

**DEPARTMENT OF COMMERCE****International Trade Administration,  
Commerce.****Export Trade Certificate of Review**

**ACTION:** Notice of Issuance of an Amended Export Trade Certificate of Review, Application No. 05-A0001.

**SUMMARY:** On July 11, 2006, The U.S. Department of Commerce issued an amended Export Trade Certificate of Review to Central America Poultry Export Quota, Inc. ("CA-PEQ").

**FOR FURTHER INFORMATION CONTACT:**

Jeffrey C. Anspacher, Director, Export Trading Company Affairs, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (2005).

Export Trading Company Affairs ("ETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the U.S. Department of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

**Description of Amended Certificate**

The original CA-PEQ Certificate (No. 05-00001) was issued on January 30, 2006 (71 FR 6753, February 9, 2006).

CA-PEQ's Export Trade Certificate of Review has been amended to:

1. Add the following association as a new "Member" of the Certificate within the meaning of § 325.2(1) of the Regulations (15 CFR 325.2(1)): Federacion de Avicultores de Honduras ("FEDAVIH"), San Pedro Sula, Honduras.

The effective date of the amended certificate is April 12, 2006. A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4100, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: July 11, 2006.

**Jeffrey C. Anspacher,**

*Director, Export Trading Company Affairs.*

[FR Doc. E6-11110 Filed 7-13-06; 8:45 am]

**BILLING CODE 3510-DR-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 070706A]

**Atlantic Coastal Fisheries Cooperative Management Act Provisions; Application for Exempted Fishing Permit Related to Horseshoe Crabs**

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

**ACTION:** Notice; request for comments.

**SUMMARY:** NMFS announces that the Director, Office of Sustainable Fisheries, is considering issuing an Exempted Fishing Permit to Limuli Laboratories of Cape May Court House, NJ, to conduct the sixth year of an exempted fishing operation otherwise restricted by regulations prohibiting the harvest of horseshoe crabs in the Carl N. Schuster Jr. Horseshoe Crab Reserve (Reserve) located 3 nautical miles (nm) seaward from the mouth of the Delaware Bay. If granted, the EFP would allow the harvest of 10,000 horseshoe crabs for biomedical purposes and require, as a condition of the EFP, the collection of data related to the status of horseshoe crabs within the Reserve. This notice also invites comments on the issuance of the EFP to Limuli Laboratories.

**DATES:** Written comments on this action must be received on or before July 31, 2006.

**ADDRESSES:** Written comments should be sent to Alan Risenhoover, Acting Director, Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Room 13362, Silver Spring, MD 20910. Mark the outside of the envelope "Comments on Horseshoe Crab EFP Proposal." Comments may also be sent via fax to (301) 713-0596. Comments on this notice may also be submitted by e-mail to: [Horseshoe-Crab.EFP@noaa.gov](mailto:Horseshoe-Crab.EFP@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: Horseshoe Crab EFP Proposal.

**FOR FURTHER INFORMATION CONTACT:** Tom Meyer, Fishery Management Biologist, (301) 713-2334.

**SUPPLEMENTARY INFORMATION:****Background**

The regulations that govern exempted fishing, at 50 CFR 600.745(b) and

697.22, allow a Regional Administrator or the Director of the Office of Sustainable Fisheries to authorize for limited testing, public display, data collection, exploration, health and safety, environmental clean-up and/or hazardous removal purposes, the targeting or incidental harvest of managed species that would otherwise be prohibited. Accordingly, an EFP to authorize such activity may be issued, provided: there is adequate opportunity for the public to comment on the EFP application, the conservation goals and objectives of the fishery management plan are not compromised, and issuance of the EFP is beneficial to the management of the species.

The Reserve was established on March 7, 2001, to protect the Atlantic coast stock of horseshoe crabs and to support the effectiveness of the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fishery Management Plan (ISFMP) for horseshoe crabs. The final rule (February 5, 2001; 66 FR 8906) prohibited fishing for and possession of horseshoe crabs in the Reserve on a vessel with a trawl or dredge gear aboard while in the Reserve. While the rule did not allow for any biomedical harvest or the collection of fishery dependent data, NMFS stated in the comments and responses section that it would consider issuing EFPs for the biomedical harvest of horseshoe crabs in the Reserve.

The biomedical industry collects horseshoe crabs, removes approximately 30 percent of their blood, and returns them alive to the water. Approximately 10 percent do not survive the bleeding process. The blood contains a reagent called Limulus Amebocyte Lysate (LAL) that is used to test injectable drugs and medical devices for bacteria and bacterial by-products. Presently, there is no alternative to the LAL derived from horseshoe crabs.

NMFS manages horseshoe crabs in the exclusive economic zone in close cooperation with the Commission and the U.S. Fish and Wildlife Service. The Commission's Horseshoe Crab Management Board met on April 21, 2000, and again on December 16, 2003, and recommended to NMFS that biomedical companies with a history of collecting horseshoe crabs in the Reserve be given an exemption to continue their historic levels of collection not to exceed a combined harvest total of 10,000 crabs annually. In 2000, the Commission's Horseshoe Crab Plan Review Team reported that biomedical harvest of up to 10,000 horseshoe crabs should be allowed to continue in the Reserve given that the

resulting mortality should be only about 1,000 horseshoe crabs (10 percent mortality during bleeding process). Also in 2000, the Commission's Horseshoe Crab Stock Assessment Committee Chairman recommended that, in order to protect the Delaware Bay horseshoe crab population from over-harvest or excessive collection mortality, no more than a maximum of 20,000 horseshoe crabs should be collected for biomedical purposes from the Reserve. In addition to the direct mortality of horseshoe crabs that are bled, it can be expected that more than 20,000 horseshoe crabs will be trawled up and examined for LAL processing. This is because horseshoe crab trawl catches usually include varied sizes and sexes of horseshoe crabs and large female horseshoe crabs are the ones usually selected for LAL processing. The remaining horseshoe crabs are released at sea with some unknown amount of mortality. Although unknown, this mortality is expected to be negligible.

Collection of horseshoe crabs for biomedical purposes from the Reserve is necessary because of the low numbers of horseshoe crabs found in other areas along the New Jersey Coast from July through early November and because of the critical role horseshoe crab blood plays in health care. In conjunction with the biomedical harvest, NMFS is considering requiring that scientific data be collected from the horseshoe crabs taken in the Reserve as a condition of receiving an EFP. Since the Reserve was first established, the only fishery data from the Reserve were under EFPs issued to Limuli Laboratories for the past five years, and under Scientific Research Activity Letter of Acknowledgment issued Virginia Polytechnic Institute and State University's Department of Fisheries and Wildlife Science on September 4, 2001 (for collections from September 1–October 31, 2001), on September 24, 2002 (for collections from September 24–November 15, 2002), on August 14, 2003 (for collections from September 1–October 31, 2003), on September 15, 2004 (for collections from September 15–October 31, 2004), and on September 9, 2005 (for collections from September 9–October 30, 2005). Further data are needed to improve the understanding of the horseshoe crab population in the Delaware Bay area and to better manage the horseshoe crab resource under the cooperative state/Federal management program. The data collected through the EFP will be provided to NMFS, the Commission, and to the State of New Jersey.

#### Results from 2005 EFP

Limuli Laboratories applied for an EFP to collect horseshoe crabs for biomedical and data collection purposes from the Reserve in 2005. The EFP application specified that: (1) the same methods would be used in 2005 that were used in years 2001–2004, (2) 15 percent of the bled horseshoe crabs would be tagged - an increase from 10 percent, and (3) there had not been any sighting or capture of marine mammals or endangered species in the trawling nets of fishing vessels engaged in the collection of horseshoe crabs since 1993. In 2005, a Supplemental Environmental Assessment was completed and found that there was no significant impacts in conducting the EFP.

An EFP was issued to Limuli Laboratories on July 12, 2005, which allowed them to collect horseshoe crabs in the Reserve until November 30, 2005. A total of 5,480 horseshoe crabs were collected in the Reserve during the late summer and early fall of 2005. Of these, 4,681 animals were used for the manufacture of LAL. Female horseshoe crab activity levels were 75 percent active and 25 percent very active, while males were 59 percent active and 41 percent very active. The remaining 799 animals were rejected; 373 crabs (6.8 percent) were unresponsive due to collecting, transporting and handling (presumed dead), and 426 animals (7.9 percent) were rejected for biomedical use due to lethargy or injury. Horseshoe crabs were collected on 11 days (9 days in August and 2 days in September), and were transported to the laboratory for the bleeding operation and inspected for sex, size, injuries and responsiveness. Three to four tows were conducted during each fishing trip with the tows lasting no more than 30 minutes to avoid impacting loggerhead turtles. Horseshoe crabs were unloaded at Two Mile Dock, Wildwood Crest, New Jersey and at County Dock, Ocean City, Maryland and transported to the laboratory by truck. Since large horseshoe crabs, which are generally females, are used for LAL processing, most of the crabs transported to the laboratory were females. Of those 4,681 processed for LAL, 100 female and 100 male crabs were measured (inter-ocular distances and prosoma widths), weighed, aged, and tagged to establish baseline morphometrics and ages, prior to being released. An additional 625 female bled animals were tagged for a total of 825 animals or 17.6 percent. The average measurements for the female horseshoe crabs were 161.64 mm (166.32 mm in 2004) for the inter-ocular

distance, 260.4 mm (264.90 mm in 2004) for the prosoma width and 2.08 kg (2.39 kg in 2004) for the weight. The average measurements for the male horseshoe crabs were 127.14 mm for the inter-ocular distance, 217.52 mm for the prosoma width and 1.02 kg for the weight. No male horseshoe crabs were measured in 2004. Encrusting organisms (bryozoans, barnacles, slipper shells, and sand tub worms) were found on 18 (9 percent) of the female animals and 28 (14 percent) of the horseshoe crabs examined. Eight (4 percent) of the female horseshoe crabs had broken tails, four had dents in their prosomas, and one had a malformed right wing prosoma. Eight (4 percent) of the males had broken tails and one had a hole on the right side of the prosoma.

Horseshoe crabs were aged in 2005 using Dr. Carl N. Schuster Jr.'s criteria of aging by appearance: female horseshoe crabs - virgin (65 percent), young (4 percent), young/medium (29 percent), and old (2 percent); male horseshoe crabs - virgin (8 percent), young (52 percent), young/medium (24 percent), and old (16 percent). This finding supports the basis for the Reserve, which was established to protect young horseshoe crabs.

In 2005, a total of 825 horseshoe crabs from the Reserve were tagged and released at the water's edge on Highs Beach, New Jersey. The beach was checked frequently, following release, to ensure the crabs had returned to the water. Seventeen live recoveries and seven dead recoveries were documented. The live recoveries were found along the shores of the Delaware Bay (Fowlers Beach, Kitts Hummock and Slaughter Beach in Delaware and Cape May, Del Haven, East Point, Egg Island, Higbees and Thompson in New Jersey). One horseshoe crab was observed along the Atlantic coast off Sea Isle City in New Jersey.

Data collected under the EFP were supplied to NMFS, the Commission, and the State of New Jersey.

#### Proposed 2005 EFP

Limuli Laboratories proposes to conduct an exempted fishery operation using the same means, methods, and seasons utilized during the EFPs in 2001–2005, as described below under terms and conditions. Limuli proposes to continue to tag 15 percent of the bled horseshoe crabs as they did in 2005, up from 10 percent during years 2001–2003.

The proposed EFP would exempt three commercial vessels from regulations at 50 CFR 697.7(e), which prohibit fishing for horseshoe crabs in the Reserve under § 697.23(f)(1) and

prohibit possession of horseshoe crabs on a vessel with a trawl or dredge gear aboard in the same Reserve.

Limuli Laboratories, in cooperation with the State of New Jersey's Division of Fish and Wildlife, submitted an application for an EFP on July 5, 2006. NMFS has made a preliminary determination that the subject EFP contains all the required information and warrants further consideration. NMFS has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Federal horseshoe crab regulations and the Commission's Horseshoe Crab ISFMP.

Regulations at 50 CFR 600.745(b)(3)(v) authorize NMFS to attach terms and conditions to the EFP consistent with: the purpose of the exempted fishery, the objectives of horseshoe crab regulations and fisheries management plan, and other applicable law. NMFS is considering adding the following terms and conditions to the EFP:

1. Limiting the number of horseshoe crabs collected in the Reserve to no more than 500 crabs per day and to a total of no more than 10,000 crabs per year;

2. Requiring collections to take place over a total of approximately 20 days during the months of July, August, September, October, and November. Horseshoe crabs are readily available in harvestable concentrations nearshore earlier in the year, and offshore in the Reserve from July through November;

3. Requiring that a 5 1/2 inch (14.0 cm) flounder net be used by the vessel to collect the horseshoe crabs. This condition would allow for continuation of traditional harvest gear and adds to the consistency in the way horseshoe crabs are harvested for data collection;

4. Limiting trawl tow times to 30 minutes as a conservation measure to protect sea turtles, which are expected to be migrating through the area during the collection period, and are vulnerable to bottom trawling;

5. Restricting the hours of fishing to daylight hours only, approximately from 7:30 a.m. to 5 p.m. to aid law enforcement. NMFS also is considering a requirement that the State of New Jersey Law Enforcement be notified daily as to when and where the collection will take place;

6. Requiring that the collected horseshoe crabs be picked up from the fishing vessels at docks in the Cape May Area and transported to local laboratories, bled for LAL, and released alive the following morning into the Lower Delaware Bay; and

7. Requiring that any turtle take be reported to NMFS, NERO Assistant Regional Administrator of Protected Resources Division (phone, (978) 281-9328) within 24 hours of returning from the trip in which the incidental take occurred.

Also as part of the terms and conditions of the EFP, for all horseshoe crabs bled for LAL, NMFS is considering a requirement that the EFP holder provide data on sex ratio and daily numbers, and tag 15 percent of the horseshoe crabs harvested. Also, the EFP holder may be required to examine at least 200 horseshoe crabs for: morphometric data, by sex (e.g., interocular (I/O) distance and weight), and level of activity, as measured by a response or by distance traveled after release on a beach.

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

Dated: July 10, 2006.

**Alan D. Risenhoover,**

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

[FR Doc. E6-11067 Filed 7-13-06; 8:45 am]

**BILLING CODE 3510-22-S**

---

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 071106E]

#### Gulf of Mexico Fishery Management Council; Public Meetings

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

**ACTION:** Notice of Closed Session Advisory Panel Selection Committee Conference Call.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene its Advisory Panel Selection Committee via Conference Call to select participants for Ad Hoc Shrimp Effort AP, SEDAR NGO AP, and review AP Member Violations Material for recommendation to the Council.

**DATES:** The conference call will be held on Thursday, August 3, 2006, from 11 a.m. EDT to 12 noon EDT.

**ADDRESSES:** Meeting address: The meeting will be held via Closed Session conference call.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, Florida 33607.

**FOR FURTHER INFORMATION CONTACT:** Mr. Wayne Swingle, Executive Director,

Gulf of Mexico Fishery Management Council; telephone: 813.348.1630.

**SUPPLEMENTARY INFORMATION:** The Gulf of Mexico Fishery Management Council (Council) will convene its Advisory Panel Selection Committee via Conference Call to select participants for Ad Hoc Shrimp Effort AP, SEDAR NGO AP, and review AP Member Violations Material in a closed session conference call on Thursday, August 3, 2006, at 11 a.m. EDT. The Committee recommendations will be presented to the Council at the August 14-18, 2006, Council Meeting in Baton Rouge, LA.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Tina Trezza at the Council (see **ADDRESSES**) at least five working days prior to the meeting.

Dated: July 11, 2006.

**Tracey L. Thompson,**

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

[FR Doc. E6-11161 Filed 7-13-06; 8:45 am]

**BILLING CODE 3510-22-S**

---

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 071106C]

#### Fisheries of the South Atlantic, Gulf of Mexico, and Caribbean; Southeastern Data, Assessment, and Review (SEDAR) Steering Committee Meeting

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

**ACTION:** Notice of the SEDAR Steering Committee Meeting.

**SUMMARY:** The SEDAR Steering Committee will meet to discuss the SEDAR schedule; consider modifications to the SEDAR process; discuss the assessment update process; and establish the assessment schedule for 2006 and 2007. See **SUPPLEMENTARY INFORMATION**.

**DATES:** The SEDAR Steering Committee will meet on Tuesday, August 1, 2006, from 9 a.m. to 5 p.m.; and Wednesday, August 2, 2006, from 9 a.m. to 12 p.m.

**ADDRESSES:** The meeting will be held at the Marriott Frenchman's Reef, 5 Estate Bakkeroe, St. Thomas, USVI, 00802. Phone: (340) 776-8500 / Fax: (340) 715-6191.