

determination that the proposed activity is "consistent with the objectives or purposes" of the CZMA, the Secretary must find that: (1) The proposed activity furthers the national interest as articulated in sections 302 or 303 of the CZMA, in a significant or substantial manner; (2) the adverse effects of the proposed activity do not outweigh its contribution to the national interest, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the activity to be conducted in a manner consistent with enforceable policies of the CCC's coastal management program. 15 CFR 930.121.

## II. Opportunity for Federal Agency and Public Comment and Public Hearing

Pursuant to regulation, the public and interested Federal agencies may submit any comments on this appeal from April 28, 2008—May 28, 2008. All comments should be directed in writing to the NOAA Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910 or via e-mail to [gcos.comments@noaa.gov](mailto:gcos.comments@noaa.gov).

Federal regulations also allow for a public hearing for this appeal, occurring at the Secretary's own initiative or upon request. A request for a public hearing must be filed with the Secretary within 30 days of the date of this notice's publication in the **Federal Register**. Such requests should be directed in writing to the Secretary at the following address: Thomas Street, staff attorney, NOAA Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910.

## III. Appeal Documents

NOAA intends to provide the public with access to all publicly available materials and related documents comprising the appeal record during business hours, at the NOAA Office of General Counsel for Ocean Services. For additional information about this appeal, please contact Thomas Street, Attorney-Advisor, NOAA Office of the General Counsel, 301-713-2967, [gcos.inquiries@noaa.gov](mailto:gcos.inquiries@noaa.gov) or Stephanie Campbell, Attorney-Advisor, NOAA Office of the General Counsel, 301-713-2967, [gcos.inquiries@noaa.gov](mailto:gcos.inquiries@noaa.gov).

Dated: March 11, 2008.

**Joel La Bissonniere,**

*Assistant General Counsel for Ocean Services.*

[Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance.]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XG26

### Fisheries of the Exclusive Economic Zone off Alaska; Application for an Exempted Fishing Permit

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

**ACTION:** Notice; receipt of an application for an exempted fishing permit.

**SUMMARY:** This notice announces receipt of an application for an exempted fishing permit (EFP) from the Alaska Groundfish Databank. If granted, this permit would allow the applicant to continue the development and testing of an electronic monitoring system designed to quantify the amount of halibut caught and discarded at sea. This activity is intended to promote the objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) by potentially allowing for an alternative cost effective estimation of halibut bycatch in the rockfish fishery. Comments will be accepted at the April 1-7, 2008, North Pacific Fishery Management Council (Council) meeting in Anchorage, AK.

**DATES:** Interested persons may comment on the EFP application and on the environmental assessment during the Council's April 1-7, 2008, meeting in Anchorage, AK.

**ADDRESSES:** The Council meeting will be held at the Hilton Hotel, 500 West Third Ave., Anchorage, AK.

Copies of the EFP application and the basis for a categorical exclusion under the National Environmental Policy Act are available by writing to the Alaska Region, NMFS, P. O. Box 21668, Juneau, AK 99802, Attn: Ellen Sebastian. The application also is available from the Alaska Region, NMFS website at <http://www.fakr.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Watson, 907-586-7537 or [jennifer.watson@noaa.gov](mailto:jennifer.watson@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS manages the domestic groundfish fisheries in the Gulf of Alaska (GOA) under the FMP. The Council prepared the FMP under the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing the groundfish fisheries of the BSAI appear at 50 CFR parts 600 and 679. The FMP and the implementing regulations at §§ 600.745(b) and 679.6 authorize issuance of EFPs to allow fishing that

would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing regulations. NMFS received an application for an EFP from the Alaska Groundfish Databank on March 3, 2008. The purposes of the EFP project are to continue testing a video-based electronic monitoring (EM) system that is designed to quantify the amount of halibut discarded at sea; to investigate mechanisms for implementing regulations for such a system; and to investigate how EM data can be integrated into the NMFS catch accounting system.

## Background

NMFS issued a final rule to implement the Central GOA rockfish pilot program on November 20, 2006 (71 FR 67210). This program established a quota based fishery organized around fishing cooperatives for vessels and processors with historic participation in the Central GOA rockfish fisheries. Participating cooperatives are given quotas of various rockfish and non-rockfish species as well as sufficient halibut prohibited species quota (PSC) to conduct those fisheries. With the exception of halibut PSC, all quota harvested by catcher vessels must be landed at a participating processor where quota accounting takes place. Halibut PSC must be discarded at-sea and halibut catch is estimated by at-sea observers. In order to credibly account for halibut discard, and to ensure that the discard of other quota species does not occur, NMFS required that observer coverage be increased from 30 to 100% when the program was implemented. Industry is concerned that costs associated with full observer coverage are high relative to the increased revenue of the program. Further, NMFS believes that wherever possible quota catch should be accounted for based on a full census of catch. This is not possible for halibut PSC under the current system. To address these concerns Alaska Groundfish Databank developed, in conjunction with NMFS staff, an alternative approach to manage shoreside rockfish fisheries that could include the use of EM to replace a portion of the required observer coverage.

The EM system is designed to ensure that nothing other than halibut is discarded at sea, and to quantify the amount of halibut discarded. Cameras designed to give an overview of the entire deck are installed to ensure that discard only occurs in a single specified location. Other cameras, focused on the specified location, photograph each halibut as it is discarded. All data from

the cameras, as well as location information from an onboard GPS system, is recorded to disk for review at the end of each trip. Following completion of each trip the data are analyzed to ensure that unauthorized discard did not take place and to estimate the length of each halibut discarded. In 2007, NMFS issued an EFP to conduct research into the viability of this system on a single vessel. While a final report on this project has not been completed, a preliminary review of the data would indicate that the system is effective at accomplishing these goals. This EFP would continue that research on a larger number of vessels fishing under non-experimental conditions and would focus on issues associated with implementation rather than on a technical or scientific assessment of the EM system itself.

To continue testing the EM system, exemptions would be necessary from regulations for observer coverage. Among the goals of this project are to determine the extent to which crew behavior changes when an observer is present and to attempt to mimic a regulatory environment in which a portion of the observer coverage is replaced by an EM system. In order to investigate these issues in a cost effective manner that ensures participation in the EFP fishery, it will be necessary to reduce observer coverage levels for vessels participating in the project to the pre-rockfish pilot program levels of 30%. Because participating vessels will be monitored electronically, such a reduction is not expected to change actual fishing behavior, trip duration, or the amount of fish harvested.

The activities proposed to be conducted under the EFP are not expected to have a significant impact on the human environment as detailed in the categorical exclusion issued for this action (see **ADDRESSES**).

In accordance with § 679.6, NMFS has determined that the proposal warrants further consideration and has forwarded the application to the Council to initiate consultation. The Council will consider the EFP application during its April 1–7, 2008, meeting, which will be held at the Hilton Hotel in Anchorage, Alaska. The applicant has been invited to appear in support of the application.

#### Public Comments

Interested persons may comment on the application at the April 2008 Council meeting during public testimony. Information regarding the meeting is available at the Council's website at <http://www.fakr.noaa.gov/>

[nfmfc/council.htm](http://nfmfc/council.htm). Copies of the application and categorical exclusion are available for review from NMFS (see **ADDRESSES**).

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

**Dated:** March 12, 2008.

**Emily H. Menashes,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration (NOAA)

#### Revised Draft Framework for Developing the National System of Marine Protected Areas and Response to Comments

**AGENCY:** NOAA, Department of Commerce (DOC).

**ACTION:** Notice of availability and solicitation of public comments on the Revised Draft Framework for Developing the National System of Marine Protected Areas.

**SUMMARY:** NOAA and the Department of the Interior (DOI) jointly propose the Revised Draft Framework for Developing the National System of Marine Protected Areas (Revised Draft Framework), as required by Executive Order 13158 on Marine Protected Areas (MPAs). This Revised Draft Framework provides overarching guidance for collaborative efforts among federal, state, tribal and local governments and stakeholders to develop an effective National System of MPAs (National System) from existing sites, build coordination and collaborative efforts, and identify ecosystem-based gaps in the protection of significant natural and cultural resources for possible future action by the nation's MPA authorities. The document further provides the guiding principles, key definitions, goals, and objectives for the National System, based on the breadth of input received from MPA stakeholders and governmental partners around the nation over the past several years. The intent of this document is to summarize and respond to comments received on the initial draft document during the September 2006 through February 2007 public comment period, and solicit additional public input on the proposed Revised Draft Framework in order to develop a final document that meets the nation's interests in the National System. The Revised Draft Framework incorporates significant modifications based on due consideration of all

comments and recommendations received on the initial draft document. At the end of the comment period on this Revised Draft Framework, NOAA will publish the final Framework, again with consideration of input received.

**DATES:** Comments must be received before 11:59 p.m. EDT, April 16, 2008.

**ADDRESSES:** All comments regarding the Revised Draft Framework should be submitted to Joseph Uravitch, National MPA Center, N/ORM, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910. Comments sent via e-mail should be sent to [mpa.comments@noaa.gov](mailto:mpa.comments@noaa.gov), and all comments sent by fax should be sent to 301–713–3110. E-mail and fax comments should state “Revised Draft Framework Comments” in the subject line.

#### FOR FURTHER INFORMATION CONTACT:

Please direct all questions and requests for additional information concerning the Revised Draft Framework, as well as for paper copies of the document to: Lauren Wenzel, NOAA, at 301–713–3100, or via e-mail at [mpa.comments@noaa.gov](mailto:mpa.comments@noaa.gov). E-mail requests should state either “Question” or “Paper Copy Request” in the subject line. An electronic copy of the Revised Draft Framework is available for download at <http://www.mpa.gov/>.

**SUPPLEMENTARY INFORMATION:** The National Oceanic and Atmospheric Administration's (NOAA) National Marine Protected Areas Center (MPA Center), in cooperation with the Department of the Interior (DOI), has developed this *Revised Draft Framework for Developing the National System of MPAs* (Revised Draft Framework) to meet requirements under Executive Order 13158 on Marine Protected Areas. The purpose of this notice is to solicit additional input and comments on the Revised Draft Framework from governments and stakeholders in order to ensure that the final document represents the diversity of the nation's interests in the marine environment and MPAs. The Revised Draft Framework incorporates significant modifications based on due consideration of comments and recommendations received on the initial draft document during the September 2006 through February 2007 public comment period.

Increasing impacts on the world's oceans from development, overfishing, a changing climate, and natural events are straining the health of coastal, Great Lakes, and marine ecosystems. Impacts to these intricately balanced environments include declining fish populations, degradation of coral reefs and other vital habitats, threats to rare or endangered species, and loss of