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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*

February 3, 2009

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

RE: Comments on the Twine Top 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. 19 dated January 30, 2009.

If you have any question please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Paul J. Howard".

Paul J. Howard
Executive Director

resources to effectively inform management. FBNMS, in conjunction with Territorial and Federal agencies as well as other entities, will work to resolve these needs.

Spill Prevention, Contingency Planning and Response—The risk from vessel traffic and other hazards is a significant threat to marine resources. The potential for a catastrophic oil spill remains a primary concern and while advances in maritime safety have been made since the sanctuary was designated, better coordination is needed for response to these threats. Oil spills cause immediate and potentially long term harm to marine resources as well as socioeconomic impacts to coastal communities.

Climate Change—Climate change is widely acknowledged, yet there is considerable uncertainty about current and future consequences at local, ecosystem, and oceanic scales. Increased coordination and cooperation among resource management agencies is required to improve planning, monitoring, and adaptive management to address this phenomenon.

Ocean Literacy—Enhancing the public's awareness and appreciation of marine, socio-economic, and cultural resources is a cornerstone of the Sanctuary's mission. Management Plan Review could offer opportunities for the Sanctuary, in conjunction with the American Samoa Community College and other entities, to expand educational contributions and reach a larger audience.

Marine Debris—Coastal marine debris is a persistent and poorly diagnosed problem within the sanctuary that negatively impacts natural and socioeconomic resources and qualities.

Site Expansion—The Office of National Marine Sanctuaries (ONMS), under the authority of the National Marine Sanctuaries Act, has the ability to develop protections for special areas of the marine environment, including those found in federal waters. Any possible expansion of the ONMS activities, such as the expansion of the Sanctuary to include the newly designated Rose Atoll Marine National Monument, could supplement and compliment existing MPA initiatives in the Territory. Working cooperatively with partner agencies, will allow all parties to leverage resources and find the best solutions to protecting the marine resources of the Territory.

Condition Report

In preparation for management plan review, NOAA produced a Fagatele Bay National Marine Sanctuary Condition Report in 2007. The Condition Report

provides a summary of resources in FBNMS, pressures on those resources, the current condition and trends, and management responses to the pressures that threaten the integrity of the marine environment. Specifically, the Condition Report includes information on the status and trends of water quality, habitat, living resources, and maritime archaeological resources and the human activities that affect them. The report serves as a supporting document for the Management Plan Review Process to inform constituents who desire to participate in that process.

In addition, a State of the Sanctuary Report was completed for 2002–2003. This report outlines major accomplishments and highlights specific management plan activities. An update covering accomplishments from 2003–2008 has also been created. The condition report, State of the Sanctuary Report and the 2003–2008 Update are available to the general public in advance of scoping meetings and on the internet at: http://fagatelebay.noaa.gov/html/management_plan.html.

Scoping Comments

Scoping meetings provide an opportunity to make direct comments to NOAA on the management of the sanctuary's natural and cultural resources, including administrative programs. We encourage the public to participate and welcome any comments related to the sanctuary. In particular, we are interested in hearing about the public's view on:

- The Sanctuary's potential management priorities for the next five to ten years;
- Effectiveness of the existing management plan in protecting sanctuary resources;
- Sanctuary programs, activities and needs, including but not limited to resource protection programs, research and monitoring programs, education, volunteer, and outreach programs;
- Implementation of regulations and permits;
- Adequacy of existing boundaries to protect sanctuary resources;
- Assessment of the existing operational and administrative framework (staffing, offices, vessels, etc.).

Authority: 16 U.S.C. Section 1431 *et seq.* (Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: January 26, 2009.

Daniel J. Basta,
Director, Office of National Marine Sanctuaries.

[FR Doc. E9–2092 Filed 1–29–09; 8:45 am]

BILLING CODE 3510–NK–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XM63

Magnuson–Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit

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

ACTION: Notification of a proposal to conduct exempted fishing; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that the subject exempted fishing permit (EFP) application submitted by the Gulf of Maine Research Institute (GMRI), which would exempt participating vessels from Scallop gear restrictions, possession restrictions, Great South Channel (GSC) Southern New England (SNE)/Georges Bank (GB) Yellowtail Flounder Peak Spawning Closure restrictions, and GSC Cape Cod (CC)/Gulf of Maine (GOM) Yellowtail Flounder Peak Spawning Closure restrictions, should be issued for public comment. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Atlantic Sea Scallop Fishery Management Plan (FMP), the Northeast Multispecies FMP, and other Northeast Regional FMPs. However, further review and consultation may be necessary before a final determination is made.

DATES: Comments must be received on or before February 17, 2009.

ADDRESSES: Comments may be submitted by e-mail. The mailbox address for providing e-mail comments is scallop.efp.gmri@noaa.gov. Include in the subject line of the e-mail comment the following document identifier: "Comments on twine-top EFP." Written comments may also be mailed 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 twine-top EFP." Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Cheryl McGarrity, Fishery Management Specialist, phone: 978-281-9174, fax: 978-281-9135.

SUPPLEMENTARY INFORMATION: In response to the 2008 Atlantic Sea Scallop Research Set Aside (RSA) Program request for proposals, NMFS received a proposal from GMRI entitled, "An evaluation of hanging ratio and mesh orientation of twine-tops on selectivity and bycatch in the general category scallop dredge fishery in scallop limited access areas." The grant was approved by NOAA Grants on July 27, 2008, as NOAA Award No. NA08NMF4540667. GMRI proposes to determine if changes to the dredge twine-top configuration on a 10.5-ft (3.2 m) general category scallop dredge will affect species selectivity and reduce finfish bycatch.

Comparisons of catches will be made between panels with twine-top configurations of 2:1 hanging ratio, 3:1 hanging ratio with meshes elongated in the fore/aft direction, and 3:1 hanging ratio with meshes elongated laterally (perpendicular to the fore/aft direction). Research is to be conducted within the Elephant Trunk Access Areas (March/April 2009) and the Great South Channel Scallop Dredge Exemption Area (GSCDEA) (May/June 2009). Three general category scallop vessels using New Bedford style scallop dredges will be given a set of the three twine-top configurations, and will use one configuration per day for 12 days. It is expected that three tows per day will be completed, and vessels will spend 12 days in each of the two scallop access areas. The grant authorizes GMRI to land 14,400 lb (6,531.73 kg) of scallops each from the Elephant Trunk Access Area and GSCDEA (total of 28,800 lb (13,063.46 kg)), with the proceeds from landed scallops compensating participating vessel owners and defraying research costs. Vessels will stay within the daily landing limit of 400 lb (181.4 kg).

This EFP would exempt participating vessels from Scallop gear restrictions specified at 50 CFR 648.51(b)(2), possession restrictions found throughout part 648, Great South Channel (GSC) Southern New England (SNE)/Georges Bank (GB) Yellowtail Flounder Peak Spawning Closure restrictions at § 648.80(a)(18)(ii)(C), and GSC Cape Cod (CC)/Gulf of Maine

(GOM) Yellowtail Flounder Peak Spawning Closure restrictions at § 648.80(a)(18)(ii)(D).

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. The applicant may place requests for 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 minimal so as not to change the scope or impact of the initially approved EFP request.

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

Dated: January 26, 2009.

Emily H. Menashes

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

[FR Doc. E9-1999 Filed 1-29-09; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XM97

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 meeting of the North Pacific Fishery Management Council's Scallop Plan Team.

SUMMARY: The North Pacific Fishery Management Council (Council) Scallop Plan Team will meet February 20-21, 2009, in Anchorage, AK.

DATES: The meeting will be held on February 20, 2009, from 10:30 a.m. to 5 p.m. and February 21, 2009, from 9 a.m. to 12 noon.

ADDRESSES: The meeting will be held at the Anchorage Hilton Hotel, 500 West 3rd Avenue, Fireweed Room, Anchorage, AK.

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

FOR FURTHER INFORMATION CONTACT: Diana Stram, Council staff, telephone: (907) 271-2809.

SUPPLEMENTARY INFORMATION: Agenda: Essential Fish Habitat (EFH) description plan for revisions; Final Rule on Annual Catch Limits (ACLs) discussion of plans

to revise Scallop FMP for ACL compliance; Review current regulations on VMS requirements; Review update on Scallop Observer Program; Review any pending BOF actions or regulatory changes; Status of Statewide Scallop Stocks and preparation of the SAFE report; Review ageing techniques and protocol issues and update; Review and revise research priorities.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management 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, at (907) 271-2809, at least 7 working days prior to the meeting date.

Dated: February 27, 2009.

Tracey L. Thompson,

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

[FR Doc. E9-2057 Filed 1-29-09; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Docket No. 0812021556-9052-02

Public Telecommunications Facilities Program: Closing Date

AGENCY: National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce.

ACTION: Notice of Amended Solicitation of Applications.

SUMMARY: The National Telecommunications and Information Administration (NTIA) announces that it is extending the solicitation period for applications for the Public Telecommunications Facilities Program (PTFP) replacement digital television translator projects. NTIA will accept applications for these projects until Monday, May 18, 2009.

DATES: Applications for replacement digital television translator projects