

approval of this information collection; they also will become a matter of public record.

Dated: June 16, 2005.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 060805C]

Atlantic Pelagic Longline Take Reduction Team Meeting

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

ACTION: Notice of establishment of an Atlantic Longline Take Reduction Team and meeting.

SUMMARY: NMFS is establishing a Take Reduction Team (TRT) and convening a TRT meeting to address the incidental mortality and serious injury of long-finned pilot whales (*Globicephala melas*) and short-finned pilot whales (*Globicephala macrorhynchus*) in the Atlantic region of the Atlantic pelagic longline fishery. The TRT will develop a Take Reduction Plan (TRP) as required in the Marine Mammal Protection Act (MMPA). NMFS will seek input from the Atlantic Pelagic Longline TRT on all scientific data related to stock structure, abundance, and human-caused mortality and serious injury of pilot whales. The TRT will focus on developing a plan to reduce incidental catch of pilot whales in the Atlantic pelagic longline fishery to a level approaching a zero mortality and serious injury rate within 5 years of implementation of the plan.

DATES: The meeting will be held on June 29, 2005, from 1 p.m. to 5 p.m., and on June 30, 2005, from 8:30 p.m. to 5 p.m.

ADDRESSES: The PLTRT meeting will be held at the Hyatt Regency, 7400 Wisconsin Avenue, Bethesda, MD 20814. Phone: (301) 657-1234, Fax: (301) 657-6453.

FOR FURTHER INFORMATION CONTACT: Victoria Cornish: (727) 824-5312 or Kristy Long: (301) 713-2322.

SUPPLEMENTARY INFORMATION: The MMPA defines the Potential Biological Removal (PBR) level of a marine mammal stock as the maximum number of animals, not including natural mortalities, that may be removed from a

marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population. The PBR level is the product of the following factors: the minimum population estimate of the stock; one-half the maximum theoretical or estimated net productivity rate of the stock at a small population size; and a recovery factor of between 0.1 and 1.0.

The Western North Atlantic stocks of short-finned and long-finned pilot whales (*Globicephala* sp.) were designated as strategic in the 2003 marine mammal stock assessment report. However, NMFS has revised the abundance estimates for pilot whales based on recent surveys conducted throughout their range. The 2005 draft stock assessment report now indicates that the PBR for the combined stock of long-finned and short-finned pilot whales (*Globicephala* sp.) is 247, and that total fishery-related mortality and serious injury is 201. Therefore, the status of this combined stock in the 2005 draft stock assessment report will change from strategic to non-strategic because fishery-related serious injuries and mortalities are less than PBR.

For a non-strategic stock, a take reduction plan shall be completed within 11 months of the establishment of the team, and shall focus on reducing incidental mortalities and serious injuries of pilot whales to a level approaching a zero mortality and serious injury rate within 5 years of implementation of the plan.

Both species of pilot whales are known to interact with the pelagic longline fishery, which is classified on the MMPA List of Fisheries as a Category I fishery, or one that has frequent incidental mortalities or serious injuries of marine mammals. Most of the observed interactions of pilot whales with the pelagic longline fishery have occurred in the Mid-Atlantic Bight, where the ranges of the two species overlap. Other commercial fisheries known to occasionally cause incidental mortality and serious injury of short-finned and long-finned pilot whales include the southern New England and mid-Atlantic midwater and bottom trawl fisheries targeting squid, mackerel, butterfish, and herring. These fisheries are identified in the 2004 List of Fisheries (69 FR 48407, August 10, 2004).

As required under section 118 (f)(8) of the MMPA, the TRT shall develop a draft TRP by consensus, and shall submit this draft TRP to NMFS not later than 11 months after the date of the establishment of the TRT. The Secretary shall then consider the TRP, and no later than 60 days after the submission

of the draft TRP, NMFS shall publish in the **Federal Register** the TRP and any implementing regulations proposed by the team for a public comment period not to exceed 90 days. Within 60 days of the close of the comment period, NMFS shall issue a final TRP and any implementing regulations.

List of invited participants: MMPA section 118 (f)(6)(C) requires that members of TRTs have expertise regarding the conservation or biology of the marine mammal species that the TRP will address, or the fishing practices that result in the incidental mortality or serious injury of such species. The MMPA further specifies that TRTs shall, to the maximum extent practicable, consist of an equitable balance among representatives of resource user and non-user interests.

NMFS has asked the following individuals to serve as members of the TRT, which will focus on reducing bycatch of long-finned and short-finned pilot whales in the Atlantic pelagic longline fishery:

Nelson Beidman, Blue Water Fishermen's Association; Jim Budi, Shoreside; Vicki Cornish, NMFS; Jean Cramer, Thunder Mountain Consulting; Brendan Cummings, Center for Biological Diversity; Damon Gannon, Mote Marine Laboratory; Charlotte Hudson Gray, Oceana; Gail Johnson, Fishing Vessel Seneca; David Kerstetter, Virginia Institute of Marine Science; Bill McLellan, University of North Carolina at Wilmington; Dan Mears, Fishing Vessel Monica; Tim Ragen, Marine Mammal Commission; Scott Rucky, Fishing Vessel Dakota; Rick Seagraves, Mid-Atlantic Fishery Management Council; and Sharon Young, Humane Society of the United States.

Other individuals from NMFS and state and Federal agencies may be present as observers or for their scientific expertise. Members of TRTs serve without compensation, but may be reimbursed by NMFS, upon request, for reasonable travel costs and expenses incurred in performing their duties as members of the team. The TRT process will be facilitated by Scott McCreary and Eric Poncelet, CONCUR, Inc., Berkeley, California. The TRT will hold its first meeting from June 29-30, 2005 in Bethesda, Maryland (see **DATES** and **ADDRESSES**).

NMFS fully intends to conduct the TRT process in a way that provides for national consistency yet accommodates the unique regional characteristics of the fishery and marine mammal stocks involved. Take Reduction Teams are not subject to the Federal Advisory Committee Act (5 App. U.S.C.). Meetings are open to the public.

Dated: June 16, 2005.

P. Michael Payne,

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

National Oceanic and Atmospheric Administration

[I.D. 060804F]

Endangered Fish and Wildlife; National Environmental Policy Act; Right Whale Ship Strike Reduction Strategy Notice of Intent to Prepare an Environmental Impact Statement and Conduct Public Scoping

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

ACTION: Notice of intent; request for written comments.

SUMMARY: NMFS intends to prepare an Environmental Impact Statement (EIS) to analyze the potential impacts of implementing the operational measures in NOAA's Right Whale Ship Strike Reduction Strategy (Strategy). This notice describes the proposed action and possible alternatives intended to reduce the likelihood and threat of right whale deaths as a result of collisions with vessels.

DATES: Written or electronic comments must be received no later than 5 p.m., eastern standard time, on July 22, 2005. At this time there are no scheduled scoping meetings.

ADDRESSES: Written comments, or requests to be added to the mailing list for this project, should be submitted to: P. Michael Payne, Chief, Marine Mammal and Sea Turtle Conservation Division, Attn: Right Whale Ship Strike EIS, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments may also be submitted via fax to (301) 427-2522, Attn: Right Whale Ship Strike EIS, or by e-mail to:

Shipstrike.comments@noaa.gov. Include in the subject line the following identifier: I.D. 060804F.

Additional information including the Environmental Assessment (EA) and the economic analysis report used in the preparation of the EA are available on the NMFS website at <http://www.nmfs.noaa.gov/pr/shipstrike/>.

FOR FURTHER INFORMATION CONTACT: Greg Silber, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver

Spring, MD 20910; telephone (301) 713-2322, e-mail greg.silber@noaa.gov; or Barb Zoodsma, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701; telephone (904) 321-2806, e-mail barb.zoodsma@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

The abundance of North Atlantic right whales is believed to be fewer than 300 individuals despite protection for half a century. The North Atlantic right whale is also considered one of the most endangered large whale populations in the world. Recent modeling exercises suggest that the loss of even an individual animal has measurable effects that may contribute to the extinction of the species (Caswell et al., 1999). The models also suggests that preventing the mortality of one adult female a year significantly alters the projected outcome.

The two most significant human-caused threats and sources of mortality to right whales are entanglements in fishing gear and collisions with ships (Knowlton and Kraus, 2001; Jensen and Silber, 2003). Collisions with ships (referred to as ship strikes) account for more confirmed right whale mortalities than any other human-related activity. Ship strikes are responsible for over 50 percent of known human-related right whale mortalities and are considered one of the principal causes for the lack of recovery in this population. Right whales are located in, or adjacent to, several major shipping corridors on the eastern U.S. and southeastern Canadian coasts.

NMFS has implemented conservation measures to reduce the likelihood of mortalities as a result of ship strikes. These activities include the use of aerial surveys to notify mariners of right whale sighting locations, interagency collaboration with the U.S. Coast Guard (USCG) which issues periodic notices to mariners regarding ship strikes, joint operation with the USCG of Mandatory Ship Reporting (MSR) systems to provide information to mariners entering right whale habitat, support of regional Right Whale Recovery Plan Implementation Teams, support of shipping industry liaisons, and consultations with other Federal agencies regarding the effects of their activities on right whales (under section 7 of the Endangered Species Act). However, right whales continue to sustain mortalities as a result of collisions with vessels despite the efforts of these programs.

NMFS recognizes that this complex problem requires the implementation of additional proactive measures to reduce or eliminate the threat of ship strikes to right whales. The goal of the Strategy is to reduce, to the extent practicable, the distributional overlap between ships and right whales. The Strategy allows for regional implementation and accommodates differences in oceanography, commercial ship traffic patterns, navigational concerns, and right whale use. Implementation of the Strategy will require proposed and final rulemaking to be taken.

Purpose of this Action

NEPA requires Federal agencies to conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. NMFS is considering a variety of measures, including regulatory and non-regulatory initiatives. NMFS may implement the operational measures of the Strategy through its rulemaking authority pursuant to the Marine Mammal Protection Act (MMPA). Under MMPA section 112(a) (16 U.S.C. 1382(a)), NMFS has authority, in consultation with other Federal agencies to the extent other agencies may be affected, to "prescribe such regulations as are necessary and appropriate to carry out the purposes of [the MMPA]." In addition, NMFS has authority under the Endangered Species Act to promote conservation, implement recovery measures, and enhance enforcement to protect right whales. NMFS is seeking public input on the scope of the required National Environmental Policy Act (NEPA) analysis, including the range of reasonable alternatives, associated impacts of any alternatives, and suitable mitigation measures.

On June 1, 2004, NMFS published an Advanced Notice of Proposed Rulemaking (ANPR) (69 FR 30857) and announced its intent to prepare a draft EA to address the potential impacts of implementing the Strategy. The EA considered the context and intensity of the factors identified in NOAA's NEPA guidelines and regulations, along with short- and long-term, and cumulative effects of a No Action Alternative and the proposed action (see **ADDRESSES**). The analysis concluded that the effects of the proposed action on the human environment are likely to be highly controversial. This finding was based on the controversial nature of the Strategy on the human environment and the possible cumulative effects of the proposed action on certain sectors within the maritime industry. The major controversy concerns the potential