

**SUMMARY:** The Deputy Director, Office of Sustainable Fisheries, has made a preliminary determination that the subject exempted fishing permit (EFP) application submitted by Limuli Laboratories of Cape May Court House, NJ, contains all the required information and warrants further consideration. The proposed EFP would allow the harvest of up to 10,000 horseshoe crabs from the Carl N. Shuster Jr. Horseshoe Crab Reserve (Reserve) 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. The Deputy Director has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Atlantic States Marine Fisheries Commission's (Commission) Horseshoe Crab Interstate Fisheries Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Deputy Director proposes to recommend that an EFP be issued that would allow up to two commercial fishing vessels to conduct fishing operations that are otherwise restricted by the regulations promulgated under the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act). The EFP would allow for an exemption from the Reserve.

Regulations under the Atlantic Coastal Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Written comments on this action must be received on or before June 4, 2013.

**ADDRESSES:** Written comments should be sent to Emily Menashes, Deputy 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 email to: [derek.ornier@noaa.gov](mailto:derek.ornier@noaa.gov). Include in the subject line of the email comment the following document identifier: "Horseshoe Crab EFP Proposal Comments."

**FOR FURTHER INFORMATION CONTACT:** Derek Orner, Office of Sustainable Fisheries, (301) 427-8567.

**SUPPLEMENTARY INFORMATION:**

**Background**

Limuli Laboratories submitted an application for an EFP dated January 9,

2013, to collect up to 10,000 horseshoe crabs for biomedical and data collection purposes from the Reserve. The applicant has applied for, and received, a similar EFP every year from 2001–2012. The current EFP application specifies that: (1) The same methods would be used in 2013 that were used in years 2001–2012, (2) at least 15 percent of the bled horseshoe crabs would be tagged, 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. The project submitted by Limuli Laboratories would provide morphological data on horseshoe crab catch, would tag a portion of the caught horseshoe crabs, and would use the blood from the caught horseshoe crabs to manufacture Limulus Amebocyte Lysate (LAL), an important health and safety product used for the detection of endotoxins. The LAL assay is used by medical professionals, drug companies, and pharmacies to detect endotoxins in intravenous pharmaceuticals and medical devices that come into contact with human blood or spinal fluid.

**Result of 2012 EFP**

No horseshoe crabs were collected from the Reserve by the applicant during the 2012 season. Thus, no results were submitted. The last year in which the applicant actually collected horseshoe crabs authorized under an EFP was 2011. Results from 2011 were published in the **Federal Register** on September 10, 2012 (77 FR 55457), and thus are not repeated here. Data collected under previous EFPs were supplied to NMFS, the Commission and the State of New Jersey.

**Proposed 2013 EFP**

Limuli Laboratories proposes to conduct an exempted fishery operation using the same means, methods, and seasons proposed/utilized during the EFPs in 2001–2012. Limuli proposes to continue to tag at least 15 percent of the bled horseshoe crabs as they did in 2011. NMFS would require that the following terms and conditions be met for issuance and continuation of the EFP for 2013:

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 5½ 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. 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

6. Requiring that any turtle take be reported to NMFS, Northeast Region, Assistant Regional Administrator of Protected Resources Division, within 24 hours of returning from the trip in which the incidental take occurred.

As part of the terms and conditions of the EFP, for all horseshoe crabs bled for LAL, NMFS would require that the EFP holder provide data on sex ratio and daily harvest. Also, the EFP holder would be required to examine at least 200 horseshoe crabs for morphometric data. Terms and conditions may be added or amended prior to the issuance of the EFP.

The proposed EFP would exempt two commercial vessels from regulations at 50 CFR 697.7(e) and 697.23(f), which prohibit the harvest and possession of horseshoe crabs from the Reserve on a vessel with a trawl or dredge gear aboard.

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

Dated: May 15, 2013.

**Kara Meckley,**

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

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XC691**

**Western Pacific Fishery Management Council; Public Meetings**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Western Pacific Regional Fishery Management Council's (Council) will convene meetings of its Hawaii, American Samoa, Guam and Commonwealth of the Mariana Islands (CNMI) Archipelagic Advisory Panels (APs) and the Hawaii Regional Ecosystem Advisory Committee (REAC) (see **SUPPLEMENTARY INFORMATION** for specific times, dates, and agenda items).

**DATES:** The Guam AP will be held on June 3, 2013, from 6 p.m.–10 p.m. The American Samoa AP will be held on June 5, 2013 from 2 p.m. to 6 p.m. The CNMI AP will be held on June 5, 2013 from 10 p.m.–5 p.m. The Hawaii AP will be held on June 13, 2013 from 9 a.m.–2 p.m. The Hawaii REAC will be held on June 12, 2013, from 9 a.m. to 4 p.m.

**ADDRESSES:** The Guam AP meeting will be held at the Guam Fishermen's Cooperative, Greg D. Perez Marina, Hagatna Boat Basin, Guam, phone: (671) 472-6323. The American Samoa AP will be held at Toa's Bar and Grill Conference Room, Lions Park Road Nu'uuli Village, American Samoa, phone: (684) 699-2901. The CNMI AP will be held at the Conference Room, Department of Lands and Natural Resources Lower Base Drive, Saipan, CNMI, phone: (670) 664-6000. The Hawaii AP and the Hawaii REAC meetings will be held at the Western Pacific Regional Fishery Management Council office, 1164 Bishop Street, Suite 1400, Honolulu, HI, phone (808) 522-8220.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

**SUPPLEMENTARY INFORMATION:**

**Agenda for Guam AP, June 3, 2013, 6 p.m.–10 p.m.**

1. Welcome and introduction
2. Update on previous AP recommendations
3. Update on Roles and Responsibilities of AP
3. Review of Council Issues
  - A. Pelagic and International fisheries
  - B. Insular Fisheries
  - C. Protected Species
  - D. Annual Catch Limits
  - E. Fishery Community Engagement
4. Guam AP issues
5. Discussion and AP Recommendations to Council

**Agenda for American Samoa AP, June 5, 2013, 2 p.m.–6 p.m.**

1. Welcome and introduction
2. Update on previous AP recommendations
3. Update on Roles and Responsibilities of AP

4. Annual Catch Limits
5. Update on AS Fishermen Database
6. Revision of American Samoa longline swordfish catch limit
7. Review of minimum 100 m hook depth for American Samoa longline fishery
8. Dock issues in Pago Pago Harbor
9. Incentive program for local fishermen to promote fishing and provision of catch data
10. Equipment store at the Fagatogo Marketplace
11. Fishing issues at Aunu'u with new Sanctuary regulations
12. Potential training opportunities for AP Members
13. Potential funding sources to assist local small fishing boat owners
14. AP outreach out to Manu'a fishermen
15. Discussion and AP Recommendations to Council

**Agenda for CNMI AP, June 7, 2013, 1 p.m.–5 p.m.**

1. Welcome and introduction
2. Election of Chairman
3. Advisory Panel Duties
4. Department of Defense Training Proposals
5. Proposed Fisheries Legislations
6. Update on CNMI Fisheries Review Committee
7. Update on CNMI Bio-sampling Program
8. Status of Endangered Species Act (ESA) Listings
9. Marine Conservation Plan Updates
10. Fisheries Development Projects
11. Upcoming Council Actions and Annual Catch Limits
12. Other Business
13. Public Comment
14. Discussion and AP Recommendations to Council

**Hawaii AP Agenda, June 13, 2013, 9 a.m.–2 p.m.**

1. Welcome and introduction
2. Update on previous AP recommendations
3. Update on Roles and Responsibilities of AP
3. Review of Council Issues
  - A. Pelagic and International fisheries
  - B. Insular Fisheries
  - C. Protected Species
  - D. Annual Catch Limits
  - E. Fishery Community Engagement
4. Hawaii AP issues
5. Discussion and AP Recommendations to Council

**Hawaii REAC agenda, June 12, 2013, 9 a.m.–4 p.m.**

1. Welcome and introduction
2. Approval of Agenda
3. Update on REAC 2012 Recommendations and activities

4. Assessing Ecosystem Effects in Climate Change
  - A. Effects of sea-level rise on Hawaii Coastal Communities
  - B. Ocean acidification
  - C. Climate change impacts on marine ecosystems
  - D. Understanding potential impacts to Hawaii Fisheries
    - i. Offshore fisheries
    - ii. Coastal fisheries
5. Break
6. Agency Perspectives on climate change and cultural resource adaptation
7. Management planning for Climate Change Impact
8. Discussion and Recommendations
9. Public Comment
10. Other Business
11. Recommendations

Although non-emergency issues not contained in this agenda may come before these groups for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final 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 Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

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

Dated: May 15, 2013.

**Tracey L. Thompson,**

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

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Docket ID: DoD-2013-OS-0051]

**Proposed Collection; Comment Request**

**AGENCY:** Defense Prisoner of War/ Missing Personnel Office, DoD.

**ACTION:** Notice.