

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648-XE63

**Endangered Species and Marine Mammals; File No. 10014**

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that the New Jersey Department of Environmental Protection (NJDEP), Division of Science, Research and Technology, P.O. Box 409, Trenton, NJ 08625-0409 has been issued a permit to take marine mammals and sea turtles for purposes of scientific research.

**ADDRESSES:** The permit 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 Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9300; fax (978)281-9394.

**FOR FURTHER INFORMATION CONTACT:** Patrick Opay or Kate Swails, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On July 16, 2007, notice was published in the *Federal Register* (72 FR 38825) that a request for a scientific research permit to take sea turtle and marine mammals species had been submitted by the above-named organization. The requested permit has been issued under the authority of 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), the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The permit authorizes the permit holder to conduct research to elucidate the distribution and abundance of baleen whales, odontocete whales, pinnipeds, and sea turtles. Research will include take by survey approach during shipboard and aircraft transect surveys. The study area includes U.S. waters offshore of New Jersey out to a distance of 20 nautical miles. The permit is issued for five years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the permitted activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: December 20, 2007.

**Patrick Opay,**

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

[FR Doc. E7-25249 Filed 12-27-07; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648-XE33

**Fisheries of the Northeast Region; Overfished Determination of Summer Flounder**

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

**ACTION:** Notice.

**SUMMARY:** This action serves as a notice that NMFS, on behalf of the Secretary of Commerce (Secretary), has determined that summer flounder is overfished. NMFS notified the Mid-Atlantic Fishery Management Council (Council) of its determination by letter. The Council is required to take action within 1 year following notification by NMFS that a stock is overfished or existing remedial action taken to end overfishing or rebuild an overfished stock has not resulted in adequate progress.

**FOR FURTHER INFORMATION CONTACT:** Debra Lambert, telephone: (301) 713-2341.

**SUPPLEMENTARY INFORMATION:** Pursuant to sections 304(e)(2) and (e)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1854(e)(2) and (e)(7), and implementing regulations at 50 CFR 600.310(e)(2), NMFS sends written notification to fishery management councils when overfishing is occurring, a stock is

approaching overfishing, a stock is overfished, a stock is approaching an overfished condition, or existing action taken to end previously identified overfishing or rebuilding a previously identified overfished stock or stock complex has not resulted in adequate progress. On December 3, 2007, the NMFS Northeast Regional Administrator sent a letter notifying the Council that summer flounder is overfished. Summer flounder is currently under a rebuilding plan. The Council must therefore ensure that overfishing is ended and that the stock rebuilds on schedule. A copy of the notification letter sent to the Council for the aforementioned determination is available at <http://www.nmfs.noaa.gov/sfa/statusoffisheries/SOSmain.htm>.

Dated: December 20, 2007.

**James P. Burgess,**

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

[FR Doc. E7-25271 Filed 12-27-07; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648-XD81

**Notice of Availability of Final Eastern Pacific Northern Fur Seal Stock Conservation Plan**

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

**ACTION:** Notice; response to comments.

**SUMMARY:** NMFS has revised the conservation plan (Plan) for northern fur seals to incorporate new information obtained since the original plan was completed. The Plan is required by the Marine Mammal Protection Act (MMPA) and was initially completed in 1993. The goal of the Plan is to promote the recovery of northern fur seals to their optimum sustainable population levels. The Plan is available to the public.

**ADDRESSES:** The Plan is available on the Internet at the following address: <http://www.fakr.noaa.gov/protectedresources/seals/fur.htm>. Copies of the Plan may also be obtained from the NMFS, Protected Resources Division, 222 W. 7th Ave., 143, Anchorage, AK 99513; or from the Alaska Regional Office, Protected Resources Division, 709 W. 9th St., P.O. Box 21668, Juneau, AK 99802.