

SPECIES AND STOCK CODES FOR MARINE MAMMALS OCCURRING IN U.S. WATERS—Continued

[Some, but not all stocks listed are taken in the course of commercial fishing operations]

Code	Common name	Stock designation
126	Melon-headed whale.	Hawaii.
127	False killer whale.	Hawaii.
128	Pantropical spotted dolphin.	Hawaii.
129	Striped dolphin	Hawaii.
130	Spinner dolphin	Hawaii.
131	Rough-Toothed dolphin.	Hawaii.
132	Bottlenose dolphin.	Hawaii.
133	Pygmy sperm whale.	Hawaii.
134	Dwarf sperm whale.	Hawaii.
135	Sperm whale ..	Hawaii*.
136	Cuvier's beaked whale.	Hawaii.
137	Blainville's beaked whale.	Hawaii.
138	California sea lion.	U.S.
139	Harbor seal	California.
140	Harbor seal	Washington In-land waters.
141	Harbor seal	Oregon/Washington coast.
142	Northern elephant seal.	California breeding.
143	Guadalupe fur seal.	Mexico to California*.
144	Northern fur seal.	San Miguel Island.
145	Hawaiian monk seal.	Hawaii*.
146	Beaked whale, all stocks.	Pacific.
147	Harbor seal, all stocks.	Pacific.
148	Beaked whale, all stocks.	Atlantic.
149	Spotted dolphin, all stocks.	Atlantic.
150	Pilot whale, all stocks.	Atlantic.
151	Bottlenose dolphin, all stocks.	Gulf of Mexico.
152	Southern (Calif.) sea otter.	California*.
153	Florida manatee.	Florida*.
154	Walrus	Pacific.
155	Northern (Alaska) sea otter.	Pacific.

Take Reduction Plans

New section 118(f) of the MMPA requires NMFS to develop and

implement take reduction plans designed to assist in the recovery or prevent the depletion of each strategic stock that interacts with a Category I or II fishery. NMFS may also develop and implement a take reduction plan for any other marine mammal stock that interacts with a Category I fishery that NMFS determines, after notice and opportunity for public comment, has a high level of mortality and serious injury across a number of such marine mammal stocks. Under these proposed regulations, a Category I fishery would be considered to have a high level of mortality and serious injury across a number of marine mammal stocks, if its annual incidental mortality and serious injury exceeds or equals 50 percent of two or more marine mammal stocks' PBRs.

As required by section 118(f)(2), the immediate goal of a take reduction plan is to reduce, within 6 months of its implementation, the incidental mortality or serious injury of marine mammals from commercial fishing operations to levels less than the PBR established for a stock under the SAR developed pursuant to section 117, and the long-term goal is to reduce, within 5 years of its implementation, the incidental mortality or serious injury of marine mammals from commercial fishing operations to insignificant levels approaching a zero mortality and serious injury rate, taking into account the economics of the fishery, the availability of existing technology, and existing state or regional fishery management plans. Failure of a plan to meet these goals may result in a revision of the plan and implementation of regulations necessary to achieve these goals. Priority for development and implementation of these plans will be accorded to stocks whose level of incidental mortality and serious injury exceeds the PBR, those that have a small population size, and those that are declining rapidly.

Each take reduction plan is required by section 118(f)(4) of the MMPA to include a review of information in the final SAR and any substantial new information. In addition, each plan is required to include recommended regulatory or voluntary measures for the reduction of incidental mortality and serious injury and recommended dates for achieving the specific objectives of the plan. Regulations implementing take reduction plans may: (1) Establish fishery-specific limits on incidental mortality and serious injury of marine mammals in commercial fisheries or restrict commercial fisheries by time or area; (2) require the use of alternative fishing gear or techniques and new

technologies, encourage the development of such gear or technology, or convene skipper's panels; and (3) provide for monitoring of the effectiveness of measures taken to reduce the level of incidental mortality and serious injury of marine mammals. Plans would not necessarily include each of these types of measures, rather they would be flexible and designed to address specific problems.

Section 118(f)(6) requires NMFS to establish a take reduction team to develop a draft take reduction plan within 30 days after the publication of a final SAR for a strategic stock. These teams will consist of a balance of representatives of the fishing industry and non-resource user interests. Section 118(f)(6) of the MMPA requires that members represent a diversity of interests including those of Federal agencies, appropriate states and regional fishery management councils, interstate fishery commissions, academic and scientific organizations, environmental groups, all commercial and recreational fisheries groups and gear types which take the species or stock, Alaska Native organizations or Indian tribal organizations, and others as NMFS deems appropriate. By including all interested parties on take reduction teams, a fair and reasonable plan designed to reduce incidental takes of marine mammals during commercial fishing operations should be developed. Take reduction team meetings will be open to the public.

Within 6 months after establishment of the take reduction teams for strategic stocks that interact with Category I or II fisheries and where mortality exceeds PBR, the team must submit a draft take reduction plan for such stock to NMFS. NMFS must take the draft plan into consideration and must publish in the **Federal Register**, for public review and comment, the plan proposed by the team, any changes proposed by NMFS, the rationale for such changes, and proposed regulations to implement such a plan. NMFS must issue a final take reduction plan and implementing regulations within 60 days after the close of the comment period.

Emergency Regulations

New section 118(g) of the MMPA provides NMFS with authority to issue emergency regulations to reduce incidental mortality and serious injury of marine mammals if the incidental mortality and serious injury of marine mammals from commercial fisheries is having, or is likely to have, an immediate and significant adverse impact on a stock or species. Emergency regulations can apply to Category I, II,