Activities shall not resume until NMFS is able to review the circumstances of the prohibited take. NMFS shall work with the City of San Diego to determine what is necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. The City of San Diego may not resume their activities until notified by NMFS via letter or email, or via telephone.

Reporting an Injured or Dead Marine Mammal with an Unknown Cause of Death

In the event that the City of San Diego discovers an injured or dead marine mammal, and the lead PSO determines that the cause of the injury or death is unknown and the death is relatively recent (i.e., in less than a moderate state of decomposition as described in the next paragraph), the City of San Diego will immediately report the incident to the Chief of the Permits and Conservation Division, Office of Protected Resources, NMFS, at 301–427–8401, and/or by email to Julie.Harrison@noaa.gov and Howard.Goldstein@noaa.gov, and the NMFS West Coast Regional Office (1–866–767–6114) and/or the West Coast Regional Stranding Coordinator (562–980–3230). The report must include the same information identified in the Condition 8(a) above. Activities may continue while NMFS reviews the circumstances of the incident. NMFS will work with the City of San Diego to determine whether modifications in the activities are appropriate.

I. Background

NMFS’ authority to make the loan resides in sections 1111 and 1112 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1279(f) and 1279(g)(MMA)(title XII)).

The Program was authorized in the Consolidated Appropriations Act of 2005 (Section 209 of Title II of Division B of Pub. L. 108–447) and waives all of the fishing capacity reduction program requirements of the Magnuson-Stevens Act (Sections 312(b)–(e) codified at 16 U.S.C. 1801 et seq. except for Sections (b)(1)(C) and (d) which state: (1) It must be cost-effective; and (2) it is subject to a referendum approved by a majority of permit holders.

NMFS published proposed program regulations on May 23, 2011 (76 FR 29707), and final program regulations on October 6, 2011 (76 FR 61985), to implement the reduction program. Subsequently, the Southeast Revitalization Association submitted a capacity reduction plan to NMFS. NMFS approved the plan on February 24, 2012. NMFS published the list of eligible voters on March 1, 2012 (77 FR 12568) and the notice of referendum period on March 29, 2012 (77 FR 19004). Interested persons should review these for further program details.

NMFS conducted a referendum where the majority of permit holders voted to repay a fishing capacity reduction loan to purchase the permits identified in the reduction plan.

On May 7, 2012, NMFS published another Federal Register document (77 FR 26744) advising the public that NMFS would tender the program’s reduction payments to the 64 selected bidders who would permanently stop fishing with the permits they had relinquished in return for reduction payments. Subsequently, NMFS disbursed $13,133,030 in reduction payments to the 64 selected bidders.

NMFS published a Federal Register notice on July 16, 2012 (77 FR 41754) informing the public that fee collection would begin on July 22, 2012. Since then all harvesters of Southeast Alaska purse seine salmon must pay the fee and all fish buyers of Southeast Alaska purse seine salmon must collect the fee in accordance with the applicable regulations.

NMFS published a notice in the Federal Register on June 5, 2013 (78 FR 33810) to decrease the fee rate from 3.0% of landed value and any subsequent bonus payments to 1.5%, effective June 1, 2013.

II. Purpose

The purpose of this notice is to adjust the fee rate for the reduction fishery in

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

RIN 0648–X943

Fishing Capacity Reduction Program for the Southeast Alaska Purse Seine Salmon Fishery

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

ACTION: Notice of fee rate adjustment.

SUMMARY: NMFS issues this notice to decrease the fee rate to repay the $13,133,030 reduction loan for the fishing capacity reduction program in the Southeast Alaska purse seine salmon fishery.

DATES: The fee rate decrease is effective June 1, 2015.

ADDRESSES: Send questions about this notice to Paul Marx, Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3282.

FOR FURTHER INFORMATION CONTACT: Paul Marx, (301) 427–8771.

SUPPLEMENTARY INFORMATION:

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The initial fee applicable to the Southeast Alaska purse seine salmon program’s reduction fishery was 3.0% of landed value and any subsequent bonus payments, which was decreased in June 2013 to 1.5%. NMFS has determined this fee rate is more than is needed to service the loan. Therefore, NMFS is decreasing the fee rate to 1.0% of landed value and any subsequent bonus payments which NMFS has determined is sufficient to ensure timely loan repayment. Fish buyers may continue to use Pay.gov to disburse collected fee deposits at: http://www.pay.gov/paygov/ . Please visit the NMFS Web site for additional information at: http://www.nmfs.noaa.gov/mmb/financial_services/buyback.htm.

III. Notice

The new fee rate for the Southeast Alaska purse seine salmon fishery is effective June 1, 2015. Fish sellers and fish buyers must pay and collect the fee in the manner set out in 50 CFR 600.1107 and the framework rule. Consequently, all harvesters and fish buyers should read subpart L to 50 CFR 600.1013 to understand how fish harvesters must pay and fish buyers must collect the fee.

Dated: May 14, 2015.

Basil Brown, Acting Director, Office of Management and Budget, National Marine Fisheries Service.

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