

Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: October 15, 2004.

**Jeffrey C. Anspacher,**

*Director, Export Trading Company Affairs.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101504D]

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

**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 (Council) is scheduling a public meeting of its Scallop Oversight Committee in November 2004. Recommendations from the committee will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** The meeting will held on Thursday, November 4, 2004, at 9:30 a.m.

**ADDRESSES:** The meeting will be held at the Comfort Inn, 1940 Post Road, Warwick, RI 02886; telephone: (401) 732-0470.

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

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

**SUPPLEMENTARY INFORMATION:** The Scallop Oversight Committee will consider options and recommend alternatives for Framework Adjustment (FW) 17 that would require some or all vessels with general category scallop permits to operate vessel monitoring system (VMS) equipment. The recommendations would be approved by the Council at its November 16-18, 2004 meeting, followed by a final framework meeting on February 1-3, 2005.

In addition, the Plan Development Team and Advisory Panel will brief the committee about preliminary work on the 2005 Stock Assessment and Fishery Evaluation Report. The final report is scheduled for presentation to the Council in September 2005. Planning

issues related to FW 17 (general category VMS) or FW 18 (biennial specifications and adjustments) may also be discussed. The committee meeting will conclude with a closed-door session to review Advisory Panel applications and discuss appointment recommendations. These recommendations will be presented to the Council's Executive Committee at its next 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 aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: October 18, 2004.

**Alan D. Risenhoover,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101804B]

#### Atlantic Coastal Fisheries Cooperative Management Act Provisions; Application for Exempted Fishing Permits (EFPs)

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

**ACTION:** Notification of a request for EFPs to conduct experimental fishing; request for comments.

**SUMMARY:** The Director, State, Federal and Constituent Programs Office, Northeast Region, NMFS (Office Director) has made a preliminary determination that the subject EFP application contains all the required information and warrants further consideration. The Office Director has also made a preliminary determination that the activities authorized under the

EFPs would be consistent with the goals and objectives of Federal management of the American lobster resource.

However, further review and consultation may be necessary before a final determination is made to issue EFPs. Therefore, NMFS announces that the Office Director proposes to issue EFPs that would allow a maximum of six Federally permitted commercial fishing vessels to participate in a project designed to monitor the movement of berried female American lobsters (berried lobsters) in two inshore locations in the vicinity of Portsmouth, New Hampshire, and Friendship, Maine, and in two offshore locations along the northern edge of Georges Bank and in Corsair and Lydonia Canyons to the southeast of Georges Bank.

This EFP is a collaborative project involving the University of New Hampshire (UNH), Durham, New Hampshire (NH); the Lobster Conservancy, Friendship, Maine; the New England Aquarium, Boston, Massachusetts; and the Atlantic Offshore Lobstermen's Association, Candia, NH. The EFP proposes to monitor a total of 120 legal sized berried lobsters carrying early-stage eggs until the eggs mature and are released. Each berried lobster will be tagged and fitted with a small ambient temperature recording device (Tidbit temperature-loggers) and then the movement and egg-development stages of these tagged berried lobsters will be documented. The objective of the project will be to test the hypothesis that berried lobsters speed up or slow down egg growth and development by moving to warmer or colder water in order to expose their eggs to water temperatures that result in hatching at an optimal time for larval growth and survival. To test this hypothesis, when a tagged berried lobster is recaptured in commercial lobster gear, participating lobstermen will download thermal data from the attached Tidbit temperature-logger, and also preserve a maximum of 6 eggs from each tagged berried lobster to allow researchers to estimate the egg developmental stage and time to maturity. The tagged berried lobsters will then be released unharmed. The EFP would waive the prohibition on removal of eggs specified at 50 CFR 697.7(c)(iv) for the six participating vessels and is limited to the 120 pre-tagged berried lobsters in this project.

This project would not involve the authorization of any additional trap gear, and all trap gear would conform to existing Federal lobster regulations. There would be no anticipated adverse effects on protected resources or habitat as a result of this research. Therefore,