

on December 7, 2010. NMFS considered the request and new information available since its prior authorization, including the Bonneville Task Force's recommendations. NMFS again authorized lethal take, under similar conditions to the 2008 authorization (albeit with modifications), issuing a new LOA on May 13, 2011. HSUS again filed suit this time in federal court for the District of Columbia, alleging, among other things, that NMFS had not followed procedural requirements under MMPA section 120 prior to issuing the new authorization (including public notice and comment on the States' application). In coordination with the States, NMFS revoked the May 13 authorization on July 22, 2011, and HSUS voluntarily withdrew their lawsuit.

On August 18, 2011, the States submitted a new request for lethal removal of California sea lions at Bonneville Dam under essentially the same conditions as the prior authorizations. NMFS published notice of the States' application in the **Federal Register** on September 12, 2011, and requested comment on the application and other relevant information concerning the pinniped-salmonid conflict at Bonneville Dam (76 FR 56167; September 12, 2011). NMFS reconvened the Bonneville Task Force in October 2011 to evaluate the States' application and public comments and to recommend whether NMFS should approve or deny the proposed intentional lethal taking program. The Bonneville Task Force's final report and recommendation was provided to NMFS on November 14, 2011. On March 15, 2012, NMFS issued the current LOA to the States. In renewed litigation by HSUS, this LOA was upheld in district court on February 15, 2013, and later affirmed by the Ninth Circuit Court of Appeals. *Humane Society of the US v. Bryson*, 924 F.Supp.2d 1228 (D. Or., 2013); *HSUS v. Pritzker*, No. 13–35195 (9th Cir., 9/27/13).

The NMFS West Coast Regional Administrator has considered the States' application and determined that it provides sufficient evidence to warrant reconvening the Bonneville Task Force. The application, based on NMFS' 2012 LOA and its implementation, describes the continuing problem of interactions between pinnipeds and listed salmonids at and below Bonneville Dam, and describes the expected benefits from the removal of pinnipeds. The application also documents past nonlethal efforts to prevent problem pinniped-salmonid interactions.

The MMPA requires NMFS to consider the recommendations of the

Task Force when determining whether to issue a section 120 LOA. In order to obtain the Bonneville Task Force's views regarding this extension of the existing LOA, NMFS will consult with Bonneville Task Force members after the 30-day public comment period closes.

#### **Request for Comments and Other Information**

NMFS solicits public comments on the States' application and any additional information that should be considered by the Bonneville Task Force in making its recommendation, or by NMFS in making its determination whether to approve or deny the application.

Dated: March 22, 2016.

**Nicole R. LeBoeuf**,

*Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

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**BILLING CODE 3510–22–P**

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **New England Fishery Management Council; Public Meeting**

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

**ACTION:** Notice; public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Ecosystem Based Fishery Management (EBFM) Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** This meeting will be held on Thursday, April 14, 2016 at 9 a.m.

**ADDRESSES:** The meeting will be held at the Hotel 1620, 180 Water Street, Plymouth, MA 02360; telephone: (508) 747–4900; fax: (508) 747–8937.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

**SUPPLEMENTARY INFORMATION:**

#### **Agenda**

The committee will receive and discuss a progress report from the Plan Development Team on a prototype or example Fishery Ecosystem Plan (eFEP). A final report is scheduled to be presented at the June 2016 Council meeting. They will also discuss establishing an EBFM Advisory Panel and developing a Fishery Ecosystem Plan scoping process. Other business will be discussed if time permits.

#### **Special Accommodations**

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: March 23, 2016.

**Tracey L. Thompson**,

*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–XE525**

#### **Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:** Notice; availability of hatchery plan and request for comment.

**SUMMARY:** Notice is hereby given that the California Department of Fish and Wildlife (CDFW) has submitted a Hatchery and Genetic Management Plan (HGMP) pursuant to the protective regulations promulgated for Pacific salmon and steelhead under the Endangered Species Act (ESA). The HGMP specifies the operation of a hatchery program rearing steelhead in the Mad River subbasin within the State of California. This document serves to notify the public of the availability of the HGMP and associated draft environmental assessment (EA) for comment prior to a decision by NMFS whether to approve the proposed hatchery program.

**DATES:** Comments must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific time on April 27, 2016.

**ADDRESSES:** Written comments on the application should be addressed to the NMFS NOAA Fisheries West Coast Region California Coastal Office, 1655 Heindon Road, Arcata, California 95521, or faxed to 707-825-4840. Comments may be submitted by email. The mailbox address for providing email comments is:

*MadRiverHatcheryPlan.wcr@noaa.gov*. Include in the subject line of the email comment the following identifier: Comments on the Mad River hatchery plan.

**FOR FURTHER INFORMATION CONTACT:** Dan Free, at phone number: (707) 825-5126, or via email: *dan.free@noaa.gov*.

**SUPPLEMENTARY INFORMATION:**

**Species Covered in This Notice**

Chinook salmon (*Oncorhynchus tshawytscha*): Threatened, naturally produced and artificially propagated California Coastal.

Coho salmon (*O. kisutch*): Threatened, naturally produced and artificially propagated Southern Oregon/Northern California (SONCC).

Steelhead (*O. mykiss*): Threatened, naturally produced and artificially propagated Northern California.

**Background**

CDFW has submitted to NMFS an HGMP describing a hatchery program that releases steelhead into the Mad River, in northern California, for consideration pursuant to limit 5 of the ESA 4(d) rule for salmon and steelhead.

The hatchery program that is the subject of the NMFS evaluation would operate to provide steelhead for harvest in freshwater recreational fisheries in the Mad River. The program would propagate steelhead that are derived from the local steelhead population in the Mad River, ensuring that at least half of the MRH winter-run steelhead spawning pairs are hatchery spawned natural-origin and to match natural-origin steelhead with their natural counterparts whenever possible. Measures would be applied in the hatchery program to reduce the risk of incidental adverse genetic, ecological, and demographic effects on natural-origin steelhead and salmon populations.

As specified in the July 10, 2000, ESA 4(d) rule for salmon and steelhead (65 FR 42422) and updated June 28, 2005 (70 FR 37160), NMFS may approve an HGMP if it meets criteria set forth in 50 CFR 223.203(b)(5)(i)(A) through (K). Prior to final approval of an HGMP, NMFS must publish notification announcing its availability for public review and comment.

**Authority**

Under section 4 of the ESA, the Secretary of Commerce is required to adopt such regulations as she deems necessary and advisable for the conservation of species listed as threatened. The ESA salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. Limit 5 of the updated 4(d) rule (50 CFR 223.203(b)(5)) further provides that the prohibitions of paragraph (a) of the updated 4(d) rule (50 CFR 223.203(a)) do not apply to activities associated with artificial propagation programs provided that an HGMP has been approved by NMFS to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, June 28, 2005).

Dated: March 23, 2016.

**Perry F. Gayaldo,**

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

**National Oceanic and Atmospheric Administration**

**RIN 0648-XE538**

**Mid-Atlantic Fishery Management Council (MAFMC); Public Meetings**

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The Mid-Atlantic Fishery Management Council (Council) will hold public meetings of the Council and its Committees.

**DATES:** The meetings will be held Monday, April 11, 2016 through Thursday, April 14, 2016. For agenda details, see **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** The meeting will be held at: Montauk Yacht Club, 32 Star Island Road, Montauk, NY, telephone: (631) 668-3100.

*Council address:* Mid-Atlantic Fishery Management Council, 800 N. State St., Suite 201, Dover, DE 19901; telephone: (302) 674-2331.

**FOR FURTHER INFORMATION CONTACT:** Christopher M. Moore, Ph.D. Executive Director, Mid-Atlantic Fishery

Management Council; telephone: (302) 526-5255. The Council's Web site, *www.mafmc.org* also has details on the meeting location, proposed agenda, webinar listen-in access, and briefing materials.

**SUPPLEMENTARY INFORMATION:** The following items are on the agenda, though agenda items may be addressed out of order (changes will be noted on the Council's Web site when possible).

**Monday, April 11, 2016**

*Tilefish Committee*

Review blueline tilefish alternatives, Advisory Panel recommendation and public comments, consider Scientific and Statistical Committee (SSC) Allowable Biological Catch (ABC) recommendations, and develop recommendations to the Council for final action on amendment.

*Mackerel, Squid, Butterfish Committee and River Herring and Shad Committee*

Review Industry-Funded Monitoring (IFM) mackerel coverage alternatives and Advisory Panel comments and make recommendations to the Council for preferred IFM alternatives for public hearings.

*Mackerel, Squid, Butterfish Committee and River Herring and Shad Committee Joint With River Herring and Shad Advisory Panel*

Review 2013 Stocks in the Fishery (River Herring and Shad) White Paper and develop recommendations to the Council regarding terms of reference for reconsideration of River Herring and Shad as stocks in the fishery.

*Executive Committee*

Review MAFMC and other Council ABC Control Rules and Risk Policies and discuss framework to modify existing MAFMC Risk Policy.

**Tuesday, April 12, 2016**

*Ecosystems Approach to Fisheries Management (EAFM)*

Review and discuss draft EAFM Guidance Document.

*Unmanaged Forage Fish Amendment*

Review the Fishery Management Action Team and Ecosystems and Ocean Planning Advisory Panel, Committee comments, and review and approve public hearing document.

*European Union Pelagic Advisory Council and EAFM*

Dr. Verena Ohms, Director Pelagic Advisory Council, will provide a presentation to the Council.