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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*

May 14, 2009

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

**RE: Comments on the GMRI Codend Modification Study 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. 86 dated May 6, 2009.

If you have any question please contact me.

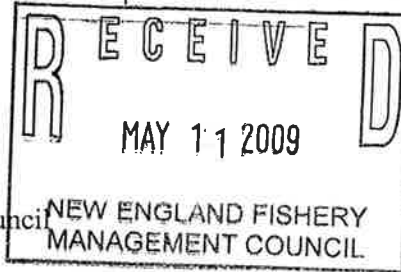
Sincerely,

A handwritten signature in black ink that reads "Paul J. Howard". The signature is written in a cursive style and is located below the word "Sincerely,".

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



MAY 07 2009

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

Re: Experimental Fishing Permit Proposal (RIN 0648-XO76)

Dear Mr. Howard:

The regulations on exempted experimental 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 May 6, 2009.

CONTACT                      Melissa Vasquez  
    Sustainable Fisheries Division, Northeast Region, NMFS  
    55 Great Republic Drive  
    Gloucester, MA 01930  
    Phone: (978) 281-9166  
    FAX: (978) 281-9135

Thank you for your cooperation.

Sincerely,

George H. Darcy  
 Assistant Regional Administrator  
 for Sustainable Fisheries

cc: Council, CBK (5/10)



green, 15 Kemp's ridley, 6 leatherback, 2 olive ridley, and 2 hawksbill sea turtles. These animals would have already been captured by authorized coastal trawl surveys taking place in waters off of North Carolina to Florida.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: April 30, 2009.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E9-10512 Filed 5-5-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 19-2009]

#### Foreign-Trade Zone 20—Hampton Roads, Virginia, Area, Application for Reorganization/Expansion

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Virginia Port Authority, grantee of FTZ 20, requesting authority to reorganize and expand the zone project within the Norfolk Customs and Border Protection port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on April 28, 2009.

FTZ 20 was approved on April 15, 1975 (Board Order 105, 40 FR 17884, 4/23/75); relocated on January 17, 1977 (Board Order 114, 42 FR 4187, 1/24/77), and on March 16, 1981 (Board Order 173, 46 FR 18063, 3/23/81); and, expanded on May 8, 1997 (Board Order 887, 62 FR 28446, 5/23/97), on July 28, 2000 (Board Order 1113, 65 FR 50179, 8/17/00), and on April 5, 2001 (Board Order 1163, 66 FR 20235, 4/20/01).

The zone project consists of eighteen sites (10,119 acres total) in the Hampton Roads area: *Site 1* (22 acres)—located at 215 Suburban Drive, Suffolk; *Site 2* (10 acres)—located at 324 Moore Avenue, Suffolk; *Site 3* (30 acres total, 4 parcels)—within the Greenbrier Industrial Park at 630 Woodlake Drive, 1720 S. Military Highway, 575 Woodlake Circle and 570 Woodlake Circle, Chesapeake; *Site 4* (905 acres)—Norfolk International Terminals, 7737 Hampton Boulevard, Norfolk; *Site 5* (242 acres)—Portsmouth

Marine Terminal, 2000 Seaboard Avenue, Portsmouth; *Site 6* (184 acres)—Newport News Marine Terminal, 25th & Warwick Boulevard, Newport News; *Site 7* (490 acres total, 6 parcels)—Warren County Industrial Corridor, Routes 340, 522 and 661, Front Royal; *Site 8* (372 acres)—Bridgeway Commerce Park, Interstate 664, Suffolk; *Site 9* (672 acres)—Cavalier Industrial Park, Interstate 64 and U.S. Route 13, Chesapeake; *Site 10* (26 acres)—D.D. Jones Transfer & Warehouse, Inc., 1920 Campostella Road, Chesapeake; *Site 11* (177 acres)—New Boone Farm Industrial Park, Interstate 664, Chesapeake; *Site 12* (60 acres)—PortCentre Commerce Park, Route 264, Portsmouth; *Site 13* (154 acres)—Suffolk Industrial Park, 595 Carolina Road, Suffolk; *Site 14* (6,187 acres total, 2 parcels)—Goddard Space Flight Center—Wallops Flight Facility, Accomack County; *Site 15* (449 acres)—Accomack Airport Industrial Park, U.S. Highway 13 & Parkway Road, Melfa; *Site 16* (5 acres)—within the Battlefield Lakes Technical Center, 525 & 533 Byron Street, Norfolk; *Site 17* (4 acres)—within the Butts Station Commerce Center, 600, 604 and 608 Greentree Road, Chesapeake; and, *Site 18* (130 acres)—within the 579-acre Port of Cape Charles Sustainable Technologies Industrial Park, two miles from U.S. 13 on SR 1108, Bayshore Drive.

The applicant is now requesting authority for a reorganization and expansion of the zone, which includes both additions and deletions with an overall increase of 639 acres in total zone space as described below:

- Existing Site 3—modify to reinstate acreage at Parcels 1 and 3 removed through administrative actions and expand to include additional acreage at Parcels 2 and 4 and to include two new parcels located at 551 Woodlake Circle (Parcel 5) and 575B Woodlake Circle (Parcel 6) (new total acreage—72 acres);
- Existing Site 8—modify to remove 239 acres due to changed circumstances (new total acreage—133 acres);
- Existing Site 9—modify to reinstate acreage removed through administrative action (new total acreage—689 acres);
- Proposed Site 19 (323 acres)—Shirley T. Holland Commerce Park, 25400 Old Mill Road, Windsor;
- Proposed Site 20 (72 acres)—Commerce Center Hampton Roads, 150 Judkins Court, Suffolk;
- Proposed Site 21 (85 acres)—Virginia Regional Commerce Park, 2930 Pruden Boulevard, Suffolk;
- Proposed Site 22 (18 acres)—Port

Norfolk Holdings, LLC, warehouse located at 1157 Production Road, Norfolk, within the Norfolk Industrial Park;

- Proposed Site 23 (101 acres)—Virginia Commerce Center, 351 Kenyon Road, Suffolk; and,
- Proposed Site 24 (220 acres)—

Westport Commerce Center located on Manning Bridge Road, Suffolk.

The sites will provide warehousing and distribution services to area businesses. No specific manufacturing authority is being requested at this time. Such requests would be made to the Board on a case-by-case basis. In accordance with the Board's regulations, Camille Evans of the FTZ staff is designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is July 6, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to July 20, 2009.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230-0002, and in the "Reading Room" section of the Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz). For further information, contact Camille Evans at [Camille\\_Evans@ita.doc.gov](mailto:Camille_Evans@ita.doc.gov) or (202) 482-2350.

Dated: April 28, 2009.

**Andrew McGilvray,**  
*Executive Secretary.*

[FR Doc. E9-10495 Filed 5-5-09; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XO76

#### 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, has made a preliminary determination that the subject exempted fishing permit (EFP) application contains all the required information and warrants further consideration. Therefore, NMFS announces that the Assistant Regional Administrator proposes to recommend that an EFP be issued that would allow one commercial fishing vessel to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP, which would enable the applicants to investigate the selectivity of different groundfish trawl codend configurations with a small-mesh cover, would allow for exemptions for one vessel from the Northeast (NE) Multispecies Fishery Management Plan (FMP) as follows: NE multispecies Gulf of Maine (GOM) minimum mesh size. In addition, this EFP would allow temporary exemptions from the NE Multispecies and Monkfish FMPs, per the stipulations detailed in this document, as follows: NE multispecies minimum fish sizes; NE multispecies possession restrictions; monkfish minimum fish sizes; and monkfish possession restrictions.

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 May 21, 2009.

**ADDRESSES:** Comments may be submitted by email to *Modified.codend.EFP@noaa.gov*. Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on the Codend Modification Study." Comments may also be sent via facsimile (fax) to (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:** Melissa Vasquez, Fishery Management Specialist, (978) 281-9166, fax (978) 281-9135.

**SUPPLEMENTARY INFORMATION:** A complete application for an EFP for this project was submitted on April 6, 2009, by Steve Eayrs of the Gulf of Maine Research Institute (GMRI) for the F/V Skipper (Federal permit #250573). The primary goal of this EFP is to assess the impact of codend modification on reducing catches of undersized groundfish and non-targeted fish by trawl gear. This project builds on the results of an EFP issued for the 2008 fishing year, which tested the efficacy of

removing chafing nets from codends to reduce undersized bycatch. This EFP would compare the catch composition and selectivity of three codend configurations to determine which may reduce undersized and non-commercial catch.

This EFP would be issued to GMRI and Captain Glen Libby of the F/V Skipper to conduct 25 at-sea days of experimental fishing in the GOM north of the Cashes Ledge Habitat Closure Area and east of the Jeffery's Bank Habitat Closure Area (see Table 1). Fishing would not overlap with any GOM Rolling Closure Areas.

TABLE 1: COORDINATES FOR THE EXPERIMENTAL FISHING AREA

Point	Latitude	Longitude
1	44°00' N	68°50' W
2	44°00' N	69°40' W
3	43°20' N	69°40' W
4	43°20' N	68°50' W

The researchers would conduct sea trials over two 10-day periods in June and August 2009. As a condition of the EFP, this vessel would complete no more than 150 tows overall or six tows per day. Researchers would conduct 1-hour tows using one of three codend configurations: A standard 6.5-inch (16.5-cm) diamond-mesh codend, 7-inch (17.8-cm) square-mesh codend, and a composite codend with a 6.5-inch (16.5-cm) square-mesh upper section and a 6.5-inch (16.5-cm) diamond-mesh lower section. Each codend would be tested at least twice each day, for an estimated six tows per day and a minimum of 120 total tows. A small-mesh cover net (~ 2-inch (5.08-cm) mesh size, depending upon availability) would be fitted around each codend to retain all fish that escape the codend so they may be sampled along with the catch for species count, weight, and length. The species composition and selectivity of each tow would be compared to determine which codend configuration may reduce catch of undersized groundfish and improve trawl selectivity. An additional 5 days, with up to 30 additional 1-hour tows, may be used to film fish interactions with the gears and to accommodate for sampling problems.

The applicants have asked for an exemption from the minimum GOM regulated mesh size specified at 50 CFR 648.80(a)(3)(i) so that they may install a small-mesh cover net around the codend to sample the variability in bycatch released from each of the four

codend configurations. The applicants have also asked for temporary exemptions from the following regulations: NE multispecies minimum fish sizes (§ 648.83); NE multispecies possession restrictions (§ 648.86), monkfish minimum fish sizes (§ 648.93); and monkfish possession restrictions (§ 648.94). These exemptions are necessary to allow sampling of undersized fish and fish in excess of the possession limit; however, these exemptions would not permit the landing of fish outside of regular A days-at-sea (DAS) possession limits. These exemptions are only for the time period when trained technicians or crew are measuring, weighing, or sampling fish that would otherwise be immediately discarded.

During the 25 at-sea days of comparative fishing trials, the F/V Skipper would use A DAS and would be subject to all day and trip possession limits, with the exemptions listed above. As a condition of this EFP, all undersized fish or fish that cannot legally be landed (i.e., in excess of possession limits) would be returned to the sea as quickly as possible after sampling. The applicants anticipate a total harvest of 37,500 lb (17,010 kg), and an additional 17,500 lb (7,938 kg) of discards composed of undersized NE multispecies in similar proportions to the anticipated catch, as well as dogfish and skates (Table 2). The estimated GOM cod catch per day for the proposed number of DAS permitted with this EFP would be 32 percent of the current daily possession limit of 800 lb (362.9 kg). All legal-sized fish, within the possession limit, would be landed and sold.

TABLE 2: ESTIMATED TOTAL CATCH AND DISCARDS BY SPECIES

Species	Catch in lb (kg)	Discards in lb (kg)
Haddock	6,250 (2,835)	0
Cod	6,250 (2,835)	0
Grey Sole	6,250 (2,835)	0
American Plaice	6,250 (2,835)	0
Monkfish	6,250 (2,835)	0
Pollock	2,500 (1,134)	0
Hake & other	3,750 (1,701)	0

TABLE 2: ESTIMATED TOTAL CATCH AND DISCARDS BY SPECIES—Continued

Species	Catch in lb (kg)	Discards in lb (kg)
Skate sp.	0	2,500 (1,134)
Dogfish	0	2,500 (1,134)
Undersized NE multispecies	0	12,500 (5,670)

The applicants may request minor modifications and extensions to the EFP throughout the course of research. EFP modifications and extensions may be granted without further public notice if they are deemed essential to facilitate completion of the proposed research and result in only a minimal change in the scope or impacts of the initially approved EFP request.

In accordance with NAO Administrative Order 216-6, a Categorical Exclusion or other appropriate NEPA document would be completed prior to the issuance of the EFP. Further review and consultation may be necessary before a final determination is made to issue the EFP. After publication of this document in the *Federal Register*, the EFP, if approved, may become effective following the public comment period.

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

Dated: May 1, 2009.

**Alan D. Risenhoover**

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

[FR Doc. E9-10511 Filed 5-5-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XP05

#### North Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public committee meeting.

**SUMMARY:** The North Pacific Fishery Management Council's (Council) Comprehensive Data Collection Committee will meet in Seattle, WA.

**DATES:** The meeting will be held on May 27, 2009.

**ADDRESSES:** The meeting will be held at the Alaska Fishery Science Center, 7600 Sand Point Way NE, Building 4, Traynor Room, Seattle, WA.

**Council address:** North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** Jeannie Heltzel, North Pacific Fishery Management Council; telephone: (907) 271-2809.

**SUPPLEMENTARY INFORMATION:** The committee will review potential salmon bycatch data collection issues and programs; discuss relationship with the National Voluntary Data Collection Program; and review status on community and comprehensive data collection.

The Agenda for the meeting will be posted at <http://www.fakr.noaa.gov/npfmc/>.

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen, (907) 271-2809, at least 5 working days prior to the meeting date.

Dated: May 1, 2009.

**Tracey L. Thompson,**

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

[FR Doc. E9-10462 Filed 5-5-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN: 0648-XP06

#### North Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public committee meeting.

**SUMMARY:** The North Pacific Fishery Management Council (Council) announces a workshop on Annual Catch Limits, to be held May 21, 22, 2009 in Seattle, WA.

**DATES:** The workshop will be held on May 21-22, 2009.

**ADDRESSES:** The meeting will be held at the Alaska Fishery Science Center, 7600 Sand Point Way, Building 4, Traynor Room, Seattle, WA.

**Council address:** North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** Diana Stram, North Pacific Fishery Management Council; telephone: (907) 271-2809

**SUPPLEMENTARY INFORMATION:** The agenda will include the following: Developing methodologies for addressing new National Standard 1 guidelines for Groundfish, Crab and Scallop FMPs including discussion of incorporating uncertainty into catch specifications; Developing annual biological catch limits for crabs and scallops; addressing data quality requirements; and new ecosystem component criteria.

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen, (907) 271-2809, at least 5 working days prior to the meeting date.

Dated: May 1, 2009.

**Tracey L. Thompson,**

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

[FR Doc. E9-10463 Filed 5-5-09; 8:45 am]

BILLING CODE 3510-22-S