

Please refer to the following Web site for the list of species: https://apps.nmfs.noaa.gov/docs_cfm/species_lists.cfm. The applicant is requesting samples of marine mammals legally taken in the countries of origin that are the product of a legal subsistence hunt, incidental by-catch, routine husbandry/medical examinations of legally held captive animals, stranded animals in foreign countries, and samples taken under other permitted research activities. No takes of live animals, direct or indirect, are requested in this application. Mystic Aquarium requests the permit be valid for five years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

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

Dated: September 25, 2012.

P. Michael Payne,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-BA75

Atlantic Highly Migratory Species; Electronic Dealer Reporting System Workshop

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

ACTION: Notice of public workshops.

SUMMARY: On August 8, 2012, NMFS published a final rule that will require, among other things, Federal Atlantic

swordfish, shark, and tunas dealers (except for dealers reporting Atlantic bluefin tuna) to report receipt of Atlantic sharks, swordfish, and bigeye, albacore, yellowfin, and skipjack (BAYS) tunas through one centralized electronic reporting system starting on January 1, 2013. This electronic reporting system will allow dealers to submit Atlantic sharks, swordfish, and BAYS tuna data on a more real-time basis and more efficiently, and will reduce duplicative data submissions from different regions. This notice announces the dates and locations of several training workshops to introduce the new reporting system to HMS dealers. These workshops will be held in the Gulf of Mexico and Atlantic regions and are open to any interested parties.

DATES: Training workshops for the new electronic dealer system will be held from October through December 2012. See **SUPPLEMENTARY INFORMATION** for meeting dates, times, and locations.

ADDRESSES: Workshops will be held in Barnegat Light, NJ; Ocean Pines, MD; Gulf Shores and Coden, AL; Charleston, SC; Portland, ME; Gloucester, MA; Manteo, NC, and Dickinson, TX. See **SUPPLEMENTARY INFORMATION** for dates, times, and locations.

FOR FURTHER INFORMATION CONTACT:

Delisse Ortiz or Karyl Brewster-Geisz at (301) 427-8503 (phone); or Jackie Wilson at (240) 338-3936, or (301) 713-1917 (fax); or <http://www.nmfs.noaa.gov/sfa/hms/index.htm>.

SUPPLEMENTARY INFORMATION: Atlantic HMS are managed under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), 16 U.S.C. 1801 *et seq.*, and the Atlantic Tunas Convention Act (ATCA), 16 U.S.C. 971 *et seq.* Under the MSA, NMFS must ensure consistency with the National Standards and manage fisheries to maintain optimum yield, rebuild overfished fisheries, and prevent overfishing. ATCA authorizes the Secretary of Commerce to promulgate regulations, as may be necessary and appropriate, to implement the recommendations adopted by the International Commission for the Conservation of

Atlantic Tunas (ICCAT). The authority to issue regulations under MSA and ATCA has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA. The implementing regulations for Atlantic HMS are at 50 CFR part 635.

Background

On August 8, 2012 (77 FR 47303), we published a final rule in the **Federal Register** that requires, among other things, Federal Atlantic swordfish, shark, and tunas dealers (except for dealers reporting Atlantic bluefin tuna) to report receipt of Atlantic sharks, swordfish, and BAYS tunas through one centralized electronic reporting system. Under this new system, dealers will submit HMS data electronically (instead of in a paper format) and include additional information that is necessary for management purposes (*e.g.*, vessel and logbook information). The electronic submission of data will eliminate the delay associated with mailing in hardcopy reports. In this manner, HMS landings data will be submitted on a more real-time basis, allowing for timely and efficient data collection for management of Atlantic HMS.

In order to give sufficient time for dealers to adjust to implementation of the new system and the additional requirements, we delayed implementation of the new HMS electronic reporting system for all federally-permitted HMS dealers until January 1, 2013. Additionally, we are conducting outreach to HMS dealers to train them how to use the new system and help ease the transition from the current paper format to the new HMS electronic reporting system. To date, we conducted 11 training workshops in the Caribbean, Gulf of Mexico and Atlantic regions in order to introduce the new reporting system to HMS dealers. In this notice, we announce the date and location for one webinar and nine additional training workshops in the Gulf of Mexico and Atlantic regions in order to continue introducing HMS dealers to the new electronic system. We may announce additional workshops at a future date.

Tentative date	Time	Meeting locations	Address
October 17, 2012	6:00–9:00 pm	US Coast Guard Station Barnegat Light	Sixth and Bayview Avenue, Barnegat Light, NJ 08006.
October 18, 2012	2:00–5:00 pm	Ocean Pines Library Conference Room	111707 Cathell Road, Ocean Pines, MD 21811.
October 23, 2012	3:00–6:00 pm	Alabama Department of Conservation and Natural Resources Division/Marine Resources Claude Petet Mariculture Center.	21055 Waterway E Blvd, Gulf Shores, AL 36542.
October 24, 2012	3:00–6:00 pm	Coastal Response Center	7385 Highway 188, Coden, AL 36523.

Tentative date	Time	Meeting locations	Address
November 1, 2012	5:00–8:00 pm	SC Dept of Natural Resources Marine Resources Research Institute Auditorium.	217 Fort Johnson Rd., Charleston, SC 29412.
November 8, 2012	5:00–8:00 pm	Casco Bay Ferry Terminal (Casco Bay Lines)	56 Commercial Street, Portland, ME 04112.
November 14, 2012	2:00–5:00 pm	NOAA Northeast Regional Office	55 Great Republic Drive, Gloucester, MA 01930.
November 27, 2012	1:00–4:00 pm	Webinar	https://www1.gotomeeting.com/register/941053440 .
December 5, 2012	4:00–7:00 pm	Dare County Administration Building, Room 168.	954 Marshall C. Collins Drive, Manteo, NC 27954.
December 13, 2012	5:00–8:00 pm	Texas Parks and Wildlife Department	1502 FM 517 East, Dickinson, TX 77539.

These workshops will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Delisse Ortiz at (301) 425–8503 or Jackie Wilson at (240) 338–3936 at least 7 days prior to the workshop date. The public is reminded that NMFS expects participants at the workshop to conduct themselves appropriately. At the beginning of each workshop, a representative of NMFS will explain the ground rules (e.g., alcohol is prohibited from the hearing room; each attendee will have an opportunity to ask questions; and attendees should not interrupt one another). Attendees are expected to respect the ground rules; if they do not, they will be asked to leave the workshop.

Dated: September 27, 2012.

Lindsay Fullenkamp,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC187

Takes of Marine Mammals Incidental to Specified Activities; Harbor Activities Related to the Delta IV/Evolved Expendable Launch Vehicle at Vandenberg Air Force Base, CA

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

ACTION: Notice; issuance of an incidental harassment authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA) regulations, notification is hereby given that NMFS has issued an Incidental Harassment Authorization (IHA) to United Launch Alliance (ULA), to take marine mammals, by Level B

harassment, incidental to conducting *Delta Mariner* activities related to the Delta IV/Evolved Expendable Launch Vehicle (Delta IV/EELV) at south Vandenberg Air Force Base, CA (VAFB).

DATES: Effective September 26, 2012, through September 25, 2013.

ADDRESSES: To obtain an electronic copy of the authorization, application, and associated Environmental Assessment (EA) and Finding of No Significant Impact (FONSI), write to the previously mentioned address, telephone the contact listed here (see **FOR FURTHER INFORMATION CONTACT**), or download the file at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT:

Jeannine Cody, NMFS, Office of Protected Resources, NMFS (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(D) of the MMPA (MMPA; 16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to authorize, upon request, the incidental, but not intentional, taking of small numbers of marine mammals of a species or population stock, by United States citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if: (1) We make certain findings; (2) the taking is limited to harassment; and (3) we provide a notice of a proposed authorization to the public for review.

Authorization shall be granted for the incidental taking of small numbers of marine mammals if we, NMFS, find that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). The authorization must set forth the permissible methods of taking; other means of effecting the least practicable adverse impact on the species or stock

and its habitat; and requirements pertaining to the mitigation, monitoring and reporting of such takings.

We have defined “negligible impact” in 50 CFR 216.103 as “an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.”

Section 101(a)(5)(D) of the Marine Mammal Protection Act established an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Section 101(a)(5)(D) of the Act establishes a 45-day time limit for our review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the public comment period, we must either issue or deny the authorization and must publish a notice in the **Federal Register** within 30 days of our determination to issue or deny the authorization.

Except with respect to certain activities not applicable here, the Marine Mammal Protection Act defines “harassment” as: Any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment].

Summary of Request

We received an application on May 7, 2012, from United Launch Alliance requesting the taking, by Level B harassment only, of small numbers of marine mammals, incidental to conducting *Delta Mariner* harbor operations for one year. We determined the application complete and adequate on June 5, 2012.