

opportunity for additional public input: Biloxi, MS, on September 10, 2007; New Orleans, LA, on September 10, 2007; Orange Beach, AL, on September 11, 2007; Galveston, TX, on September 11, 2007; Panama City, FL, on September 12, 2007; Palacios, TX, on September 12, 2007; Corpus Christi, TX, on September 13, 2007; Madeira Beach, FL, on September 17, 2007; and Fort Myers Beach, FL, on September 18, 2007.

Copies of an information packet will be available at the meetings and are available prior to the meetings from the Council (see **ADDRESSES**).

All scoping meetings will begin at 7 p.m. The meetings will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council (see **ADDRESSES**).

Once the DEIS associated with Amendment 29 is completed, it will be filed with the Environmental Protection Agency (EPA). The EPA will publish a notice of availability of the DEIS for public comment in the **Federal Register**. The DEIS will have a 45-day comment period. This procedure is pursuant to regulations issued by the Council on Environmental Quality (CEQ) for implementing the procedural provisions of the National Environmental Policy Act (NEPA; 40 CFR parts 1500–1508) and to NOAA's Administrative Order 216–6 regarding NOAA's compliance with NEPA and the CEQ regulations.

NMFS will consider public comments received on the DEIS in developing the final environmental impact statement (FEIS) and before adopting final management measures for the amendment. NMFS will submit both the final amendment and the supporting FEIS to the Secretary of Commerce (Secretary) for review as per the Magnuson-Stevens Fishery Conservation and Management Act.

NMFS will announce, through a notice published in the **Federal Register**, the availability of the final amendment for public review during the Secretarial review period. During Secretarial review, NMFS will also file the FEIS with the EPA and the EPA will publish a notice of availability for the FEIS in the **Federal Register**. This comment period will be concurrent with the Secretarial review period and will end prior to final agency action to approve, disapprove, or partially approve the amendment.

NMFS will announce, through a notice published in the **Federal Register**, all public comment periods on the final amendment, its proposed implementing regulations, and the availability of its associated FEIS. NMFS

will consider all public comments received during the Secretarial review period, whether they are on the final amendment, the proposed regulations, or the FEIS, prior to final agency action.

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

Dated: August 14, 2007.

James P. Burgess,

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

[FR Doc. E7–16359 Filed 8–20–07; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC10

Western Pacific Pelagic Fisheries, Hawaii-based Longline Swordfish Fishery; Scoping Process

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

ACTION: Notice of intent to prepare a supplemental environmental impact statement and notice of initiation of scoping process; request for comments.

SUMMARY: The Western Pacific Fishery Management Council (WPFMC) and NMFS announce their intent to prepare a Supplemental Environmental Impact Statement (SEIS) in accordance with the National Environmental Policy Act of 1969 (NEPA) on the federal management of the Hawaii-based shallow-set pelagic longline fishery in the western Pacific. The SEIS will supplement the March 30, 2001, Final EIS on the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region as well as the March 5, 2004, Final SEIS on Management Measures to Implement New Technologies for the Western Pacific Longline Fisheries.

DATES: The WPFMC and NMFS will discuss alternatives and take scoping comments at a public meeting on August 30, 2007, from 6–9 p.m.

Written scoping comments must be received by September 20, 2007.

ADDRESSES: The public meeting will be held at the Ala Moana Hotel, 410 Atkinson Dr., Honolulu, HI 96815.

Written comments may be submitted by any of the following methods:

- Mail: William L. Robinson, Regional Administrator, Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814. Please write on the envelope: “Scoping Comments on HI Swordfish SEIS”; or

- E-mail:

HILonglineScoping@noaa.gov.

FOR FURTHER INFORMATION CONTACT:

Kitty Simonds, Executive Director, WPFMC, (808) 522–8220, or William L. Robinson, Regional Administrator, NMFS, (808) 944–2200.

SUPPLEMENTARY INFORMATION: The SEIS will consider alternatives for modifying the current regulatory structure for the Hawaii-based shallow-set pelagic longline fishery (“the fishery”) to provide increased opportunities to harvest swordfish while continuing to avoid, to the extent practicable, the incidental catch of seabirds, marine mammals, and threatened and endangered sea turtles. Potential regulatory changes to be analyzed in the SEIS include: modifying or eliminating the existing limit on fishing effort; maintaining or eliminating longline “set certificates” that limit the amount of fishing effort in the fishery; retaining or eliminating hard “caps” (limits) on the incidental take of sea turtles which, if reached, close the fishery for the remainder of the year; the use of time and/or area restrictions in combination with caps on interactions with loggerhead and leatherback sea turtles; modifications to assessment methodologies; changes in observer coverage; and other management alternatives designed to increase incentives to avoid interactions with sea turtles and other protected resources. The SEIS will analyze the impacts of the range of reasonable alternatives on the affected human environment, including the No Action alternative, and the potential impacts on affected populations of sea turtles. The SEIS will include an update on the status of the biological and economic factors affecting the fishery, analysis of the impacts of regulatory measures currently in effect in the shallow-set fishery since 2004, summary of information on international conservation efforts, and a discussion of the potential transferred effects on both target- and incidentally-caught species to other national fishing fleets from regulatory restrictions in the domestic fishery.

Under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), the United States has exclusive management authority over all living marine resources found within the Exclusive Economic Zone (EEZ). Management of these marine resources, with the exception of seabirds and some marine mammals, is vested in the Secretary of Commerce (Secretary). Eight Regional Fishery Management Councils prepare fishery

management plans which are reviewed for approval and implementation by the Secretary. The WPFMC has the responsibility to prepare fishery management plans for fishery resources in the EEZ of the western Pacific.

Pelagic fisheries in the EEZ and on the high seas of the western Pacific have been managed under the Fishery Management Plan for the Pelagics Fisheries of the Western Pacific Region (FMP) and its amendments since 1986. Managed resources include both marketable (primarily billfishes and tunas), and non-marketable (primarily sharks) species. Fisheries managed under the FMP include pelagic longline, troll, handline, pole-and-line (bait boat), and charter-boat fisheries. Management measures include gear restrictions, vessel size limitations, time and area closures, access limitations, and other measures.

Longline fisheries of the western Pacific are further regulated under two classifications: (1) The "shallow-set" component that targets swordfish, and (2) the "deep-set" component that targets that targets tuna. The shallow-set component of the Hawaii-based longline fishery currently operates under the following regulations: an annual set limit of 2,120 shallow-sets (half of the 1994–99 historical average); mandatory night setting; the required use of 18/0 circle hooks or larger (with a 10 degree offset) and blue-dyed mackerel-type bait; closure of the fishery if sea turtle interaction limits are reached for loggerhead (17) or leatherback (16) sea turtles; and other measures. The sea turtle interaction limits were established based on a biological opinion issued by NMFS on February 23, 2004, associated with management measures to implement new technologies for the western Pacific longline fisheries. The biological opinion also requires 100 percent federal observer coverage in the shallow-set fishery.

In February 2007, the WPFMC and NMFS received a proposal from the Hawaii Longline Association (HLA) requesting an amendment to the Pelagics FMP and related MSA regulations concerning the Hawaii-based shallow-set longline fishery. The proposal requests that the WPFMC consider amending the Pelagics FMP to eliminate the existing annual fishing effort limit of 2,120 sets. The HLA proposal is premised on new information obtained since the implementation of the existing shallow-set fishery regime in early 2004 (Gilman and Kobayashi¹). The new information

pertains primarily to sea turtle interaction and mortality rates. The analysis done by Gilman and Kobayashi indicate a reduction in sea turtle capture rates and in the type of incidental hookings (lightly hooked vs. deeply hooked in the mouth or swallowed) observed during sea turtle interactions with longline gear. Combined sea turtle capture rates have declined by 89 percent in comparison to historical capture rates in the shallow-set fishery. Deep hooking (thought to result in sea turtle mortality) rates have also declined to 15 percent of all loggerhead sea turtle captures and zero percent of leatherback sea turtle captures. Prior to requiring the use of circle hooks and mackerel-type bait in the Hawaii-based longline shallow-set fishery, 51 percent of the sea turtles were believed to have been deeply hooked. No green or olive ridley sea turtles have been incidentally caught in the current shallow-set fishery.

The WPFMC and NMFS will consider a range of alternatives that may modify the current regulatory structure for the Hawaii-based pelagic longline shallow-set fishery. Preliminary alternatives that may be analyzed in the SEIS and considered by the WPFMC and NMFS include the following:

Longline Fishing Effort:

1. No action - keep 2120 set limit;
2. Allow 3,000 sets;
3. Allow 4,000 sets; and
4. Do not limit sets.

Time-Area Closures:

1. No action - no time-area closures;
2. Implement pre-season monthly closure of waters in designated sea turtle "hot spots" based on historical and contemporary sea surface temperature data; and
3. Implement in-season closure of waters based on analysis of sea surface temperature data.

Interaction Hard Cap for Loggerhead and Leatherback Sea Turtles:

1. No action - continue limitations of sea turtle interactions using caps set by NMFS; and
2. Discontinue limitations of sea turtle interactions using caps set by NMFS.

Fishery Participation:

1. No action - keep set certificates; and
2. Remove set certificates.

Assessment Methodology:

1. No action - annual (1 year) cap on interactions with loggerhead and leatherback turtles (numbers of sea turtle interactions to be determined by NMFS); and
2. Multi-year cap on interactions with loggerhead and leatherback turtles

(numbers of sea turtle interactions to be determined by NMFS).

Sea Turtle Avoidance Incentives:

1. No action - do not implement individual vessel sea turtle interaction "limits";
2. Individual vessel "limits" for loggerhead and leatherback turtles will be available on an annual basis (calendar or fishing year) to individual vessels. These "limits" will be transferable among vessels; and
3. Any shallow-set vessel in the fleet that interacts with a certain (unspecified at this time) number of sea turtles during the calendar year or fishing year will be precluded from shallow-set fishing for a certain period (unspecified at this time).

Observer Coverage:

1. No action - 100 percent coverage;
2. A reduced level of observer coverage that achieves an appropriate extrapolation of interactions between sea turtles and the fishery;
3. NMFS covers costs for 100 percent coverage at current effort limit (2,120 longline sets), and fishing industry pays for observer costs for additional shallow-set effort beyond current limit; and
4. Fishing industry pays all on-board observer costs associated with monitoring of the Hawaii-based shallow-set longline fishery.

Public Involvement

Public scoping is an early and open process for determining the scope of issues to be addressed. A principal objective of the scoping and public involvement process is to identify a reasonable range of management alternatives that, with adequate analysis, will delineate critical issues and provide a clear basis for distinguishing between those alternatives and selecting a preferred alternative.

In addition to the public meeting (see **DATES** and **ADDRESSES**), other opportunities for public involvement will be available at WPFMC's Science and Statistical Committee meeting on September 25–27, 2007, at the WPFMC office, 1164 Bishop St, Suite 1400, Honolulu, HI 96813, and at the 139th WPFMC meeting on October 9–12, 2007, at the Ala Moana Hotel, 410 Atkinson Dr., Honolulu, HI 96815.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–

¹ Gilman, E., and D. Kobayashi. In press. Sea turtle interactions in the Hawaii-based swordfish

fishery first quarter 2007 and comparison to previous periods.

8226 (fax), at least five days prior to the meeting date.

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

Dated: August 15, 2007.

James P. Burgess,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E7-16358 Filed 8-20-07; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC11

Marine Mammals; File No. 1128-1922

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Eduardo Mercado III, Ph.D., Department of Psychology, 350 Park Hall, University at Buffalo, SUNY, Buffalo, New York, 14260, has applied in due form for a permit to conduct research on humpback whales (*Megaptera novaeangliae*).

DATES: Written, telefaxed, or e-mail comments must be received on or before September 20, 2007.

ADDRESSES: The application and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521; and Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, Florida 33701; phone (727) 824-5301; fax (727) 824-5320.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301) 427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for

providing e-mail comments is NMFS.Pr1Comments@noaa.gov. Include in the subject line of the e-mail comment the following document identifier: File No. 1128-1922.

FOR FURTHER INFORMATION CONTACT: Amy Hapeman or Carrie Hubard, (301) 713-2289.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

Dr. Mercado is requesting a five-year scientific research permit to expose humpback whales to playback sessions in the coastal waters of Puerto Rico. The purpose of this research is to develop methods for testing the hearing and auditory perceptual capabilities of humpback whales in order to better predict when anthropogenic sounds may interfere with social behaviors, particularly mating and group feeding. Up to 200 humpback whales would be harassed by playback experiments (active acoustics) and up to 30 additional humpbacks would be harassed by close approach during vessel surveys for passive acoustic recordings annually. In addition, up to 45 Stenellid dolphins (*Stenella* spp.), 45 bottlenose dolphins (*Tursiops truncatus*), 5 sperm whales (*Physeter macrocephalus*), and 5 Cuvier's beaked whales (*Ziphius cavirostris*) may be incidentally harassed annually during playback sessions.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: August 15, 2007.

P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E7-16462 Filed 8-20-07; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN XC06

U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 4.4: "Preliminary Review of Adaptation Options for Climate-Sensitive Ecosystems and Resources"

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice of availability and request for public comments.

SUMMARY: The National Oceanic and Atmospheric Administration publishes this notice to announce the availability for public comments for the draft document titled, U.S. Climate Change Science Program Synthesis and Assessment Product 4.4: "Preliminary Review of Adaptation Options for Climate-Sensitive Ecosystems and Resources." This Synthesis and Assessment Product (SAP) analyzes information on the state of knowledge of adaptation options for key, representative ecosystems and resources that may be sensitive to climate variability and change.

This draft document is being released solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. This document has not been formally disseminated by NOAA. It does not represent and should not be construed to represent any Agency policy or determination. Any public comments submitted in accordance with this notice will be considered when revising the document.

DATES: Comments must be received by October 5, 2007.

ADDRESSES: The draft of Synthesis and Assessment Product 4.4: "Preliminary Review of Adaptation Options for Climate-Sensitive Ecosystems and Resources" is posted on the CCSP Web site at: www.climatechange.gov/Library/sap/sap4-4/default.php

Detailed instructions for making comments on the draft Report is provided on the SAP 4.4 webpage (see link here). Comments should be prepared and submitted in accordance with these instructions.

FOR FURTHER INFORMATION CONTACT: Dr. Fabien Laurier, Climate Change Science Program Office, 1717 Pennsylvania Avenue NW, Suite 250, Washington, DC 20006, Telephone: (202) 419 3481.

SUPPLEMENTARY INFORMATION: The Climate Change Science Program (CCSP)