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New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

December 15, 2009

Ms. Patricia A. Kurkul  
Regional Administrator  
NMFS, Northeast Regional Office  
55 Great Republic Drive  
Gloucester, MA 01930

**RE: Comments on the GMRI Monkfish Tagging EFP Request**

Dear Pat:

The New England Fishery Management Council has no objection to the exempted fishery permit for the above-mentioned study as described in the *Federal Register* Vol. 74, No. 232 dated December 4, 2009.

If you have any question please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Paul J. Howard". The signature is written in dark ink and is positioned above the printed name.

Paul J. Howard  
Executive Director



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
Gloucester, MA 01930-2276

Paul J. Howard, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950



Re: Exempted Fishing Permit Proposal

Dear Paul:

The regulations on exempted experimental fishing activities at 50 CFR 600.745(b)(3) require that the Regional Administrator forward copies of an application for experimental fisheries to the Regional Fishery Management Council(s), the U.S. Coast Guard, and the appropriate fishery management agencies of affected states, accompanied by the following information: (A) The effect of the proposed Exempted Fishing Permit (EFP) on the target and incidental species, including the effect on any Total Allowable Catch; (B) a citation of the regulation or regulations that, without the EFP, would prohibit the proposed activity; and (C) biological information relevant to the proposal, including appropriate statements of environmental impacts, including impacts on marine mammals and threatened or endangered species. Therefore, we have attached the Federal Register notice that describes the activities proposed in the application submitted by the Gulf of Maine Research Institute, for 29 vessels to conduct monkfish research. The EFP would allow these vessels to be exempt from the Monkfish Days-at-Sea (DAS) Program for a total of 51 DAS, and from the monkfish minimum size limit for on-board tagging purposes only.

Please respond to the following contact person with any comments you have on the experimental fishing proposal on or before December 21, 2009.

CONTACT  
PERSON:

Anna Macan  
Fishery Management Specialist  
Sustainable Fisheries, Northeast Region  
National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930  
Phone: (978) 281-9165  
FAX: (978) 281-9135

Thank you for your cooperation.

Sincerely,

George H. Darcy  
Assistant Regional Administrator for Sustainable  
Fisheries

Enclosure



### Notification Regarding Administrative Protective Order

This notice serves as a final reminder to parties subject to administrative protection orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3) of the Department's regulations, which continues to govern business proprietary information in this segments of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, as amended, and 19 CFR 351.213(d)(4).

Dated: November 30, 2009.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. E9-29005 Filed 12-3-09; 8:45 am]

BILLING CODE 3510-DS-P

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

RIN 0648-XT18

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration and has made a preliminary determination that the activities authorized under this EFP would be consistent with the goals and objectives of the Monkfish Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue an EFP. This EFP would grant exemptions from the Monkfish Day-at-Sea (DAS) Program, as well as

exempt vessels from the monkfish minimum size limits for onboard tagging purposes only.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before December 21, 2009.

**ADDRESSES:** You may submit written comments by any of the following methods:

- Email: [NERO.EFP@noaa.gov](mailto:NERO.EFP@noaa.gov).

Include in the subject line "Comments on the GMRI Monkfish Tagging EFP."

- Mail: Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on the GMRI monkfish tagging EFP, DA9-229."
- Fax: (978) 281-9135.

#### FOR FURTHER INFORMATION CONTACT:

Anna Macan, Fishery Management Specialist, 978-281-9165.

**SUPPLEMENTARY INFORMATION:** The Gulf of Maine Research Institute (GMRI), in response to a NMFS notice published in the *Federal Register* on June 17, 2009 (50 CFR 28668), submitted a request to use 51 unallocated 2009 Monkfish Research Set-Aside (RSA) DAS as exempted DAS to conduct research activities associated with an ongoing study to investigate large-scale movements and habitat use of monkfish. These 51 exempted DAS would allow GRMI to resume research activities for a 2008 monkfish RSA project that had to be scaled back due to a budget shortfall resulting from the inability to use all of the 2008 monkfish RSA DAS allocated to the project.

This EFP would allow up to 29 vessels to conduct tagging research in the Southern Fishery Management Area (SFMA) in conjunction with normal commercial fishing operations, using standard commercial gillnets. The goal of the project is to investigate large-scale movements of monkfish and to compare inferences about movement and habitat use from conventional and archival tags and otolith trace element analysis. Conventional tagging efforts would be conducted by trained captains or crew while under normal commercial fishing operations. Up to 25-50 monkfish per trip would be tagged, over the course of 51 fishing days. Data storage tags, up to 10 per trip, would only be deployed when GMRI staff is onboard.

This EFP would exempt the participating vessels from the monkfish DAS requirements found at 50 CFR 648.92(b)(1)(i) for a total of 51 DAS. A

DAS exemption would reduce the cost to participating vessels, by not requiring them to expend their DAS allocation to conduct the research. This EFP would also exempt participating vessels from the monkfish minimum size restrictions at \$ 648.93 for the purpose of tagging monkfish during research activities. No fish below the minimum size would be landed for sale. Aside from these exemptions, fishing activities would be conducted under normal commercial practices.

The applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: December 1, 2009.

**Emily H. Menashes,**

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

[FR Doc. E9-28992 Filed 12-3-09; 8:45 am]

BILLING CODE 3510-22-S

### DEPARTMENT OF COMMERCE

#### Foreign-Trade Zones Board

#### Foreign-Trade Zone 2—New Orleans, Louisiana, Area

#### Site Renumbering Notice

Foreign-Trade Zone 2 was approved by the Foreign-Trade Zones Board on July 16, 1946 (Board Order 12), had eleven boundary changes from 1950-1969 (Board Orders 22, 36, 40, 45, 49, 52, 56, 64, 67, 70 and 79), and expanded on April 9, 1984 (Board Order 245), on May 8, 1986 (Board Order 331), on November 13, 1991 (Board Order 544), on August 25, 1998 (Board Order 1000), and on December 30, 2003 (Board Order 1310).

FTZ 2 currently consists of 24 "sites" totaling some 1301.74 acres in the New Orleans area. The current update does not alter the physical boundaries that have previously been approved, but instead involves an administrative renumbering of existing Site 5 to separate unrelated, non-contiguous sites for record-keeping purposes. Existing Site 5 consists of 37 separate "parcels" located at or adjacent to the Port of New Orleans. With this renumbering, the parcels will be designated as Sites 25 thru 61. Site