

TABLE 1. SUMMARY TABLE OF BIOMASS AND FISHING MORTALITY FOR SMALL COASTAL SHARKS (SCS).

Source: SEDAR 13 Stock Assessment Panel, July 9, 2007. Age-structured State-Space Age-Structured Production Models (SPASMs) were used for bonnethead, Atlantic sharpnose, and blacknose sharks. Surplus production Bayesian Surplus Production (BSP) models were used for the SCS complex and finetooth sharks.

Species	Current Relative Biomass Level*	Current Biomass (N <sub>2005</sub> )	Stock Abundance (N <sub>MSY</sub> )	Minimum Stock Size Threshold (MSST)	Current Relative Fishing Mortality Rate (F <sub>2005</sub> /F <sub>MSY</sub> )	Maximum Fishing Mortality Threshold (F <sub>MSY</sub> )	Outlook
Atlantic Sharpnose Sharks	1.47 (SSF <sub>2005</sub> / SSF <sub>MSY</sub> )	5.96E+06	4.45E+06	4.09E+06	0.74	0.19	Not overfished; overfishing is not occurring
Blacknose Sharks	0.48 (SSF <sub>2005</sub> / SSF <sub>MSY</sub> )	3.49E+05	5.7E+05	4.3E+05	3.77	0.07	Overfished; Overfishing is occurring
Bonnethead Sharks	1.13 (SSF <sub>2005</sub> / SSF <sub>MSY</sub> )	1.59E+06	1.92E+06	1.4E+06	0.61	0.31	Not overfished; overfishing is not occurring
Finetooth Sharks	1.80 (N <sub>2005</sub> /N <sub>MSY</sub> )	6.00E+06	3.20E+06	2.4E+06	0.17	0.03	Not overfished; Overfishing is not occurring

\*Spawning stock fecundity (SSF) or spawning stock number (SSN) was used as a proxy of biomass when biomass (B) does not influence pup production in sharks. For finetooth stocks, N was used to estimate biomass levels due to data limitations; therefore, only surplus production models were run.

### Request for Comments

Currently, both commercial and recreational fishermen may target Atlantic sharpnose, blacknose, finetooth, and bonnethead sharks. Commercial regulations for SCS species include, but are not limited to, no retention limit for directed permit holders, 16 pelagic and SCS species combined per vessel per trip for incidental permit holders, and annual quota of 454 mt dw split between three regions (North Atlantic, South Atlantic, and Gulf of Mexico). Amendment 2 to the Consolidated HMS FMP proposed combining the SCS regions into one (71 FR 41392). Recreational regulations for SCS species include, but are not limited to, retention limit of 1 shark per vessel per trip with a 4.5-ft (54-in) fork length minimum size, plus 1 Atlantic sharpnose and 1 bonnethead per person per trip (no minimum size).

NMFS anticipates changes to shark management as a result of the latest SCS stock assessment and requests comments on a variety of management options for this action. Specifically, NMFS requests comments on commercial management options including, but not limited to, quota levels, regional and seasonal quotas, trip limits, minimum sizes, quota monitoring, authorized gears, permit structure, and prohibited species. In addition, NMFS is seeking comments on recreational management options

including, but not limited to, retention limits, minimum sizes, authorized gears, and landing requirements. NMFS also seeks comments on display quotas and collection of sharks through exempted fishing permits, display permits, and scientific research permits. Comments received on this action will assist NMFS in determining the options for rulemaking to conserve and manage shark resources and shark fisheries, consistent with the Magnuson-Stevens Act and the Consolidated HMS FMP. Specifically, comments are requested on management measures to reduce fishing mortality on blacknose sharks in shrimp trawl fisheries because a significant proportion of fishing mortality is occurring in these fisheries as bycatch.

NMFS will hold scoping meetings to gather public comment on the implementation of new management measures for SCS (time and location details of which will be announced in a subsequent **Federal Register** notification).

Based on the 2007 stock assessment, NMFS believes the implementation of new management measures via an amendment to the Consolidated HMS FMP is necessary to rebuild blacknose sharks. NMFS anticipates completing this amendment and any related documents by January 1, 2010.

Dated: May 1, 2008.

**Emily H. Menashes**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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**BILLING CODE 3510-22-S**

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### Federal Consistency Appeals by Weaver's Cove Energy, LLC, and Mill River Pipeline, LLC

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (Commerce).

**ACTION:** Notice of closure—administrative appeal decision records.

**SUMMARY:** This announcement provides notice that the decision records for two administrative appeals filed with the Department of Commerce by Weaver's Cove Energy, LLC, and Mill River Pipeline, LLC, have been closed.

**DATES:** The decision records for these two administrative appeals were closed on May 5, 2008.

**ADDRESSES:** Materials from the appeal records are available at the Internet site <http://www.ogc.gov/czma.htm> and at the Office of General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S.

Department of Commerce, 1305 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Brett Grosko, Attorney-Advisor, Office of General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, via e-mail at [Brett.Grosko@noaa.gov](mailto:Brett.Grosko@noaa.gov), or 301-713-7384.

**SUPPLEMENTARY INFORMATION:** On August 27, 2007, Weaver's Cove Energy, LLC, and Mill River Pipeline, LLC, separately filed notices of appeal with the Secretary of Commerce (Secretary) pursuant to section 307(c)(3)(A) of the Coastal Zone Management Act of 1972 (CZMA), as amended, 16 U.S.C. 1451 *et seq.*, and the Department of Commerce's implementing regulations, 15 CFR part 930, subpart H. These appeals were taken from objections by the Commonwealth of Massachusetts to the issuance of certain federal licenses necessary to construct and operate a liquefied natural gas terminal and two associated natural gas pipelines, to be located in Fall River, Massachusetts. Both appeals request the Secretary override the State's objections on grounds the proposed project allegedly is consistent with the objectives of the CZMA, and necessary in the interest of national security. Decisions for CZMA administrative appeals are based on information contained in the decision record for the appeal. These two appeals have been consolidated for decision.

Under the CZMA, the decision record for an appeal must close no later than 220 days after notice of the appeal was first published in the **Federal Register**. 16 U.S.C. 1465. Notice of closure must be published in the **Federal Register**. Consistent with this requirement, notice is hereby provided that the decision records for these appeals were closed on May 5, 2008. No further information, briefs or comments will be considered in deciding these appeals.

A final decision on these appeals must be issued no later than 60 days after the date of the publication of this notice. 16 U.S.C. 1465(c)(1). The deadline may be extended by publishing (within the 60-day period) a subsequent notice explaining why a decision cannot be issued within that time frame. 16 U.S.C. 1465(c)(1). In this event, a final decision must be issued no later than 15 days after the date of publication of the subsequent notice. 16 U.S.C. 1465(c)(2).

Additional information about these appeals and the CZMA appeals process is available from the Department of Commerce CZMA appeals Web site: <http://www.ogc.doc.gov/czma.htm>.

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

Dated: May 1, 2008.

**Joel La Bissonniere,**  
*Assistant General Counsel for Ocean Services.*  
[FR Doc. E8-10012 Filed 5-6-08; 8:45 am]  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XH64**

#### Endangered Species; File No. 1614-01

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

**ACTION:** Notice; issuance of permit modification.

**SUMMARY:** Notice is hereby given that the NOAA Fisheries Northeast Region Protected Resources Division (Responsible Party: Mary Colligan), One Blackburn Drive, Gloucester, MA 01930, has been issued a modification to scientific research Permit No. 1614.

**ADDRESSES:** The modification and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521;

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9300; fax (978)281-9394; and

Southeast Region, NMFS, 263 13th Ave South, St. Petersburg, FL 33701; phone (727)824-5312; fax (727)824-5309.

**FOR FURTHER INFORMATION CONTACT:** Brandy Belmas or Jennifer Skidmore, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On March 25, 2008, notice was published in the **Federal Register** (73 FR 15741) that a modification of Permit No. 1614, issued February 28, 2008 (73 FR 11873), had been requested by the above-named organization. The requested modification has been granted under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

In addition to all activities authorized under Permit No. 1614, this

modification increases the number of dead, captive bred shortnose sturgeon (*Acipenser brevirostrum*) received from authorized U.S. facilities up to 350 individuals each year. Obtaining these additional sturgeon will aid researchers in meeting their research objectives, which include reviewing shortnose sturgeon research procedures and developing necropsy protocols.

Issuance of this modification, as required by the ESA was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: May 2, 2008.

**P. Michael Payne,**  
*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XH71**

#### Marine Mammals; File No. 540-1811

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

**ACTION:** Notice; receipt of application for amendment.

**SUMMARY:** Notice is hereby given that Mr. John Calambokidis, Cascadia Research Collective, Waterstreet Building, 218 1/2 West Fourth Avenue, Olympia, WA 98501, has requested an amendment to scientific research Permit No. 540-1811.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before June 6, 2008.

**ADDRESSES:** The amendment request and related documents are available for review upon written request or by appointment: (See **SUPPLEMENTARY INFORMATION**).

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular amendment request would be appropriate.