

4. Information to compare the distance and distribution of marine mammals relative to the source vessel at times with and without seismic activity.

5. Data on the behavior and movement patterns of marine mammals seen at times with and without seismic activity.

#### Reporting

A report will be submitted to NMFS within 90 days after the end of the cruise. The report will describe the operations that were conducted and the marine mammals that were detected near the operations. The report will be submitted to NMFS, providing full documentation of methods, results, and interpretation pertaining to all monitoring. The 90-day report will summarize the dates and locations of seismic operations, and all marine mammal sightings (dates, times, locations, activities, associated seismic survey activities). The report will also include estimates of the amount and nature of the impacts on marine mammals resulting from the seismic survey. Analysis and reporting conventions will be consistent with those for the 2005 *Healy* cruise to facilitate comparisons and (where appropriate) pooling of data across the two seasons.

#### Endangered Species Act

Pursuant to section 7 of the ESA, the National Science Foundation (NSF) has begun consultation on this proposed seismic survey. NMFS will also consult on the issuance of an IHA under section 101(a)(5)(D) of the MMPA for this activity. Consultation will be concluded prior to a determination on the issuance of an IHA.

#### National Environmental Policy Act (NEPA)

NSF prepared a Draft Environmental Assessment of a Marine Geophysical Survey by the USCG Healy of the Western Canada Basin, Chukchi Borderland and Mendeleev Ridge, Arctic Ocean, July-August 2006. NMFS will either adopt NSF's EA or prepare their own NEPA document prior to the issuance of an IHA. A copy of the EA is available at the NMFS website (see ADDRESSES).

#### Preliminary Conclusions

NMFS has preliminarily determined that the impact of conducting the seismic survey in the Arctic Ocean may result, at worst, in a temporary modification in behavior (Level B Harassment) of small numbers, relative to the population sizes, of certain species of marine mammals. The maximum estimates of take indicate that

no more than 2.5 percent of the gray whale and ringed seal populations would be harassed, and no more than 1 percent of any of the other affected stocks. This activity is expected to result in a negligible impact on the affected species or stocks.

To summarize the reasons stated previously in this document, this preliminary determination is supported by: (1) the likelihood that, given sufficient notice through slow ship speed and ramp-up, marine mammals are expected to move away from a noise source that is annoying prior to its becoming potentially injurious; (2) recent research that indicates that TTS is unlikely (at least in delphinids) until levels closer to 200–205 dB re 1  $\mu$ Pa are reached rather than 180 dB re 1  $\mu$ Pa; (3) the fact that 200–205 dB isopleths would be well within 100 m (328 ft) of the vessel; and (4) the likelihood that marine mammal detection ability by trained observers is close to 100 percent during daytime and remains high at night to that distance from the seismic vessel. As a result, no take by injury or death is anticipated, and the potential for temporary or permanent hearing impairment is very low and will be avoided through the incorporation of the proposed mitigation measures mentioned in this document.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the vicinity of the survey activity, the number of potential harassment takings is estimated to be small, and has been mitigated to the lowest level practicable through incorporation of the measures mentioned previously in this document.

The proposed seismic program will not interfere with any legal subsistence hunts, since seismic operations will not be conducted in the same space and time as the hunts in subsistence whaling and sealing areas. Therefore, NMFS believes the issuance of an IHA for this activity will not have an unmitigable adverse effect on any marine mammal species or stocks used for subsistence purposes.

#### Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to UTIG for conducting a seismic survey in the Arctic Ocean from July 15 - August 25, 2006, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: May 9, 2006.

**Donna Wieting,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*  
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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

[I.D. 040706C]

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

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

**ACTION:** Notice of meeting cancellation.

**SUMMARY:** The Gulf of Mexico Fishery Management Council is cancelling the previously-published meeting of the Ad Hoc Shrimp Effort Working Group (SEWG) scheduled for May 23–24, 2006.

**DATES:** The SEWG meeting scheduled to convene at 9 a.m. on Tuesday May 23, 2006 and conclude no later than 3 p.m. on Wednesday May 24, 2006 has been cancelled and will be rescheduled at a later date.

**ADDRESSES:** Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Assane Diagne, Economist, telephone (813) 348-1630.

**SUPPLEMENTARY INFORMATION:** The original notice published in the **Federal Register** on April 13, 2006 (71 FR 19167). The Gulf of Mexico Fishery Management Council (Council) has canceled the meeting of the Ad Hoc Shrimp Effort Working Group scheduled to convene at 9 a.m. on Tuesday May 23, 2006 and conclude no later than 3 p.m. on Wednesday May 24, 2006 and will be rescheduled at a later date.

Dated: May 9, 2006.

**Tracey L. Thompson,**

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