of NIST who were selected for their expertise in the area of industrial extension and their work on behalf of smaller manufacturers. The Board was set up, under the direction of the Director of the NIST, to fill a need for outside input on MEP. MEP is a unique program consisting of centers in all 50 states and Puerto Rico. The centers have been created by a state, federal and local partnership. The Board works closely with the MEP to provide input and advice on MEP's programs, plans and policies. The purpose of this meeting is to delve into areas the Board selected at the previous meeting. The agenda includes a report on the system identity project, an update on the status of center reviews, a briefing on continuous center improvement and training, and an update on the status of the Y2K outreach. The portion of the meeting, which involves personnel and proprietary budget information, will be closed to the public. All other portions of the meeting will be open to the public.

DATES AND ADDRESSES: The meeting will convene on May 12, 1999, at 8:00 a.m. and will adjourn at 3:30 p.m. and will be held at the National Institute of Standards and Technology, Building 101, 10th Floor, Gaithersburg, Maryland. The closed portion of the meeting is scheduled from 8:00–9:30 a.m.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration with the concurrence of the General Counsel formally determined on December 21, 1998, pursuant to Section 10(d) of the Federal Advisory Committee Act, that these portions of the meeting may be properly closed because they are concerned with matters that are within the purview of 5 U.S.C. 552(c)(4), (6) and (9)(b). A copy of the determination is available for public inspection in the Central Reference and Records Inspection Facility, Room 6219, Main Commerce.

MEP's services to smaller manufacturers address the needs of the national market as well as the unique needs of each company. Since MEP is committed to providing this type of individualized service through its centers, the program requires the perspective of locally based experts to be incorporated into its national plans. The MEPNAB was established at the direction of the NIST Director to maintain MEP's focus on local and market-based needs. The MEPNAB was approved on October 24, 1996, in accordance with the Federal Advisory Committee Act, 5 U.S.C. app.2., to provide advice on MEP programs, plans, and policies; to assess the soundness of MEP plans and strategies; to assess the current performance against MEP program plans, and to function in an advisory capacity. The Board will meet three times a year and reports to the Director of NIST. This will be the second meeting of the MEPNAB in 1999.

FOR FURTHER INFORMATION CONTACT: Linda Acierto, Assistant to the Director for Policy, Manufacturing Extension Partnership, National Institute of Standards and Technology, Gaithersburg MD 20899, telephone number (301) 975–5033.

Dated: February 10, 1999.

Karen H. Brown,

Deputy Director, NIST.

[FR Doc. 99–4189 Filed 2–18–99; 8:45 am]

BILLING CODE 3510–13–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 012599A]

Notice of Availability of Final Stock Assessment Reports

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

ACTION: Notice of completion and availability of revised marine mammal stock assessment reports; response to comments.

SUMMARY: NMFS has incorporated public comments into revisions of marine mammal stock assessment reports (SARs). The final revisions, which were initiated in 1998, are now complete, and copies of the revised reports are available to the public.

ADDRESSES: Send requests for printed copies of reports to: Chief, Marine Mammal Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3226, Attn: Stock Assessments. Copies of the regional reports may also be requested from Douglas P. DeMaster, Alaska Fisheries Science Center (F/AKC), NMFS, 7600 Sand Point Way, NE BIN 15700, Seattle, WA 98115–0070 (Alaska); Richard Merrick, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543 (Atlantic); and Irma Lagomarsino, Southwest Regional Office (F/SWO3), NMFS, 501 West Ocean Boulevard, Long Beach, CA 90802–4213 (Pacific). Electronic copies of the reports can be found at (http://www.nmfs.gov/prot_res/mammals/sa_rep/sar.html).

FOR FURTHER INFORMATION CONTACT: Cathy Eisele, Office of Protected Resources, NMFS, at (301) 713–2322, Douglas P. DeMaster (206) 526–4045, regarding Alaska regional stock assessments; Irma Lagomarsino, (310) 980–4020, regarding Pacific regional stock assessments; or Richard Merrick, (508) 495–2311, or Steven Swartz, (305) 361–4487, regarding Atlantic regional stock assessments.

SUPPLEMENTARY INFORMATION: Section 117 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*) requires NMFS and the U.S. Fish and Wildlife Service (FWS) to prepare stock assessments for each stock of marine mammals that occurs in waters under the jurisdiction of the United States. These reports must contain information regarding the distribution and abundance of the stock, population growth rates and trends, estimates of annual human-caused mortality from all sources, descriptions of the fisheries with which the stock interacts, and the status of the stock.

Marine mammal SARs were finalized for 1995 (August 25 1995, 60 FR 44308) and for 1996 (January 2 1998, 63 FR 60). Draft 1998 SARs were completed, with a request for public comments, on July 24, 1998 (63 FR 39814). During and subsequent to the public comment period, NMFS consulted with Scientific Review Groups (SRGs), established under the MMPA, to discuss their comments and the public comments on the draft SARs. NMFS received public comments from a variety of sources, including state and Federal agencies, private citizens, conservation organizations, fishing industry organizations, and other stakeholder groups. Following discussions with the SRGs, the comments were reviewed and incorporated into these final reports. Copies of the revised 1998 marine mammal SARs are now available to the public. Electronic copies are currently available, and printed copies may be obtained at request (see ADDRESSES).

Response to Comments

The majority of the comments were about details of specific stock assessment reports. These comments are discussed here by region:

Comments on the Alaska Stock Assessment Reports

Comment 1: It would be helpful to have a single table in all the Alaska reports that presented all sources of human related mortalities.

Response: In general, the best information on human-related mortality

is based on observer data. In this case, a mortality can be assigned to a specific fishery. Mortality information from strandings or reports of vandalism is not necessarily due to fishery interactions and, if so, is difficult to assign to a specific fishery. Because the table presenting the information on fishery interactions is already complicated, it was thought that additional information, where available, is better presented in the text. Also, regarding evaluation of the zero mortality rate goal, only those mortalities incidental to commercial fishing are to be considered. Therefore, a table of all mortalities might be confusing to the reader in trying to understand which subset of the mortality data is being used in a particular instance.

Comment 2: Regarding the maximum net productivity rate (R_{max}) for the central stock of humpback whales, the rate should be higher than 0.04. The rate of 0.04 is unduly conservative, as estimates of R_{max} for Atlantic humpback whales are as high as 0.14.

Response: There are no reliable estimates of R_{max} for any stock of humpback whale in U.S. waters. For all other stocks of humpback whales in U.S. waters, the recommended value for R_{max} was 0.04. NMFS agrees that available data for several other stocks of humpback whales indicate that, for those stocks, maximum net production may exceed 0.04. However, without information on maximum rates of increase from any of the North Pacific stocks, an R_{max} of 0.04 seems appropriate. This, too, was the conclusion of the Alaska SRG.

Comment 3: The Recovery Factor for the central stock of humpback whales should be increased to 0.3.

Response: Unlike the Bering-Chukchi-Beaufort stock of bowhead whale, where a long-time series of abundance estimates are available and a reliable estimate of trends in abundance exists, relatively little is known about the population dynamics of the central North Pacific stock of humpback whale. What is known is that this stock remains severely depleted. Therefore, until further information becomes available on current trends in abundance, a recovery factor of 0.1 is appropriate.

Comment 4: The Recovery Factor for sperm whales should be increased to something between 0.5 and 1.0.

Response: The guidelines for setting recovery factors state that a recovery factor of 0.1 should, in general, be used for stocks listed as endangered. Very little is known about stock structure of sperm whales in the North Pacific; therefore, very little can be said about stock size. Further, there is very good evidence to indicate that most or all of the stocks of sperm whales in the North Pacific were severely depleted as a result of commercial whaling. Therefore, a recovery factor of 0.1 is appropriate at this time.

Comment 5: Given that an R_{max} of less than 1 percent is likely, the R_{max} for sperm whales should be 1 percent, not 4 percent.

Response: There are no reliable estimates of R_{max} for any population of sperm whales, including populations of sperm whale in the North Pacific. NMFS does not consider that an estimate of less than 1 percent is a credible estimate for the rate of increase for a population of sperm whale that is recovering from very low levels.

Comment 6: Regarding a minimum population estimate (N_{min}) for the Cook Inlet stock of beluga whale, the estimate should be less than 834 (i.e., the best estimate of abundance).

Response: NMFS agrees. The N_{min} used in the Potential Biological Removal (PBR) calculation was 712.

Comment 7: Regarding the Cook Inlet stock of beluga whale, it is not clear how using median counts from surveys designed to provide estimates of abundance made the results more comparable to other surveys that had only one pass over a whale group.

Response: Prior to the initiation of the survey protocol adopted in 1994, surveys to determine beluga abundance typically made a single pass over aggregations of whales during which time the aggregation was counted. Often, counts were made by a single observer. In contrast, the 1994 protocol involved multiple passes, where multiple observers made independent counts of the aggregation. Because the actual number of animals at the surface that are available to be counted varies per pass (note: the water in the northern part of Cook Inlet where most of the beluga whales are counted is very muddy and does not allow observers to follow whales as they dive below the surface), the use of the maximum count from multiple passes and multiple observers would be biased relative to the count of a single observer on an individual pass. Therefore, an average of counts was used in the analysis of the data collected in 1994 and thereafter. Because the shape of the distribution of counts was rather flat (as opposed to being bell shaped) medians were used to reflect the central tendency of the count statistic.

Comment 8: A Recovery Factor of 1.0 for the Cook Inlet stock of beluga whale is inappropriate. It was apparently used to help deflect concern over the level of the native harvest relative to stock size.

Response: This is a misinterpretation of the intent of NMFS. NMFS has been working closely with the Native community in the Cook Inlet Region regarding the co-management of this stock. Over the past 4 years, efforts have been undertaken to attempt to develop sustainable harvest limits through the co-management process. To date, these efforts have been unsuccessful. It should be remembered that the PBR approach was not designed to manage Native subsistence harvest in Alaska. Further, beluga whales are not listed as depleted under the MMPA or endangered/threatened under the Endangered Species Act (ESA) (although they are a candidate species for listing under the ESA). Therefore, NMFS has extremely limited authority in managing Native harvest levels at this time. Until the agency determines that co-management efforts alone are insufficient to protect this stock from extirpation and lists this stock as depleted, threatened, or endangered, a recovery factor of 1.0 is most consistent with the existing generic agreement regarding co-management negotiated between the Indigenous People's Council for Marine Mammals, FWS, and NMFS (signed August 27,1997).

Comment 9: Regarding the eastern North Pacific northern resident stock of killer whales, why are the estimates of observed mortality and estimated mortality equal, when the level of observer coverage was less than 100 percent?

Response: This was due to rounding. For example, if one mortality was observed and the coverage rate was 80 percent, the estimated mortality for the entire fishery would be 1.25 animals. This approach should not produce biased estimates of mean mortality, when data are averaged over a 5-year period.

Comment 10: Some indication is required as to whether or not the techniques used to calculate the abundance correction factor for western Steller sea lions took into account time of year of the surveys, time of day, weather conditions, survey methodology, and other factors.

Response: The references included in the section of the text on population size provide this information. If all of the details regarding all of the key parameters presented in the SARs were included, the length of the SARs would become unmanageable. Individuals or agencies can request copies of any of the references cited in the SARs from the appropriate Science Center. The same response applies to similar comments regarding the inclusion of details contained in cited references.

Comment 11: In the status report on the eastern stock of Steller sea lion, the actual number of communities within the range of this stock should be cited.

Response: Unfortunately, the number of communities in which interviews were conducted that occur within the range of this stock was not constant among survey years (1992–96). Sixteen was the average number of communities that were interviewed during this time period. Therefore, the phrase ''approximately 16 of the interviewed communities'' seems appropriate.

Comment 12: The Southeast Alaska population of harbor seals should remain treated as a separate stock.

Response: NMFS agrees.

Comment 13: The Recovery Factor for the southeast stock of harbor seal should be less than 1.0.

Response: There are strong indications that this stock is increasing despite the current harvest level for Native subsistence. This increase is thought to have occurred since at least 1983. Therefore, the use of a recovery factor of 1.0 is appropriate. This was the conclusion of the Alaska SRG.

Comment 14: The Gulf of Alaska stock of harbor seal should be considered a strategic stock because the PBR for the stock is 868, while the estimate for human-caused mortalities was likely not significantly different (824 with an unspecified coefficient of variation on the estimate).

Response: NMFS accepts the comment that the PBR is not likely to be statistically greater than the estimate for human-related mortalities (using traditional type 1 error levels). However, NMFS has not adopted such an approach in the classification of a stock as strategic under the MMPA. It should be noted that, in the simulations reported by Wade (1998), it was assumed that the distribution for the number of animals removed annually was centered on the PBR. Therefore, the PBR management approach should perform adequately in the situation where the estimated annual mortality level is close to the PBR.

Comment 15: If there has been a significant decline in population numbers, the Gulf of Alaska stock of harbor seal may be depleted. Consideration of a designation as depleted seems appropriate.

Response: As noted in the section on Current Population Trend, this stock, despite positive growth in some areas, remains small compared to its size in the 1970s and 1980s. Scientists at the Alaska Fisheries Science Center are currently undertaking a review of the status of this stock. Based on the results of this research, NMFS will develop a recommendation for classification of this stock as healthy or depleted (as defined in the MMPA), or as endangered or threatened (as defined in the ESA) and should be listed. The status review should be completed by the end of fiscal year 1999. A recommendation regarding status should be available early in 2000.

Comment 16: NMFS should use a Recovery Factor of 0.1 for the western stock of Steller sea lion.

Response: If a recovery factor of 0.15 is used to set the PBR for a depleted population with an R_{max} of 0.12 and if the PBR is not exceeded, the time to recovery will not be significantly different (i.e., greater than 10 percent) from a population with a PBR of zero from which no removals are allowed. Based on this information, and the recommendations of the Alaska SRG, a recovery factor of 0.15 was used in the 1998 SARs. However, it should be noted that, in the next revision of the SARs, NMFS has proposed using a recovery factor of 0.1 for the western stock of Steller sea lions. This change was endorsed by the Alaska SRG at its most recent meeting in November 1998.

Comment 17: Mortality of Steller sea lions was observed in the Bering Sea trawl fishery during unmonitored hauls, but was not included in any estimates of fishery-related deaths. These mortalities should be included as at least minimum estimates of mortality.

Response: In general, adding mortalities that were observed in unmonitored hauls to the extrapolated estimate of total mortality (based on observed mortalities and the fraction of the hauls that were observed) will positively bias the estimate. For that reason, such data are not used in estimating total mortality for a given fishery. However, in certain situations, observed mortalities from unmonitored hauls are used. For example, if only one mortality was observed in an unmonitored haul (and no mortalities were observed in the monitored hauls), the estimate of total mortality for that fishery would be one (not zero). In general, observed mortalities from unmonitored hauls are used in the final estimate of total mortality whenever the total number of observed mortalities exceeds the estimated total mortality, based on data from monitored hauls and on the fraction of hauls observed.

Comment 18: The Native harvest from the western stock of Steller sea lions is inappropriately high.

Response: The mean annual harvest between 1993 and 1995 was 412 animals, whereas the PBR for this stock (based on a PBR of 0.15) is 350. The estimated fraction of the harvest that was female was 19 percent. Therefore, the removal of an estimated 78 females per year from a conservative estimate of female abundance for this stock of 19,400 (or approximately 0.4 percent) should not adversely affect its recovery. Further, the Native hunters in Alaska that utilize animals from this stock are very aware of declines in Steller sea lion abundance. This is reflected in the general decline of harvested animals from 1992 (549 animals) to 1995 (339 animals). This decline was caused by changes in the hunting practices of Native hunters, and not because of the unavailability of animals.

Comment 19: Mortality due to shootings of animals from the eastern stock of Steller sea lions should be included in the total mortality estimate.

Response: NMFS agrees, and made this change.

Comments on the Atlantic Stock Assessment Reports

Comment 20: Closed fisheries (i.e., Atlantic pelagic pair trawl) should be excluded from the calculation of the annual fishery-related mortality.

Response: The pair-trawl fishery mortality estimates were not excluded from the analysis because the observed fishery (1992–95) operated within the 5-year (1992–96) window used to determine the annual fishery-related mortality. This issue was discussed at the November 1998 Scientific Review Group Meeting, and it was agreed that the pair-trawl bycatch will be excluded from the calculation of the annual fishery-related mortality in future revisions of the SARs. Further, inclusion of the pair-trawl data (mortalities of common dolphin, pilot whales, Risso's dolphin, and offshore bottlenose dolphin) in the 1998 SARs does not affect the status designation for any stock.

Comment 21: The 1997 and 1998 data/information pertaining to the Atlantic pelagic drift gillnet should be included, and the status of several stocks should be revised accordingly.

Response: This information was not yet available when these revisions were drafted. The 1997 information will be incorporated in the next revision of the SARs. Annually, the status of each strategic stock is reviewed, based on the most current information that can be incorporated into the SARs.

Comment 22: Information contained in the NMFS's Section 7 Consultation on the Atlantic Pelagic Fishery (May 1997), and the document Managing the Nation's Bycatch (June 1998) should be incorporated into the 1998 SARs.

Response: Information on observed bycatch of one humpback whale, one minke whale, and six pilot whales in

the 1996 tuna purse seine fishery have been incorporated into the SARs. Because there were no observed mortalities, these data will not appear in the SAR tables that present annual fishery-related mortality.

Comment 23: References to now non-operational Canadian groundfish fisheries are inaccurate because the Canadian Government allowed limited harvests in 1997 and 1998.

Response: The Northeast Fisheries Science Center (NEFSC) has recently requested information from Canadian scientists, regarding changes in Canadian marine mammal regulations and the current status of several fisheries. The NEFSC plans to incorporate the new information in the next revision of the SARs.

Comment 24: The Atlantic SARs do not contain information on mortality in Canadian waters or data from strandings and fisher self-reports (in contrast to Alaska SARs which contain this information).

Response: Both NEFSC and the Southeast Fisheries Science Center (SEFSC) staff involved in preparing the Atlantic and Gulf of Mexico assessments will be participating in the spring 1999 joint SRG meeting. One of the discussion items will be consistency of the SARs. Also, NEFSC and SEFSC staff will review the format of the Alaska SARs. Several of the Atlantic SARs contain information on fishery-related mortality in Canadian waters. Once the northeast strandings data are computerized and verified, tabular summaries will be included in future SARs.

Comment 25: Information on animals stranded or entangled in fishing gear is provided for some species, but these data have not been included in estimates of mortality and serious injury.

Response: When NMFS releases final guidelines for determining serious injuries, these will be used to determine what fraction of the injured and released alive animals will be added to the estimates of annual mortality. For now, except for a few species (as described in the SARs), injured animals released alive are not considered seriously injured (an injury likely to lead to mortality).

Comment 26: The ''text obs. data/logbook'' is given in the fishery mortality tables under the column heading ''Data Type'', but it would be preferable to separate observer data from self-reported data.

Response: In those assessments under that heading, logbook data were only used in the determination of fishing effort; there are appropriate footnotes in the table columns explaining this.

Comment 27: There is new information available on the status of the North Atlantic right whale population that was not included in the reports.

Response: At the time the SARs were being finalized, the work referred to had yet to be peer reviewed. Given that such a review is now occurring, NMFS anticipates incorporating any such new information, if relevant, in the next revisions of the SARs.

Comment 28: Other human-related mortalities of north Atlantic right whales beyond ship strike and entanglement, such as those from 1996, should be reported in the mortality table and text.

Response: There are no conclusive data on human-related mortalities that do not relate to these two sources; therefore, the section on other human related mortality has been deleted from the text. The table lists only those animals for which human-related mortality or serious injury has been determined on the basis of the best available evidence. Since nothing this definitive can be stated regarding the other right whale mortalities from 1996, they remain listed within the text rather than the table.

Comment 29: No Canadian right whale mortality data were included in the report. Also, this was inconsistent with other transboundary stock reports (i.e., minke whale).

Response: NMFS agrees, and will address this point in the next revision of the SARs.

Comment 30: The potential impact of whale watching vessels should be included in the humpback whale SAR.

Response: A line was added regarding the potential for habitat disturbance from this source; it was noted that humpback whales have not been routinely hit by whale-watching vessels in the Massachusetts Bay region or elsewhere.

Comment 31: Information on fishery interactions of blue whales should be included in the SAR.

Response: A sentence has been added to reflect this concern.

Comment 32: Fishery-related mortality and serious injury information of western North Atlantic fin whales should be reviewed and summarized in a table.

Response: The number of confirmed records of fishery-related mortality and serious injury is insufficient at this time for a table to be produced. A review of fin whale records was conducted. Logistical problems relating to gathering original data from a variety of sources and the time required to edit these records and make Serious Injury determinations have precluded a definitive assessment at this time. However, a revised provisional estimate of mortality has been included in the SAR, which is given with the understanding that changes may be required in the future once all records have been vetted. NMFS anticipates this issue will be resolved in the next revision of the SARs.

Comment 33: The proposed International Whaling Commission (IWC) stock definition for western North Atlantic sei whales should be described.

Response: The comment prompted a review and revision of the management unit being used for Atlantic sei whales. The IWC definition follows that of Mitchell, who (rather than using a single western North Atlantic stock) hypothesizes the existence of two stocks, Nova Scotia and Labrador Sea. NMFS has included this definition in the amended text and has changed the management unit used in this section from western North Atlantic stock to Nova Scotia stock.

Comment 34: The basis for the determination that the human-caused mortality of Atlantic sei whales is insignificant should be explained.

Response: The reason for the belief concerning human-related mortality being insignificant is due to the rarity of reports of such mortality for this species. The text has been amended to clarify this.

Comment 35: Documented mortalities of minke whales from strandings, entanglements, and ship strikes should be included in Table 2 in the SAR.

Response: Table 2 has been used to summarize takes of species that were observed during a NMFS observer program. For some species (large whales in particular), another table has been included that describes in detail the strandings, entanglements and ship strikes of that species. Because such species as right whales are more critical, all the strandings, entanglement and ship strike records of minke whales have not yet been verified. Minke whale records are currently being validated; it is expected that a detailed table for minke whales will be included in the next revision of the SARs. It should also be noted that records of stranded or entangled animals that have gear from a fishery that is being observed cannot simply be added onto an estimated mortality for that fishery. The reason for this is that interaction is part of the estimated mortality that is already reported in Table 2 in the SAR.

Comment 36: The statement in the Atlantic minke whale SAR that,

between 1979 and 1990, it was estimated that 15 percent of the Canadian minke whale takes were in salmon gillnets was questioned.

Response: To clarify, the text has been modified to state ''In Newfoundland and Labrador, between 1979 and 1990, it was estimated that 15 percent of the Canadian minke whale takes were in salmon gillnets, where a total of 124 minke whale interactions were documented in cod traps, groundfish gillnets, salmon gillnets, other gillnets and other traps.''

Comment 37: The recovery factor used to calculate PBR for Atlantic minke whales was incorrect.

Response: This typographical error, along with other such errors that were pointed out, has been corrected. Similar typographical errors for long-finned and short-finned pilot whales, Atlantic spotted dolphins, Pantropical spotted dolphins, common dolphin, Risso's dolphin, offshore bottlenose dolphin, and humpback whales were also corrected.

Comment 38: Data on entangled Atlantic sperm whales should be presented in a tabular format similar to that used by the Alaska region.

Response: Beginning with the next revision of the SARs, entanglement data will be presented in a tabular format identical to that used for the entanglement tables presented in the right whale and humpback whale assessments.

Comment 39: Regarding Cuvier's and mesoplodont beaked whales, it is inappropriate to provide a PBR for a stock based on the undifferentiated complex of beaked whales, and it is further noted that this is not a standard wildlife practice. Additionally, footnote 5 in Table 2 in the SAR (on fishing mortality) is unclear.

Response: The issue of using an undifferentiated beaked whale abundance estimate has been raised on several occasions. As noted in previous responses, at-sea identification of beaked whales is difficult, although the NEFSC is making progress on this. The utility of a pooled abundance estimate has been reviewed and supported by the Atlantic SRG. However, the SRG has recommended that NEFSC continue to collect and evaluate data (i.e., photographs, swimming profiles, coloration, etc.) that can be used during abundance surveys to identify beaked whale sightings.

Footnote 5 in Table 2 in the SAR clearly indicates how the data on the one 1995 unsampled pelagic drift gillnet vessel were used in the calculation of estimated mortality. The SEFSC data were taken at face value, and the point estimate was increased by 0.1 animals.

Comment 40: The N_{min} for western north Atlantic pilot whales published in the **Federal Register** (63 FR 39817, July 24, 1998) was different from the number cited in the draft SAR. The larger number in the **Federal Register** document should be used because of the size of the eastern Atlantic population and because of an article in the Wall Street Journal (October 13, 1998) stating a journalist's observation of vast pods of pilot whales. Further, Canadian abundance estimates should be incorporated into the SA, and Canadian assessments for transboundary stocks should be incorporated into the assessments.

Response: The N_{min} reported in the **Federal Register** document was incorrect; the correct estimate of N_{min} is 4,968, based on the 1995 survey estimate of the best population estimate (Nbest) of 8,176. The 1995 survey, which included Canadian waters, was designed to cover important habitats for several strategic stocks, including pilot whales. Although, known pilot whale habitat on Georges Bank was not completely surveyed in August 1995 due to Hurricane Felix, it is extremely unlikely that pilot whale densities in the non-surveyed area would significantly increase the estimate of Nbest. Although long-finned pilot whales occur in the western and eastern Atlantic Ocean, and perhaps in the Baltic Sea, stock boundaries are unknown. Combining eastern and western Atlantic abundance estimates (i.e., assuming one stock) would create an indefensible management unit, based on both biological and habitat considerations. Relative to reports of vast pods of pilot whales, these data cannot be quantified or examined in the context of protocols followed in a formally designed abundance survey. Excluding area-specific species surveys for several marine mammal stocks (harbor porpoise, beluga whales, grey seals, harp seals, and hooded seals), Canada has not conducted broad scale (i.e., Scotian Shelf) marine mammal abundance surveys. The only current data available for the Scotian Shelf was collected during the NEFSC 1995 summer surveys. Data from these surveys have been included in the SARs.

Comment 41: Regarding Atlantic short-finned pilot whales, a request was made to provide some measure of effort for bycatch by Spanish deep water trawlers observed off the Grand Banks, and to explain the basis for classifying four strandings from 1987 to August 1996 as likely caused by fishery interactions.

Response: The International Council for the Exploration of the Sea (ICES) paper by Lens (1997) was reviewed, and a measure of effort (kills/set) was derived and incorporated into the SAR. Similarly, effort data were incorporated into the pilot whale, common dolphin, striped dolphin, and white-sided dolphin assessments. The basis for classifying four of the stranded short-finned pilot whales as likely caused by fishery interactions will require a review of the SEFSC stranding records. Such a review has been requested.

Comment 42: In the Atlantic Risso's dolphin SAR, the text and serious injury should be removed from the section Annual Human-caused Mortality because serious injuries were not included in the estimate of fishery mortality. Additionally, concern was expressed about an inconsistency in the longline mortality data (Table 2), a lack of 1996 pelagic longline data, a need for a definition for serious injury, and a clarification on how animals caught and released alive in the pelagic long line fishery were determined to be injured or uninjured.

Response: To avoid confusion, the text and ''serious injury'' have been deleted from the sentence in that section of the SAR. A similar modification was also made for long-finned and short-finned pilot whales. The inconsistency in Table 2 for the longline fishery has been corrected. There was one mortality observed in 1994. The SEFSC has recently revised the bycatch analysis of the 1992 through 1997 pelagic longline fishery. A draft manuscript has been circulated to the NMFS Science Centers and to the Office of Protected Resources for review, and it was also presented at the November 1998 SRG meeting. These new analyses will be presented in the next revision of the SARs. Furthermore, the SEFSC has recently developed a new group to conduct analysis of protected species bycatch from the pelagic longline and other fisheries. This will result in data being available in a more timely manner. A description of an animal's condition at the time of release was made by the observers. The observer's comments for each animal are contained in the Table 3 footnotes.

Comment 43: Clarification was requested on the SARs for long-finned and short-finned pilot whales regarding Table 2, footnote 8 (effort data are currently under review) and Table 3, footnote 2 (animal released alive with moderate injury).

Response: The superscript for footnote 8, Table 2 has been added into Table 2. It pertains to an evaluation of

effort for the Atlantic squid, mackerel, butterfish trawl fishery. The determination of animal condition was made by the observers. The observers make the determination based on a list of conditions contained on the biological sampling forms. It cannot be determined whether the condition code for ''moderate injury'' is synonymous with ''serious injury'' because the selected code is based on the observer's best judgement of an animal released from the gear.

Comment 44: A mortality estimate for common dolphin from the mid-Atlantic coastal sink gillnet fishery was not presented.

Response: Although bycatch of common dolphins has been observed in the mid-Atlantic coastal sink gillnet fishery, extrapolated mortality estimates were not presented because fishery effort is under review. This issue was reviewed at the November 1998 SRG meeting and will be addressed in the next revision of the SARs.

Comment 45: Text for Atlantic white-sided dolphins states that ''between 1990 and 1996 there were 35 mortalities observed in the New England multispecies sink gill net fishery,'' whereas Table 2 indicates 34 mortalities were observed.

Response: Both statements are correct. The explanation is in footnote 3 for Table 2, which states that one additional white-sided dolphin was observed taken in a pinger trip in 1994 (thus 35 mortalities), but the animals observed in pinger trips are added directly to the estimated total bycatch for that year because the observer coverage of pinger trips in 1994 was much higher than for other parts of the fishery during the same year. Thus, 34 white-sided dolphins were used in the estimation process, and 35 dolphins were observed taken.

Comment 46: Concern was expressed regarding the grouping of Atlantic spotted dolphins and Pantropical spotted dolphins into an undifferentiated group.

Response: As noted in previous responses, the grouping of the two spotted dolphins into an undifferentiated group for determining PBR and stock status has been reviewed and recommended by the SRG. Until the NEFSC and SEFSC can develop methods (particularly based on visual cues) it will be difficult to separate the two species at sea. During the 1998 surveys, the Centers collected photographic and biopsy data to help separate the sightings data. Also, fishery observers are instructed to collect tissue samples from bycaught animals.

Comment 47: Text pertaining to the 1991 mortality of striped dolphins in the North Atlantic Bottom Trawl Fishery should be maintained.

Response: Although the data were removed from Table 1, information on this interaction will remain in the section titled Fisheries Information.

Comment 48: Mortality data for bottlenose dolphins in the mid-Atlantic coastal sink gillnet data provided to the Atlantic SRG (May 1998), which appeared in an earlier draft SAR for offshore bottlenose dolphins, were not included in the draft 1998 SAR that was put out for public review. Further, because an updated SAR for the Atlantic coastal stock was not presented, the mortality data are unavailable for public review. Information on the number of stranded animals was also not presented.

Response: At the November 1998 SRG Meeting, NEFSC presented a revised analysis of the bottlenose dolphin bycatch in the mid-Atlantic coastal sink gillnet fishery. The NEFSC review raised several question regarding effort extrapolations, and stock origin of the observed bycatch. Based on the SRG review, the NEFSC will re-examine the procedures used to estimate annual mortality. These data will be presented in the next revision of the SARs. Although NMFS concurs that standings data should be included in the assessments, data on the total number of bottlenose strandings per year and information on possible fishery interactions are still under review. The northeast strandings data have not been completely computerized and verified. An unknown number of the stranded animals were taken to research facilities for further examination, therefore information on possible cause of the mortalities and species identification (coastal or offshore form) contained in the initial written stranding reports may be revised. Once the northeast reports are computerized, the data will be cross referenced with other data bases.

Comment 49: The default value for R_{max} is still used for the Gulf of Maine harbor porpoise when a new manuscript indicates that a different value may be appropriate.

Response: The value of R_{max} should be either the default value if no information is available or the best scientifically reviewed information. Because the new manuscript was not yet published when the final SAR was being prepared, the Atlantic SRG could not review this new information. Also, because the value proposed is over two times the default value and is partly based on survival data from such terrestrial species as elephants, it is critical the new information be carefully reviewed before going into the SAR. Thus, the steps are to review this new information at the spring 1999 Atlantic SRG meeting and then consider incorporating this new information into the next revision of the SAR.

Comment 50: A caveat should be included in the harbor porpoise Annual Human-caused Mortality section that clarifies that the mortality estimates are likely downwardly biased because data are absent for some mid-Atlantic fisheries.

Response: A statement was added to clarify that point.

Comment 51: The average annual mortality of harbor porpoises in the draft 1998 SAR differs from the mortality estimate in the Environmental Assessment (EA) dated June 15, 1998. The explanation for the difference is apparently that the averages are from different years and the EA includes Canadian takes. However, NMFS must include all sources of mortality for a trans-boundary stock in the SAR.

Response: The commenter is correct; the two mortality estimates are different for the exact stated reasons. At the most recent meeting of the Atlantic SRG, this issue was discussed, and it was recommended that Canadian takes be included in the required estimate of total human-caused mortality for the stock. This will be addressed in the next revision of the SARs.

Comment 52: In the harbor porpoise stock assessment, strandings should be added into each year in which they occurred as a minimum estimate of mortality. A separate chart showing strandings by year should be included in the SAR.

Response: A separate chart showing strandings by year could be included in the SAR however, the information in that table will probably be misinterpreted. The reason is that strandings of harbor porpoises take place during areas and times when fisheries are being observed to take harbor porpoises. This is especially true for 1995 and 1996, the years included in this SAR. Thus, there is a good chance that at least some (and possibly all) of the human-caused strandings are coming from the observed fishery and, so, have already been counted. Because of this, strandings should not be added to the mortality estimates for that year. However, for the next SAR that will include 1997 data, NMFS will investigate to ensure that takes were observed in times and areas in which strandings have been documented. If there are cases where gillnet-caused strandings are in areas and times when there is either no observer coverage or

no observed takes, these strandings will be added to the estimated mortality from the gillnet fishery. Strandings that appear to be caused by a fishery that has not been observed will be added to the other fishery-related mortality estimates. A table reporting these type of strandings will then be included in the SAR.

Comment 53: The statement in the SAR, under the Current Population Trend for harbor porpoises, that says it is not possible to determine a trend is incorrect. The reason is that, in October 1998, NMFS published a notice that cites a population viability analysis that projects a high probability of extinction within 100 years at the current rate of take. Thus, this clearly indicates a downward trend in the population.

Response: The information to be reported in the Current Population Trend section is on current (or recent past) observed trends. It is not meant for the reporting of potential future trends if the current level of bycatch continues. Additionally, the analysis mentioned was written after the draft SAR was finished. After the 1999 harbor porpoise abundance survey is completed, an analysis investigating trends from 1991 to 1999 will be conducted. The results of this trend analysis will then be reported in this section at a later date.

Comment 54: Discrepancies were noted in the Atlantic Harbor seal and gray seal SARs under the following sections: Current Population Trend; Potential Biological Removal; Status of Stock; and Optimum Sustainable Population (OSP).

Response: The text in the harbor seal PBR section was revised to ''The recovery factor for this stock is 1.0, the value for stocks with unknown population status, but known to be increasing.'' NMFS believes that recovery factor of 1.0 rather than 0.5 (default value) is justified based on current data on abundance and population growth rates. The reference to OSP, which is unknown, has been deleted. Similar modifications were made to the gray seal, harp, and hooded seal SARs.

Comment 55: Information on harbor seal mortality in aquaculture facilities and power plants and on strandings should be presented in tabular form and included with fishery-related mortality as minimum estimates of mortality.

Response: When the northeast strandings data are computerized and verified, they will be used to generate tabular summaries. If documented, non fishery-related sources of human-induced mortality will be added to the annual mortality estimates in future assessments.

Comment 56: The deleted text pertaining to hunting gray seals in Canadian waters should be left in the report. Also, strandings data for gray seals should be presented in tabular form.

Response: The text in question will be left in the 1998 SAR. Further, the NEFSC has contacted Canadian officials to obtain updated information on current rules and regulations regarding seal hunting.

Comment 57: Several estimates of harp seal abundance were included for 1990, but there was no explanation of the data. Also, it was not clear whether these estimates represented the best abundance estimates (N_{best}) or the minimum abundance estimates (N_{min}). Additionally, estimates of Canadian kill should be included.

Response: The text in the section Population Size was edited to explain the differences in the 1990 data. One estimate is for pups, and two independent estimates of total population were derived using pup counts and various assumptions on mortality. Details are in the referenced papers. The data presented in Table 1 are appropriate for Nmin. The assessment contains information on the Canadian commercial hunt.

Comment 58: Population estimates from Shelton *et al.* (1996) were not mentioned in the harp seal section titled Population Size.

Response: The population estimates by Shelton *et al.* (1996) have been incorporated into the text in the Population Size section.

Comment 59: A request was made for additional data on the cause of hooded seal strandings.

Response: Most of the stranded hooded seals are yearlings; annually, adults account for less than 10 of the total. Researchers at the New England Aquarium have been monitoring ice seal strandings for nearly a decade, but have not identified a singular cause for the strandings.

Comments on the Pacific Stock Assessment Reports

Comment 60: The FWS and NMFS should jointly publish SARs that have been considered by both agencies.

Response: Although both agencies see a clear advantage to this, the internal review systems in each agency are not synchronized, and, in the past, a joint publication would have significantly delayed the publication of the SARs from one agency. In the Pacific Region, joint publication on the Internet is being considered as an alternative to a joint printed publication.

Comment 61: Because the tables provided in Appendix 2 of the Pacific SARs do not present estimates of PBR for stocks that were not revised this year, one cannot compare PBR with estimated mortality.

Response: The established PBR for a stock changes only when the SARs are revised. The intent of the table is to show the information on which NMFS based its MMPA review of which stock assessments to revise. If putative (conditional on published revision) PBR values were presented in that table, the public would be likely to confuse these with the actual PBR from previously published reports.

Comment 62: The lack of abundance and mortality data for Hawaii is unacceptable, given that there are known fishery interactions with marine mammals.

Response: Estimates of marine mammal mortality and injury in the Hawaii-based long-line fishery will be available in the near future, but were not available for the 1998 revisions. Cetacean abundances from Acoustic Thermometry of Ocean Climate (ATOC)-sponsored aerial surveys are being estimated and are expected to be available for the 1999 revisions to the SARs for Hawaiian cetaceans. A large-scale ship survey of Hawaiian waters is being planned for 2001.

Comment 63: The recovery factor for minke whales should not have been changed from 0.40 to 0.45.

Response: The recovery factor was justifiably changed from 0.40 to 0.45 because the coefficient of variation of the mortality estimate improved from 0.91 to 0.67. This change was based on recommendations made in the original guidelines for preparing SARs and estimating PBR (Barlow *et al.*, 1995).

Comment 64: An estimate of harbor porpoise mortality in Canadian waters should be provided for the Inland Washington stock, as is done for the Gulf of Maine/Bay of Fundy stock, or an explanation of why it cannot be provided.

Response: Unlike in the Bay of Fundy, the Provincial government in British Columbia does not estimate the number of harbor porpoise incidentally taken in their waters; therefore, the assessment states that the number taken in southern British Columbia waters is not known. The abundance estimate for this stock also includes only U.S. waters.

Comment 65: It is inappropriate to lump multiple species into a single stock, as was done for Mesoplodont Beaked Whales.

Response: NMFS is aware that it is inappropriate to lump species together to obtain a pooled PBR; however, because field identification is usually impossible, this appears to be the only

practical alternative. This approach will achieve species-specific conservation objectives if gillnets are not selective and if they take species in proportion to their abundance. Evidence to date supports this assumption.

Comment 66: A new SAR should have been produced for Hawaiian Monk Seals.

Response: The MMPA requires that new information be reviewed every year for all strategic stocks, but it only requires a new report if such a review indicates that the status of the stock has changed or can be more accurately determined. The review by NMFS (in collaboration with the Pacific Scientific Review Group, PSRG) indicated that the new information available in 1997 did not warrant a revision at that time. A new SAR for monk seals was reviewed at the Fall 1998 meeting of the PSRG and will be available soon for public comment.

Comment 67: The effects of the recent El Nino should be included in the reports for the Oregon and Washington coast and inland Washington stocks of Harbor seal, and the San Miguel Island stock of northern fur seal.

Response: The 1998 SARs include data only through the first half of 1997; therefore, no attempt is made to assess the impact of the 1997–98 El Nino. This information will be included in future revisions.

Comment 68: Regarding the inland Washington stock of harbor seal, NMFS should re-establish an observer program for treaty gillnet boats.

Response: Takes from the Northern Washington marine set gillnet fishery (treaty) and most segments of the Washington Puget Sound salmon set/drift gillnet fishery (treaty and non-treaty) are included in Table 1 and used to calculate the mortality for the stock. Also included in the table are additional data for the Washington Puget Sound salmon set/drift gillnet fishery, from fisher self-reports. Since the observer data are considered more reliable than the fisher self-reported data, the observer data was used in the mortality calculation.

Dated: February 12, 1999.

Hilda Diaz-Soltero,

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

[FR Doc. 99–4137 Filed 2–18–99; 8:45 am]

BILLING CODE 3510–22–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020999A]

Advisory Committee to the U.S. Section to the International Commission for the Conservation of Atlantic Tunas (ICCAT); Spring Species Working Group Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Advisory Committee to the U.S. Section to ICCAT announces its spring meeting with its Species Working Groups on March 9 and 10, 1999.

DATES: The open sessions of the Committee meeting will be held on March 9, 1999, from 10 a.m. to 3 p.m., and on March 10, 1999, from 8:30 a.m. to 9:30 a.m., and from 11:30 a.m. to 5 p.m. Closed sessions will be held on March 9, 1999, from 1 p.m. to 6:30 p.m., and on March 10, 1999, from 9:30 a.m. to 11:30 a.m.

ADDRESSES: The meeting will be held at the Washington Hilton and Towers, 1919 Connecticut Avenue, NW, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Kim Blankenbeker at (301) 713–2276.

SUPPLEMENTARY INFORMATION: The Advisory Committee to the U.S. Section to ICCAT will meet in open session to receive and to discuss information on (1) 1998 ICCAT meeting results and U.S. implementation of ICCAT decisions, (2) NMFS and ICCAT research and monitoring activities, (3) the Precautionary Approach, (4) the upcoming meeting of ICCAT's Working Group on Allocation Criteria, (5) Advisory Committee operational issues, (6) the U.S. requirement to identify countries that are diminishing the effectiveness of ICCAT, (7) the results of the Committee's Species Working Groups meetings, and (8) other matters relating to the international management of ICCAT species. The public will have access to the open sessions of the meeting, but there will be no opportunity for public comment.

Sessions of the Advisory Committee's Species Working Groups will not be open to the public, but the results of the working group discussions will be reported to the full Advisory Committee during the Committee's afternoon open session on March 10.

Special Accommodations

The meeting locations are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kim Blankenbeker at (301) 713–2276 at least 5 days prior to the meeting date.

Dated: Feb 12, 1999.

Gary Matlock,

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

[FR Doc. 99–4136 Filed 2–18–99; 8:45 am]

BILLING CODE 3510–22–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 021299D]

New England Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a number of public meetings of its oversight committees and advisory panels in March, 1999 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from these groups will be brought to the full Council for formal consideration and action, if appropriate.

DATES: The meetings will be held between March 9 and March 26, 1999. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: Meetings will be held in Peabody, MA, and Mansfield, MA. See

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council; (781) 231–0422. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906–1036; telephone: (781) 231–0422.

SUPPLEMENTARY INFORMATION:

Meeting Dates and Agendas

Tuesday, March 9, 1999, 9:30 a.m.—Joint meeting of the Habitat Oversight Committee and Advisors

Location: Holiday Inn, One Newbury Street (Rt. 1 North), Peabody, MA 01960, Phone: (978) 535–4600; Fax: (978) 535–8238.

The committee and advisors will discuss and review habitat-related