCC), for 60-day public comment.
- NMFS made presentations at meetings of all eight FMCs on Trigger Questions and Strawman during the 60-day period; NMFS received over 1600 comments.
- NMFS published proposed rule May 2008 with a 90-day comment period; conducted 3 NMFS-sponsored public hearings and a public workshop; conducted presentations at meetings of all eight FMCs; and received over 150,000 public comments.

NMFS's initial approach was to propose a rule creating new regulatory requirements aligning the decision-making processes of the Councils and NMFS under the MSA with the analytical and procedural requirements of NEPA. The proposed rule would have required Council consideration of draft NEPA documents prior to recommending fishery management measures, and NMFS consideration of a final NEPA document during Secretarial review of the measures. These comment periods could be less than 45 days each in limited circumstances, but in no case

could the combined total of days be less than 45, which is the minimum comment period established by CEQ's regulations for EISs. The proposed rule would have included regulatory provisions pertaining to inadequate and incomplete information, a new categorical exclusion for exempted fishing permits, and it would have changed the name of the EIS-level NEPA compliance document for fisheries management to reflect the integration of fisheries management and environmental considerations. It also would have established a new tiering mechanism modeled on fishery management plan (FMP) "frameworks."

NMFS published the proposed rule on May 14, 2008, and provided for a 90-day public comment period. During the public comment period, NMFS delivered presentations at meetings of all eight Councils and conducted three NMFS-sponsored public listening sessions: one in Washington, DC metro area, one in St. Petersburg, FL, and one in Seattle, WA. In addition, NMFS, Council representatives, and CEQ held an interactive public workshop in the Washington, DC area. By the close of the public comment period, NMFS had received over 150,000 comment letters, many of which were form letters urging NMFS to withdraw the proposed rule and start over.

NMFS subsequently determined that it would be more appropriate to revise and update internal guidance rather than to create new regulatory requirements. On February 19, 2013, NMFS issued a policy titled "National Environmental Policy Act Compliance for Council-Initiated Fishery Management Actions under the Magnuson-Stevens Act." This policy clarifies roles and responsibilities of NMFS and the Councils, explains timing and procedural linkages, provides guidance on documentation needs, and fosters partnerships and cooperation between NMFS and FMCs on NEPA compliance. Issuance of this policy satisfied the requirements of section 304(i) of the MSA.

After issuing the 2013 Policy Directive, NMFS consulted with the Council Coordination Committee (CCC) at its public meeting in May 2013, and also had follow-up dialog with a subcommittee the CCC established to represent the CCC on these matters. Additionally, NMFS consulted with CEQ. Based on those consultations, NMFS is now proposing to use this policy as a basis for a line-office supplement to NAO 216-6, and is publishing the draft revised and updated NEPA procedures for MSA actions to solicit public comment.

NMFS anticipates further improvements to the NEPA process at the NOAA level as a result of ongoing efforts to update NAO 216-6. NMFS will work to ensure consistency between any future NOAA-level NEPA policy and procedures and these revised and updated MSA NEPA procedures.

Key features of the draft revised and updated NEPA procedures include:

- **Roles and Responsibilities:** The draft procedures set forth the statutory roles and responsibilities for NMFS and the Councils as dictated by NEPA and the MSA. While providing clarity on ultimate responsibilities, they encourage collaboration and early integration of processes. For Atlantic Highly Migratory Species (HMS), NMFS retains responsibility over all aspects of compliance.

- **Timing:** The draft procedures encourage completing as much of the NEPA process as possible at the Council level, while recognizing the logistical demands of the fishery management process. The draft procedures establish a procedural nexus linking NEPA's requirements with MSA's. The nexus highlights the requirement for the Regional Administrator to determine a package "complete" to initiate MSA review; sets forth the timing requirements of the MSA and NEPA, and includes risk-based considerations for determining the NEPA schedule.

- **Documentation:** This section clarifies that the statement of purpose and need in the NEPA analysis should be linked to the fishery management need the Council is addressing. It also addresses the alternatives to be considered and what "reasonable" alternatives should be, and it provides guidance, derived from CEQ's 40 Most-Asked Questions, on defining the "no action" alternative in a fishery management context. It also specifies that, based on information in the NEPA analysis, it may be appropriate for a ROD to go beyond the question of approving or disapproving the recommendation at hand, and may include an identification of additional conservation and management needs, as appropriate.

- **Improvements/Efficiencies:** This section includes instructions for optional use of broad analyses and tiering, and incorporation by reference. It also identifies best practices for early collaboration using information technology and early communication.

- **Relationship to other Documents:** This section describes the policy's relationship to other existing documents and policies including the NMFS and Council 1997 Operational Guidelines, the NOAA NEPA Administrative Order

(NAO 216–6), and CEQ’s NEPA regulations.

The draft revised and updated NEPA procedures are intended to:

- Add additional references to NEPA’s requirements;
- Add additional description about Council processes;
- Add greater specificity to certain timing requirements; and
- Clarify NMFS’s intent with regards to usage of NEPA documents.

Both the 2013 Policy Directive, and the draft revised and updated NEPA procedures for MSA actions are available online at <http://www.nmfs.noaa.gov/msa2007/nepa.htm>. After considering comments, NMFS intends to finalize the proposed NEPA procedures for MSA actions and to withdraw the proposed May 2008 rule.

Dated: June 24, 2014.

**Emily H. Menashes,**

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

[FR Doc. 2014–15270 Filed 6–27–14; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648–XD349**

#### Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

**ACTION:** Notice of receipt of an application for an exempted fishing permit; request for comments.

**SUMMARY:** NMFS has made a preliminary determination that an application for an Exempted Fishing Permit (EFP) warrants further consideration and an opportunity for public comment. The application was submitted by the owner and operator of an Atlantic tunas Purse Seine category-permitted vessel, requesting an exemption from annual incidental purse seine retention limit on the harvest of large medium Atlantic bluefin tuna (BFT) (i.e., measuring 73 to less than 81 inches curved fork length). The applicants propose that NMFS, through issuance of the EFP, assess the possibility of reducing regulatory discards related to this limit to increase the likelihood of harvesting the vessel’s individual purse seine vessel BFT quota and the category subquota overall. NMFS is interested in assessing this possibility consistent with the purposes

of EFPs and the associated data that could be gathered through such an EFP and requests public comment on the information provided in this notice and the application submitted.

**DATES:** Comments must be received by July 21, 2014.

**ADDRESSES:** You may submit comments on this notice, identified by 0648–XD349, by any one of the following methods:

- *Email:* [NMFS.PSEFP.2014@noaa.gov](mailto:NMFS.PSEFP.2014@noaa.gov).
- *Mail:* Margo Schulze-Haugen, Highly Migratory Species Management Division (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Please mark the outside of the envelope “Comments on 2014 purse seine EFP application.”

**FOR FURTHER INFORMATION CONTACT:** A copy of the application can viewed at the following Web site: [http://www.nmfs.noaa.gov/sfa/hms/news/breaking\\_news.html](http://www.nmfs.noaa.gov/sfa/hms/news/breaking_news.html); or by contacting Craig Cockrell, Highly Migratory Species Management Division, NMFS, (301) 427–8503.

**SUPPLEMENTARY INFORMATION:** NMFS published a notice of intent to issue EFPs, Scientific Research Permits, Letters of Acknowledgement, and Chartering Permits for Atlantic highly migratory species (HMS) in 2014 (78 FR 69823, November 21, 2013). Although that notice anticipated a variety of applications, it stated that occasionally NMFS receives applications for activities that were not anticipated at the time of the general notice and that NMFS would provide additional opportunity for public comment if that were to occur.

As discussed in the November 2013 notice of intent to issue EFPs and other permits, issuance of EFPs and related permits are necessary for the collection of HMS for public display and scientific research to exempt them from specified regulations (e.g., fishing seasons, prohibited species, authorized gear, closed areas, and minimum sizes) that may otherwise prohibit such collection. Specifically, NMFS may authorize activities otherwise prohibited by the regulations at 50 CFR part 635 for the conduct of scientific research; the acquisition of information and data; the enhancement of safety at sea; the purpose of collecting animals for public education or display; the investigation of bycatch, economic or regulatory discard; or for chartering arrangements. See 50 CFR 635.32(a)(1). The terms and conditions of individual permits are unique; however, all permits include reporting requirements, limit the number and species of HMS to be

collected, and only authorize collection in Federal waters of the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. EFPs and related permits are issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (Magnuson-Stevens Act) (16 U.S.C. 1801 *et seq.*) and/or the Atlantic Tunas Convention Act (ATCA) (16 U.S.C. 971 *et seq.*). Regulations at 50 CFR 600.745 and 635.32 govern exempted fishing permits, as well as scientific research activity, chartering arrangements, and exempted public display and educational activities.

Current Atlantic HMS regulations specify that persons aboard a vessel permitted in the Atlantic Tunas Purse Seine category “may retain, possess, land, or sell large medium BFT in amounts not exceeding 15 percent, by weight, of the total amount of giant BFT landed during that fishing year.” See 50 CFR 635.23(e)(1). As a result, Purse Seine category vessels may discard large medium BFT to reduce the risk of exceeding the annual purse seine retention limit. This has the effect of focusing effort in the purse seine fishery on giant BFT but may also result in dead discards of the smaller BFT. The retention limits that apply to most commercial categories allow the retention of large medium BFT.

In the Draft Amendment 7 to the 2006 Consolidated Atlantic HMS Fishery Management Plan (2006 Consolidated HMS FMP), NMFS considered but did not further analyze the possibility of altering this limit. Although there has been past interest in altering this limit, e.g., the issue was raised in the comments on the 2006 Consolidated HMS FMP, this alternative was not considered further in the DEIS because there were few data available to determine whether such a change might be warranted or the impacts of such a change given recent low catch/landings from the Purse Seine category.

Data are now available on dead discards by size relative to retained catch for the Purse Seine category from the 2013 fishing year, reflecting dead discards for the smaller size categories. NMFS believes that additional analysis about the potential benefits of altering the limit, both by reducing dead discards and improving the Purse Seine category’s opportunity to harvest its subquota, may be warranted and beneficial to the stock and the fishery. Additional data are needed to conduct such analyses and to make fishery management decisions. An EFP would allow NMFS to collect and review such additional data regarding the annual incidental purse seine retention limit by