

**FOR FURTHER INFORMATION CONTACT:** Becky Renko or Kevin Duffy at (206) 526-6140.

**SUPPLEMENTARY INFORMATION:** This action is authorized by the Magnuson-Stevens Fishery Conservation and Management Act provisions at 50 CFR 600.745 which states that EFPs may be used to authorize fishing activities that would otherwise be prohibited in order to collect data among other activities. On January 14, 2009, NMFS Northwest Region sent a letter to the Pacific Fishery Management Council (Council) that included a proposal for issuance of EFPs to vessels and first receivers participating in the 2009 Pacific whiting shoreside fishery. If issued, the EFPs would provide for a maximized retention and monitoring program for the Pacific whiting shoreside fishery. The proposed maximized retention and monitoring program regulations are intended to allow for the Pacific whiting shoreside fishery to be efficiently prosecuted while providing accurate catch data such that the Endangered Species Act and Magnuson-Stevens Fishery Conservation and Management Act requirements for this fishery are adequately met.

The issuance of EFPs would allow approximately 40 vessels to delay sorting of groundfish catch and to retain catch in excess of cumulative trip limits and prohibited species catch until offloading. These activities are otherwise prohibited by regulations at 50 CFR 660.306(a)(10) and (a)(2), respectively.

Additionally, issuance of the EFPs to approximately 15 first receivers (generally land-based processing facilities) would allow first receivers to possess more than a single cumulative limit of a particular species, per vessel, per applicable cumulative limit period. The possession of catch in excess of the cumulative limits is otherwise prohibited by regulations at 50 CFR 660.306(a)(10). In addition, the EFPs would include an allowance for first receivers to use hopper type scales to derive an accurate total catch weight prior to sorting. Regulations pertaining to sorting at § 660.370(h)(6) and prohibitions at § 660.306(a)(7) require vessels to sort the catch before weighing.

Issuance of the EFPs would allow for the collection of information on the catch of salmon, non-whiting groundfish, and other non-groundfish species incidentally taken with Pacific whiting. These data are needed to monitor the attainment of the shore-based whiting allocation while assuring that the fishery specifications (bycatch

limits, species allocations, OYs, and biological opinion thresholds) are not exceeded. Because whiting flesh deteriorates rapidly once the fish are caught, whiting must be minimally handled and immediately chilled to maintain the flesh quality. Allowing Pacific whiting shoreside vessels to retain unsorted catch will also enable whiting quality to be maintained.

At the June 2007 Pacific Fishery Management Council (PFMC) meeting, the PFMC recommended that NMFS implement a maximized retention program in Federal regulations that would allow full retention of Pacific whiting catch by the vessels and delivered to first receivers on shore. NMFS Northwest Region is in the process of transitioning the Pacific whiting shoreside fishery from a maximized retention and monitoring program conducted under EFPs to a Federal regulatory program. Though it was expected that the program would be in place at the start of the 2009 fishing season, it will not be possible given the complexity in developing the program. The EFPs, as proposed, would be used to investigate the new components of the overall monitoring program before regulatory implementation. The EFPs would be in effect until the effective date of the new Federal maximized retention and monitoring program, or December 31, 2009, if the regulatory program is not in effect by that time.

Proposed Federal regulations for a maximized retention and monitoring program would require Pacific whiting shoreside vessels to dump unsorted catch directly below deck and would allow unsorted catch to be landed, providing that an electronic monitoring system (EMS) is used on all fishing trips to verify retention of catch at sea. The EMS is an effective tool for accurately monitoring catch retention and identifying the time and location of discard events. The EFPs would include provisions for EMS, paid for by the vessels, similar to the 2008 EFP and similar to the proposed Federal regulatory program.

Proposed Federal regulations for a maximized retention and monitoring program would also require first receivers to have on shore monitoring conducted by catch monitors. Catch monitors are third party employees, paid for by industry, and trained to NMFS standards. The EFP would include provisions for third party catch monitors from a NMFS specified provider. Like the proposed Federal regulatory program, catch monitors used under the EFPs would be trained in techniques that would be used for the verification of fish ticket data and in

species identification. Catch monitor duties include overseeing the sorting, weighing, and recordkeeping process, as well as gathering information on incidentally caught salmon. Catch monitors verify the accuracy of electronic fish ticket data used to manage the Pacific whiting shoreside fishery such that inaccurate or delayed information does not result in any fishery specifications (bycatch limits, species allocations, OYs, and biological opinion thresholds) being exceeded.

In 2008, the first receiver EFPs required each first receiver to have one catch monitor on each day that Pacific whiting deliveries were received. In June 2008, to insure the integrity of sector-specific bycatch limits, the Council recommended as part of the 2009-2010 harvest specifications and management measures, that NMFS increase the catch monitor coverage in the proposed monitoring program to full coverage. With full coverage all Pacific whiting deliveries are monitored by catch monitors (the number of individual catch monitors per facility would vary depending on the hours of operation and the number of Pacific whiting deliveries received each day). NMFS intends to implement the Council's recommendations for full catch monitoring coverage in its rulemaking for a maximized retention and monitoring program. To be consistent with Council recommendations, the first receiver EFPs would also require full catch monitor coverage for 2009.

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

Dated: February 24, 2009.

**Emily H. Menashes**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-4299 Filed 2-27-09; 8:45 am]

**BILLING CODE 3510-22-S**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XN61**

#### Mid-Atlantic Fishery Management Council; Public Meeting

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

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

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**SUMMARY:** The Mid-Atlantic and the New England Fishery Management Councils' (MAFMC/NEFMC) Joint Spiny Dogfish Committee.

**DATES:** The meeting will be held on Thursday, March 19, 2009, from 9 a.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at the Renaissance Philadelphia Airport Hotel, 500 Stevens Drive, Philadelphia, PA 19113; telephone: (610) 521-5900.

*Council address:* Mid-Atlantic Fishery Management Council, 300 S. New Street, Room 2115, Dover, DE 19904; telephone: (302) 674-2331.

**FOR FURTHER INFORMATION CONTACT:** Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council, 300 S. New Street, Room 2115, Dover, DE 19904; telephone: (302) 674-2331, extension 19.

**SUPPLEMENTARY INFORMATION:** The purpose of the meeting will be to develop recommendations on a range of issues that will potentially amend the Spiny Dogfish Fishery Management Plan (FMP). The issues that may be discussed at the upcoming meeting include, but are not limited to:

Adding a research set-aside allocation option of up to 3% of the quota for use during annual specification setting

- Developing commercial quota allocation measures that would serve as alternatives to the current seasonal allocation system

- Establishing an approvable biomass rebuilding target

- Establishing a male-only dogfish fishery

- Considering the possibility of including smooth dogfish in the current FMP

- Establishing a limited access permit for spiny dogfish

Interested parties are welcome to attend the meeting. At the discretion of the Committee Chair, public comments may be taken during and/or just before the conclusion of the meeting.

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 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 aid should be directed to M. Jan Bryan, (302) 674-2331 ext 18, at least 5 days prior to the meeting date.

Dated: February 25, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-4301 Filed 2-27-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XN65**

#### New England Fishery Management Council; Public Meeting

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

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

**SUMMARY:** The New England Fishery Management Council's (Council) Herring Oversight Committee will meet to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

**DATES:** The meeting will be held on Tuesday, March 24, 2009, at 9:30 a.m.

**ADDRESSES:** The meeting will be held at the Clarion Hotel, 1230 Congress Street, Portland, ME; telephone: (207) 774-5611; fax: (207) 871-0510.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:** The items of discussion in the committee's agenda are as follows:

1. Continue development of management alternatives to be included in Amendment 4 to the Atlantic Herring Fishery Management Plan (FMP);

2. Develop alternatives for annual catch limits (ACLs) and accountability measures (AMs) and discuss related changes to the Atlantic herring fishery specification process;

3. Continue discussion and development of management alternatives related to catch monitoring, which may include: monitoring and reporting requirements for herring vessels and processors, observer coverage and at-sea monitoring, shore-side monitoring and sampling, vessel monitoring system (VMS) requirements, and other measures.

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 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 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

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

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

Dated: February 25, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-4303 Filed 2-27-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XN62**

#### Western Pacific Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings and hearings.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold meetings of its Scientific and Statistical Committee (SSC), American Samoa Archipelago Fishery Ecosystem Plan Regional Ecosystem Advisory Committee (REAC), Advisory Panel (AP), and Plan Team (PT). The Council will also hold its 144th meeting to consider advisory group recommendations and take actions on fishery management issues in the Western Pacific Region.

**DATES:** The 100th SSC Meeting will be held on March 17-19, 2009, and the American Samoa REAC will be held on March 20, 2009. The Advisory Panel and Plan Team will meet on March 23, 2009. The 144th Council meeting will be held on March 23-26, 2009. All meetings will be held in Pago Pago, American Samoa. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.