

comprehensive review to evaluate the effectiveness of the FMEPs will occur at a minimum every 5 years.

As specified in the July 10, 2000, the Endangered Species Act (ESA) 4(d) rule for salmon and steelhead (65 FR 42422) and updated rule (June 28, 2005, 70 FR 37160), NMFS may approve an FMEP if it meets criteria set forth in 50 CFR 223.203(b)(4)(i)(A) through (I). Prior to final approval of an FMEP, 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 he 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, July 28, 2005) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The rule further provides that the prohibitions of paragraph (a) of the rule do not apply to activities associated with fishery harvest provided that an FMEP 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, July 28, 2005).

Dated: September 29, 2005.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 05-19724 Filed 9-30-05; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 081905C]

Endangered Fish and Wildlife; Marine Mammal Protection Act; Proposed Conservation Plan for Southern Resident Killer Whales

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

ACTION: Notice; request for comments.

SUMMARY: The Marine Mammal Protection Act (MMPA) of 1972, as amended, requires the Secretary of Commerce to prepare a conservation plan for any species or stock of marine mammals designated as depleted under

the Act. The Southern Resident stock of killer whales (*Orcinus orca*) was designated as depleted on May 29, 2003, and a conservation plan was developed to promote the conservation and recovery of these whales. NMFS announces the availability for public review of the Proposed Conservation Plan for Southern Resident Killer Whales (Plan). NMFS is requesting review and comment on the Plan from the public and all interested parties.

DATES: Written comments and information must be received by January 3, 2006.

ADDRESSES: Copies of the Plan may be reviewed and/or copied at NMFS, Protected Resources Division, 7600 Sand Point Way NE, Seattle, WA 98115. The Plan is available on-line on the NMFS web site www.nwr.noaa.gov. Comments should be submitted by mail to Chief, Protected Resources Division, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232 or by e-mail to orca.plan@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Garth Griffin, NOAA/NMFS, Northwest Region, (503) 231-2005.

SUPPLEMENTARY INFORMATION:

Background

Southern Resident killer whales declined by almost 20 percent from 1996-2001. The scientific information evaluated during a status review indicated that Southern Resident killer whales were depleted under the Marine Mammal Protection Act (MMPA). NMFS published a proposed rule to designate the Southern Resident stock of killer whales as depleted on January 30, 2003 (68 FR 4747). Based on the best scientific information available, consultation with the Marine Mammal Commission, and consideration of public comments, we determined that the Southern Resident stock of killer whales was depleted under the MMPA (68 FR 31980; May 29, 2003) and announced our intention to prepare a conservation plan.

Conservation plans describe actions to conserve and recover a species or stock designated as depleted under the MMPA. Conservation plans are modeled on recovery plans under the Endangered Species Act and must include (1) site-specific management actions necessary to achieve the plan's goals; (2) estimates of time required and costs to implement actions; and (3) objective, measurable criteria which, when met, would result in the species or stock no longer meeting the definition of depleted.

The Plan

We developed the Plan with input from a variety of stakeholders, including state and Federal agencies, tribes, non-profit groups, industries, the academic community, and concerned citizens. We held a series of technical workshops in 2003-2004 to receive input from participants on ideas for management actions to include in the plan; coordinated with the NMFS Northwest Fisheries Science Center research program, the State of Washington, and the Canadian Department of Fisheries and Oceans; and provided a preliminary draft document for public review in March 2005, meeting with agency representatives to discuss the preliminary plan. The Plan incorporates many of the comments received and includes a completed implementation schedule with cost estimates for conservation measures and research actions.

The Plan provides a strategy to conserve and restore Southern Resident killer whales, so that they no longer meet the definition of a depleted stock. It provides background on the natural history of killer whales, population trends and the potential threats to their viability. The Plan lays out a conservation strategy to address the potential threats based on the best available science and includes conservation goals and criteria consistent with the MMPA. The Plan is not a regulatory action, but presents guidance for use by agencies and interested parties to assist in the recovery of killer whales. The conservation measures, outlined in the plan, detail an initial approach to address each of the manageable threats. The program also links management actions to an active research program to fill data gaps, as well as to monitoring activities for assessing effectiveness. Feedback from research and monitoring will provide the information necessary to refine ongoing actions and develop and prioritize new actions. The Plan can be amended in the future as additional information becomes available.

Conserving Southern Resident killer whales is a long-term effort and will require cooperation and coordination of Federal, state, tribal and local government agencies, and the community. WNMFS solicits public comments on the proposed conservation plan.

Dated: September 29, 2005.

P. Michael Payne,

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

[FR Doc. 05-19729 Filed 9-30-05; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****[I.D. 092905A]****South Atlantic Fishery Management Council; Law Enforcement Committee and Advisory Panel Meeting**

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

ACTION: Notice of meeting of the Law Enforcement Committee and Advisory Panel.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a joint meeting of its Law Enforcement Committee and Advisory Panel (AP) in Charleston, South Carolina.

DATES: The meeting will take place October 12 and 13, 2005.

ADDRESSES: The meetings will be held at the Town and Country Inn, 2008 Savannah Highway, Charleston, SC 29407; phone 800/334-6660 or 843/571-1000, FAX 843/766-9444.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, S.C., 29407-4699; phone 843/571-4366 or toll free 866/SAFMC-10; FAX 843/769-4520; email: kim.iverson@safmc.net.

SUPPLEMENTARY INFORMATION: The Law Enforcement Committee and AP will meet jointly from 1 p.m. until 5 p.m. on October 12, 2005, and from 8:30 a.m. until 3 p.m. on October 13, 2005, to review Amendment 13C to the Snapper Grouper Fishery Management Plan and provide recommendations to the Council. Committee and AP members will also receive an update on the use of marine protected areas as a fishery management tool, discuss state regulations regarding the sale of recreationally caught fish in the region, and provide recommendations for Council.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) prior to the meetings.

Note: The times and sequence specified in this agenda are subject to change.

Dated: September 29, 2005.

Emily Menashes,

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

[FR Doc. 05-19717 Filed 9-28-05; 2:54 pm]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****[I.D. 090805B]****Marine Mammals; File No. 774-1649-03**

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

ACTION: Notice; receipt of application for permit amendments.

SUMMARY: Notice is hereby given that the Southwest Fisheries Science Center, National Marine Fisheries Service, 8604 La Jolla Shores Drive, La Jolla, California 92038 (Principal Investigator: Rennie Holt, Ph.D.) has requested an amendment to scientific research Permit No. 774-1649-02.

DATES: Written, telefaxed, or e-mail comments on the new application and amendment requests must be received on or before November 2, 2005.

ADDRESSES: The application, permit and related documents are available for review upon written request or by appointment in the following office(s):

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

Assistant Regional Administrator for Protected Resources, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4020; fax (562)980-4027.

Written comments or requests for a public hearing on this request should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for

providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 774-1649-03.

FOR FURTHER INFORMATION CONTACT:

Ruth Johnson or Tammy Adams, 301/713-2289.

SUPPLEMENTARY INFORMATION: The subject amendment is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Permit No. 774-1649-02, issued to the NMFS, Southwest Fisheries Science Center, authorizes the Holder to capture and restrain 100 adults/juveniles and 600 Antarctic fur seal (*Arctocephalus gazella*) pups to: handle (weigh and measure); sample (extract tooth, blood, and milk); and tag (flipper tag and instrument). Additionally, the Permit authorizes incidental harassment of Southern elephant seals (*Mirounga leonina*), Crabeater seals (*Lobodon carcinophagus*), Leopard seals (*Hydrurga leptonyx*), Ross seals (*Ommatophoca rossii*), and Weddell seals (*Leptonychotes weddellii*) during census surveys and mortality of up to three Antarctic fur seals incidental to capture operations. The Permit expires April 30, 2006.

The Holder now requests an amendment to the Permit to conduct additional activities on 15 Antarctic fur seal females and 30 pups already authorized to be taken. There would be no change in the total number of animals captured or the number of captures per animal each year. Adult females and pups would be administered isotopes (doubly-labeled water (DLW)) for female/pup energetic studies. Blood samples would be collected pre- and post administration of isotopes. Seals would be held up to three hours and the female and pup released simultaneously. Additionally, pups would be lavaged to remove milk from their stomachs before the administration of DLW.

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

Dated: September 26, 2005.

Stephen L. Leathery,

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

[FR Doc. 05-19732 Filed 9-30-05; 8:45 am]

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