

areas; on Riparian Habitat Conservation Area; and on changes to public access on roads and trails, including recreational and mining claim access.

#### Possible Alternatives

The NEPA implementing regulations require that an Environmental Impact Statement evaluate alternatives. possible alternatives to be considered in the Draft Environmental Impact Statement include: No activities in Inventory Roadless Areas and decommissioning of the end of #2002 Road from the junction of the #2002C Road.

Additional alternatives may arise from public comments, analysis or new information.

#### Decision To Be Made

The decisions to be made in response to this analysis include (1) Are vegetation management and restoration activities needed and if so where, what activities, when and how would they be implemented? (2) What transportation systems (road and trail) are necessary in the analysis area and how will they be managed? (3) Are the fish habitat and water quality improvement activities for Forest Plan upward trend requirements needed and if so where, when and how would they be implemented? (4) What mitigation is needed to assure forest management activities are consistent with the Nez Perce Forest Plan and environmental law? (5) is the amendment, for soils, to the Nez Perce Forest Plan necessary to implement the proposed actions and other future activities? (6) What implementation and effectiveness monitoring is needed?

#### Estimate Dates

The responsible official for this project is the Nez Perce Forest Supervisor. Comments to this notice should be sent to the address and contacts identified above and should be submitted within 30 days of publication of this notice in the **Federal Register**. A Draft Environmental Impact Statement (EIS) is expected to be available in November 2007 and a Final EIS in May 2008. Should an action alternative be selected, implementation would be initiated in the spring of 2009. Implementation of any or all of the actions authorized with this decision may occur utilizing the stewardship contracting authorities granted in Section 347 of the 1999 Interior Appropriations Bill.

#### Comments Requested

The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency

publishes the notice of availability in the **Federal Register**.

Reviewers should provide their comments during the comment period. Timely comments will enable the agency to analyze and respond to them at one time and to use them in the preparation of the Environmental Impact Statement, thus avoiding undue delay in the decision-making process. Furthermore, the more specific and substantive the comments, the better for reviewers and the agency alike. Reviewers have an obligation to "structure their participation in the National Environmental Policy Act process so that it is meaningful and alerts the agency to the reviewer's position and contentions." *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 552 (1978). *Dept. of Transportation v. Public Citizen*, 541 U.S. 752, 764 (2004). Environmental concerns that could have been raised at the draft stage may therefore be forfeited if not raised until after completion of the Final Environmental Impact Statement. Comments on the draft should be specific and should address the adequacy of the draft and the merits of the alternatives discussed (40 CFR 1503.3).

Dated: June 22, 2007.

**Jane L. Cottrell**,

*Forest Supervisor, Nez Perce National Forest.*  
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**BILLING CODE 3410-11-M**

#### DEPARTMENT OF COMMERCE

##### Foreign-Trade Zones Board

##### Change of Address

The office of the Foreign-Trade Zones (FTZ) Board staff has moved within the Herbert Clark Hoover Building (Main Commerce Building). Submissions to the FTZ Board should hereafter be directed to the address below:

Foreign-Trade-Zones Board,  
U.S. Department of Commerce,  
1401 Constitution Ave. NW.,  
Room 2111,  
Washington, DC 20230.

Dated: June 22, 2007.

**Andrew McGilvray**,

*Executive Secretary.*  
[FR Doc. E7-12567 Filed 6-27-07; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

RIN 0648-XB02

##### 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:** This request for the continuation of an EFP involves the non-destructive collection of size frequency and population data on legal and sublegal lobsters as part of an ongoing research project to monitor the offshore lobster fishery in Lobster Management Area 3. Continuation of this EFP, until December 31, 2008, would not involve the authorization of any additional trap gear in the area. A maximum of seven participating commercial fishing vessels will continue the collection of data on the composition of lobsters in four general offshore study areas in a collaborative effort with the Atlantic Offshore Lobstermen's Association (AOLA). Continuation of this EFP would authorize each participating commercial fishing vessel to continue to utilize one modified juvenile lobster collector trap to collect population data. The lobster trap modifications are to the escape vents, and trap entrance head. Therefore, this modified trap would impact its environment no differently than the regular lobster trap it replaces and will add no additional traps to the area. After data is collected on lobsters in the trap, all sub-legal lobsters will be immediately returned to the sea. The EFP waives the American lobster escape vent requirement for a maximum of one trap per vessel for a maximum of seven vessels in the program.

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 continuation of 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. NMFS announces that the Office Director proposes to renew the subject EFPs, and, therefore, invites comments on the renewal of EFPs for this research.

**DATES:** Comments on this lobster EFP notification for offshore lobster monitoring and data collection must be received on or before July 13, 2007.

**ADDRESSES:** Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930-2298. Mark the outside of the envelope "Comments—Lobster EFP Proposal". Comments also may be sent via facsimile (fax) to 978-281-9117. Comments on the Lobster EFP Proposal may be submitted by e-mail. The mailbox address for providing e-mail comments is

*LobsterJune07@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier:

"Comments—Lobster EFP Proposal".

**FOR FURTHER INFORMATION CONTACT:** Bob Ross, Fishery Management Specialist, (978) 281-9234, fax (978)-281-9117.

**SUPPLEMENTARY INFORMATION:**

**Background**

The regulations that govern exempted fishing, at 50 CFR 600.745(b) and 697.22 allow the Regional Administrator to authorize for limited testing, public display, data collection, exploration, health and safety, environmental clean-up, and/or hazardous removal purposes, and the targeting or incidental harvest of managed species that would otherwise be prohibited. 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 Federal management of the American lobster resource are not compromised, and issuance of the EFP is beneficial to the management of the species.

The American lobster fishery is the most valuable fishery in the northeastern United States. In 2005, approximately 87 million pounds (39,712 metric tons (mt)) of American lobster were landed with an ex-vessel value of approximately 414 million dollars. American lobster experience very high fishing mortality rates throughout their range, from Canada to Cape Hatteras. Operating under the Atlantic States Marine Fisheries Commission's interstate management process, American lobster are managed in state waters under Amendment 3 to the American Lobster Interstate Fishery Management Plan (Amendment 3). In Federal waters of the Exclusive

Economic Zone (EEZ), lobster is managed under Federal regulations at 50 CFR part 697. Amendment 3, and compatible Federal regulations established a framework for area management, which includes industry participation in the development of a management program which suits the needs of each lobster management area while meeting targets established in the Interstate Fisheries Management Program. The industry, through area management teams, with the support of state agencies, have played a vital role in advancing the area management program.

To facilitate the development of effective management tools, extensive monitoring and detailed abundance and size frequency data on the composition of lobsters throughout the range of the resource are necessary. The need for additional monitoring and detailed abundance and size frequency data on the offshore fishery, as proposed by this EFP, is critical due to the lack of consistent statistical coverage of the offshore lobster fishery. This proposed EFP will continue a project involved in extensive monitoring and detailed population information of American lobster in four offshore study areas using modified lobster trap gear that would otherwise be prohibited.

**Proposed EFP**

Each of seven commercial fishing vessels involved in this monitoring and data collection program would collect detailed abundance and size frequency data on the composition of all lobsters collected from one modified juvenile lobster trap in a string of approximately 40 lobster traps, including data on sub-legal, and egg bearing females in addition to legal lobsters. This EFP would not involve the authorization of any additional lobster trap gear in the area. Vessels would collect data from each of four general study areas: The Mid-Atlantic—Chesapeake 50 Fathom Edge; the Southern—Hudson Canyon Area; the Middle—Veatch Canyon Area; and the Northern—Georges Bank and Gulf of Maine Area. The participating vessels may retain on deck sub-legal lobsters, and egg bearing female lobsters, in addition to legal lobsters, for the purpose of collecting the required abundance and size frequency data specified by this project. Data collected would include size, sex, shell disease index, and the total number of legal, sub-legals, berried females, and v-notched females. All sub-legals, berried females, and v-notched female lobsters would be returned to the sea as quickly as possible after data collection. Pursuant to 50 CFR 600.745(b)(3)(v), the

Regional Administrator may attach terms and conditions to the EFP consistent with the purpose of the exempted fishing.

This EFP requests the inclusion of a maximum of one modified lobster trap per vessel, designated as a juvenile lobster collector trap, in the string of approximately 40 traps. This modified lobster trap would have a smaller entrance head, no escape vents and would be made of a smaller mesh than the traditional offshore trap to catch and retain a high percentage of juvenile lobsters in the 30–65 mm carapace length range. The smaller entrance head would exclude large lobsters from this trap and decrease the probability of cannibalism within the trap. The modifications to the trap are to the escape vents, and trap entrance head, not to the trap's size or configuration, therefore this modified trap would impact its environment no differently than the regular lobster trap it replaces. Renewal of this EFP will add no additional traps to the areas. Due to modifications to the escape vent, the EFP proposed to waive the American lobster escape vent requirement specified at 50 CFR 697.21(c) for a maximum of one trap per vessel for a maximum of seven vessels in the program. With the exception of the one modified juvenile lobster collector trap, all traps fished by a maximum of seven participating vessels would comply with all applicable lobster regulations specified at 50 CFR part 697.

All monitoring and data collection would be conducted by seven federally permitted commercial fishing vessels, during the course of regular commercial fishing operations. There would not be observers or researchers onboard the participating vessels.

This project, including the lobster handling protocols, was initially developed in consultation with NMFS and University of New Hampshire scientists. To the greatest extent practicable, these handling protocols are designed to avoid unnecessary adverse environmental impact on lobsters involved in this project, while achieving the data collection objectives of this project.

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

Dated: June 22, 2007.

**James P. Burgess,**

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

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