

**FOR FURTHER INFORMATION CONTACT:** Council staff, Jane Dicosimo; telephone: (907) 271-2809.

**SUPPLEMENTARY INFORMATION:** Review Joint Protocol; Status of Steller Sea Lion Biological Opinion; Discuss Board proposals potentially affecting federal groundfish fisheries; Status of proposed GOA cod federal actions; Status of chum salmon bycatch action; Crab and Scallop annual catch limits; Update on Council community outreach; Update on Walrus and fishery interaction issues; Update on Arctic Fishery Management Plan; Update on Federal Observer Program changes; Other business. The Agenda is subject to change, and the latest version will be posted at <http://www.alaskafisheries.noaa.gov/npfmc/>.

Although other non-emergency issues not on the agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take action to address the emergency.

#### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen at (907) 271-2809 at least 7 working days prior to the meeting date.

Dated: November 9, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-27265 Filed 11-12-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XS85**

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

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council will convene a

joint meeting of the Standing and Special Reef Fish Scientific and Statistical Committees.

**DATES:** The meeting will convene at 1 p.m. on Tuesday, December 1, 2009 and conclude by 12 p.m. on Thursday, December 3, 2009. The meeting will be webcast over the internet. A link to the webcast will be available on the Council's web site, <http://www.gulfcouncil.org>.

**ADDRESSES:** The meeting will be held at the Hilton, 901 Airline Drive, Kenner, LA 70062.

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

**FOR FURTHER INFORMATION CONTACT:** Steven Atran, Population Dynamics Statistician; Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:** On the first day of the meeting, the Standing and Special Reef Fish Scientific and Statistical Committees and the Red Snapper Advisory Panel will meet jointly to hear a presentation on the update stock assessment for red snapper. Following the presentation, the Scientific and Statistical Committees and Advisory Panel will reconvene separately to continue any discussion of the update stock assessment and make any management recommendations. The Scientific and Statistical Committees will evaluate the adequacy of the assessment for management purposes and will recommend a level of acceptable biological catch. The acceptable biological catch is a catch level which the Council cannot exceed when setting the annual catch limit for red snapper. The Scientific and Statistical Committees will also review a draft Acceptable Biological Catch Control Rule that is being developed by an Acceptable Biological Catch Control Rule Working Group, will discuss acceptable biological catch Control rules for data-moderate and data-poor stocks, review analyses of species groupings and recommend groupings for Acceptable Biological Catches, and discuss the next steps to take in the development of acceptable biological catch control rules. The recommendations made by the Scientific and Statistical Committees will be presented to the Council at its February 1 - 4, 2010 meeting in Mobile, AL.

Copies of the agenda and other related materials can be obtained by calling (813) 348-1630 or can be downloaded from the Council's ftp site, <ftp.gulfcouncil.org>.

Although other non-emergency issues not on the agenda may come before the Scientific and Statistical Committees for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Actions of the Scientific and Statistical Committees will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take 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 Tina O'Hern at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: November 9, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-27266 Filed 11-12-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XS86**

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

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene a meeting of the Red Snapper Advisory Panel.

**DATES:** The meeting will convene at 1 p.m. on Tuesday, December 1, 2009 and conclude by 3 p.m. on Wednesday, December 2, 2009. The meeting will be webcast over the internet. A link to the webcast will be available on the Council's web site, <http://www.gulfcouncil.org>.

**ADDRESSES:** The meeting will be held at the Hilton, 901 Airline Drive, Kenner, LA 70062.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 N.

Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Dr. Carrie Simmons, Fishery Biologist; Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:** On the first day of the meeting, the Standing and Special Reef Fish Scientific and Statistical Committees and the Red Snapper Advisory Panel will meet jointly to hear a presentation on the update stock assessment for red snapper. Following the presentation, Special Reef Fish Scientific and Statistical Committees and the Red Snapper Advisory Panel will reconvene separately to continue any discussion of the update stock assessment and make any management recommendations. Other issues on the agenda include: red snapper season openings and closings, settlements for recreational fishing violations, and potential donation of seized catches. There will also be election of a chair and vice-chair. The comments and recommendations made by the Red Snapper Advisory Panel will be presented to the Council at its February 1 - 4, 2010 meeting in Mobile, AL.

Copies of the agenda and other related materials can be obtained by calling (813) 348-1630 or can be downloaded from the Council's ftp site, [ftp.gulfcouncil.org](ftp:gulfcouncil.org).

Although other non-emergency issues not on the agenda may come before the Advisory Panel for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Actions of the Advisory Panel will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take action to address the emergency.

#### 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 O'Hern at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: November 9, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-27267 Filed 11-12-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**RIN 0648-XS76**

### Multi-species Habitat Conservation Plan

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

**ACTION:** Notice of availability of draft environmental impact statement, multi-species habitat conservation plan, and receipt of application; notice of public meeting.

**SUMMARY:** This notice announces the availability of a Draft Environmental Impact Statement (DEIS), proposed Multi-Species Habitat Conservation Plan (HCP), and associated Implementation Agreement (IA), for public review and comment. Fruit Growers Supply Company has submitted separate applications to the National Marine Fisheries Service (NMFS) and to the U.S. Fish and Wildlife Service (FWS) for 50-year incidental take permits under section 10 of the Endangered Species Act (ESA) of 1973, as amended.

**DATES:** Written comments on the proposed HCP, IA, and DEIS must be received by 5 p.m. Pacific Time on February 11, 2010.

**ADDRESSES:** Address all comments concerning the proposed HCP and DEIS to Lisa Roberts, and send by any one of the following methods, U.S. Mail: National Marine Fisheries Service, Arcata Area Office, 1655 Heindon Rd, Arcata, CA 95521; Fax: (707) 825-4840; E-mail: [FGSHCP.SWR@noaa.gov](mailto:FGSHCP.SWR@noaa.gov). In the subject line of the e-mail, include the document identifier: FGS HCP.

A public meeting will be held on December 2, 2009, 6-8 p.m. at the Best Western Miners Inn Convention Center, 122 East Miner Street, Yreka, CA 96097.

**FOR FURTHER INFORMATION CONTACT:** For further information, or to receive a copy of the documents, please contact Lisa Roberts, Fisheries Biologist, National Marine Fisheries Service, (707) 825-5178. The HCP and DEIS are also available electronically for review on the NMFS Southwest Region website at: <http://swr.nmfs.noaa.gov>, or the FWS Yreka office website at: [www.fws.gov/yreka/](http://www.fws.gov/yreka/).

**SUPPLEMENTARY INFORMATION:** The documents being made available include (1) the proposed HCP, (2) the IA, and (3) the DEIS. This notice is provided pursuant to the ESA and the National Environmental Policy Act (NEPA) as amended. NMFS and FWS are furnishing this notice to allow other agencies and the public an opportunity to review and comment on these documents. All comments received will become part of the public record for this action. Hard bound copies of the HCP, IA, and DEIS are available for viewing, or for partial or complete duplication, at the following locations:

1. Siskiyou County Library, 719 4th St., Yreka, CA 96097.
2. Humboldt County Library, 1313 3rd St., Eureka, CA 95501.
3. Del Norte County Library, 190 Price Mall, Crescent City, CA 95531.
4. National Marine Fisheries Service, 1655 Heindon Rd., Arcata, CA 95521.
5. Yreka Fish and Wildlife Office, 1829 South Oregon St., Yreka, CA 96097.

### Background

Section 9 of the ESA prohibits the "take" of wildlife species listed as endangered or threatened by either the FWS or NMFS (16 USC 1538). The ESA defines the term "take" as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species, or attempt to engage in such conduct. "Harm" is defined to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, spawning, migrating, rearing, and sheltering (64 FR 60727). Pursuant to section 10(a)(1)(B) of the ESA, FWS and NMFS may issue ITPs authorizing the take of listed species if, among other things, such taking is incidental to, and not the purpose of, otherwise lawful activities.

Take of listed plant species is not prohibited under the ESA, and cannot be authorized under a section 10 permit. However, the applicant proposes to include Yreka phlox (*Phlox hirsuta*) in the HCP to extend the plan's conservation benefits to this species. The applicant would receive assurances under the "No Surprises" regulations found in 50 CFR 17.22(b)(5), 17.32(b)(5), and 222.307(g) for all proposed covered species in the ITP.

To receive an ITP under the ESA, an applicant must prepare an HCP that specifies the following: (1) the impact of the taking; (2) steps the applicant will take to minimize and mitigate the impact; (3) funding available to implement the steps; (4) what