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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*

April 17, 2009

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

RE: Comments on the URI TED EFP Proposal

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. 68 dated April 10, 2009.

If you have any question please contact me.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Howard". The signature is written in a cursive, flowing style.

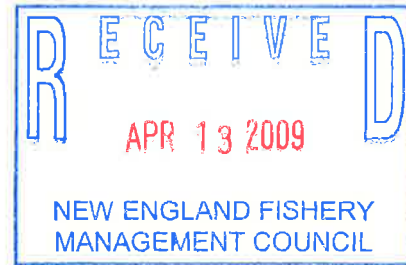
Paul J. Howard
Executive Director



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

APR 13 2009

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



Re: Experimental Fishing Permit Proposal

Dear Mr. Howard:

The regulations on exempted fishing activities at 50 CFR 600.745(b)(3), require that the Regional Administrator forward copies of experimental fishing permit applications 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, in addition to the experimental fishery application, we have attached the Federal Register notice that describes the activities proposed by the applicant.

Please respond to the following contact person with any comments you have on the experimental fishing proposal within 15 days of your receipt of this letter.

CONTACT Ryan Silva
Sustainable Fisheries Division, Northeast Region, NMFS
One Blackburn Drive
Gloucester, MA 01930
Phone: (978) 281-9326
FAX: (978) 281-9135

Thank you for your cooperation.

Sincerely,

George H. Darcy
Assistant Regional Administrator
for Sustainable Fisheries



for all shipments of CMC from Mexico entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Tariff Act: 1) the cash deposit rate for Amtex will be the rate established in the final results of review, unless that rate is less than 0.50 percent (*de minimis* within the meaning of 19 CFR 351.106(c)(1)), in which case the cash deposit rate will be zero; 2) if the exporter is not a firm covered in this review or the less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and 3) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be the all-others rate of 12.61 percent from the LTFV investigation. See *Notice of Antidumping Duty Orders: Purified Carboxymethylcellulose from Finland, Mexico, the Netherlands and Sweden*, 70 FR 39734 (July 11, 2005).

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act and 19 CFR 351.221.

Dated: April 2, 2009.

Ronald K. Lorentzen,
Acting Assistant Secretary for Import Administration.

[FR Doc. E9-8233 Filed 4-9-09; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XO41

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. This EFP would allow two commercial fishing vessels to temporarily retain undersize fish and fish in excess of possession limits for the purpose of data collection in support of research conducted by the University of Rhode Island (URI). The Assistant Regional Administrator has made a preliminary determination that the activities authorized under this EFP would be consistent with the goals and objectives of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue an EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to recommend that an EFP be issued.

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 April 27, 2009.

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

- Email: DA9-087@noaa.gov. Include in the subject line "Comments on URI TED 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 URI TED EFP."

- Fax: (978) 281-9135.

FOR FURTHER INFORMATION CONTACT:

Ryan Silva, Cooperative Research Liaison, 978-281-9326.

SUPPLEMENTARY INFORMATION: Under the Southern New England Collaborative Research Initiative, URI was selected by the Commercial Fisheries Research Foundation to conduct a study titled, "Evaluation of a Modified Turtle Excluder Device (TED) Design in the Southern New England and Mid-Atlantic Summer Trawl Fisheries." The primary objective of this experiment is to evaluate the catch performance of a summer flounder trawl fitted with a TED. This objective would be accomplished through comparative tows

between two summer flounder trawls, one of which has the experimental TED.

URI proposes to employ two commercial vessels that operate in the summer flounder fishery to conduct this research. Investigators propose to conduct approximately 80, 90-minute tows (40 paired tows) in the New England and Mid-Atlantic regions over the course of 22 sea days in the summer of 2009, starting in early June. Investigators would collect data on estimated total catch weight, and weight and length measurements on summer flounder and other bycatch species. All legal catch would be sold.

URI submitted a complete EFP application on March 26, 2009, requesting exemption from minimum fish size and possession limit regulations for the purpose of data collection prior to discarding undersize fish and fish above the vessel's possession limit. Aside from these exemptions, all other elements of these fishing trips would comply with fishing regulations.

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. If the research project is terminated for any reason prior to completion, any unused funds collected from catch sold to pay for research expenses may be refunded to NOAA.

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

Dated: April 3, 2009.

Kristen C. Koch,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. E9-8236 Filed 4-9-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 97-9A003]

Export Trade Certificate of Review

ACTION: Notice of Issuance (# 97-9A003) of an Amended Export Trade Certificate of Review Issued to the Association for the Administration of Rice Quotas, Inc.

SUMMARY: The U.S. Department of Commerce issued an amended Export Trade Certificate of Review to the