

**SUMMARY:** The SEDAR 38 stock assessment of South Atlantic and Gulf of Mexico King Mackerel: A Data Workshop; an Assessment Workshop and webinars; and a Review Workshop. All workshops are open to the public. See **SUPPLEMENTARY INFORMATION**.

**DATES:** The SEDAR 38 Data Workshop will be held from 1 p.m. on December 9, 2013 until 12 p.m. on December 13, 2013; the Assessment Workshop, Assessment webinars and Review Workshop dates and times will publish in a subsequent issue in the **Federal Register**. See **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:**

*Meeting address:* The SEDAR 35 Data Workshop will be held at the Crowne Plaza Hotel, 4831 Tanger Outlet Boulevard, North Charleston, SC 29418; telephone: (843) 744-4422.

*SEDAR address:* 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.

**FOR FURTHER INFORMATION CONTACT:** Julie Neer, SEDAR Coordinator; telephone: (843) 571-4366 or toll free: (866) SAFMC-10; fax: (843) 769-4520; email: [Julie.Neer@safmc.net](mailto:Julie.Neer@safmc.net).

**SUPPLEMENTARY INFORMATION:** The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three step process including: (1) Data Workshop; (2) Assessment Process utilizing a workshop and webinars; and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office and Southeast Fisheries Science Center. Participants include: Data collectors and

database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and non-governmental organizations (NGOs); international experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion in the SEDAR 38 Data Workshop agenda are as follows:

1. An assessment data set and associated documentation will be developed.
2. Participants will evaluate all available data and select appropriate sources for providing information on life history characteristics, catch statistics, discard estimates, length and age composition, and fishery dependent and fishery independent measures of stock abundance, as specified in the Terms of Reference for the workshop.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during these meetings. Action 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 Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 3 days prior to the meeting.

**Note:** The times and sequence specified in this agenda are subject to change.

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

Dated: November 12, 2013.

**Tracey L. Thompson,**

*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-XC979**

**Caribbean 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 Caribbean Fishery Management Council's Advisory Panel (AP) will meet.

**DATES:** The meeting will be held on December 10, 2013, from 10 a.m. to 4:30 p.m.

**ADDRESSES:** The meeting will be held at the Windward Passage Hotel, St. Thomas, USVI.

**FOR FURTHER INFORMATION CONTACT:**

Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918, telephone: (787) 766-5926.

**SUPPLEMENTARY INFORMATION:** The AP will meet to discuss the items contained in the following agenda:

- Call to Order
- Adoption of Agenda
- Update of New Model for Socio-Economic Considerations in Closed Seasons to Comply With ACL
- Discussion
- Recommendations to CFMC
- Other Business

The AP meeting will convene on December 10, 2013, from 10 a.m. until 4:30 p.m.

The meeting is open to the public, and will be conducted in English. However, simultaneous interpretation (English-Spanish) will be provided. Fishers and other interested persons are invited to attend and participate with oral or written statements regarding agenda issues.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice 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 final action to address the emergency.

**Special Accommodations**

This meeting is physically accessible to people with disabilities. For more information or request for sign language interpretation and/or other auxiliary aids, please contact Mr. Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918, telephone (787) 766-5926, at least 5 days prior to the meeting date.

Dated: November 12, 2013.

**Tracey L. Thompson,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XC726

#### Final NOAA Procedures for Government-to-Government Consultation With Federally Recognized Indian Tribes and Alaska Native Corporations

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

**ACTION:** Notice of Final Handbook.

**SUMMARY:** In compliance with Executive Order (E.O.) 13175, "Consultation and Coordination with Indian Tribal Governments" (November 6, 2000), the Department of Commerce (Department) adopted a Tribal Consultation and Coordination policy statement. This policy establishes the manner in which NOAA works with Federally recognized Indian Tribes when developing NOAA policies that have Tribal implications. This Handbook is intended to assist NOAA, including its regional and field staff, in conducting effective government-to-government consultations and fulfill NOAA's obligations under E.O. 13175 and Department Administrative Order 218-8 on Consultation and Coordination with Indian Tribal Governments, and the Department of Commerce Tribal Consultation and Coordination Policy.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or an electronic copy of the final Handbook should be directed to Linda Belton, NOAA Tribal Liaison, NOAA Office of Legislative and Intergovernmental Affairs, U.S. Department of Commerce, NOAA, 1401 Constitution Ave. NW., Washington, DC 20233, telephone (202) 482-5447, email at [Linda.Belton@noaa.gov](mailto:Linda.Belton@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

E.O. 13175 states that it is the policy of the United States to ensure "regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications . . . ." In addition, E.O. 13175 affirms the unique legal and political relationship between

the United States and Indian Tribal governments as set forth in the Constitution of the United States, treaties, statutes, executive orders and judicial decisions; and commits the United States to work with Indian Tribes on a government-to-government basis to address issues concerning Tribal trust resources and Indian Tribal treaty rights. E.O. 13175 also recognizes the right of Indian Tribes to self-government and acknowledges that Indian Tribes exercise inherent sovereign powers over their members and territory. On November 5, 2009, President Barack Obama issued a Presidential memorandum charging Federal agencies with strengthening the government-to-government relationship between the United States and Indian Tribes and engaging in regular and meaningful consultation and collaboration with Tribal officials in the development of Federal policies that have Tribal implications. To achieve these objectives, the Presidential memorandum recommits the Federal agencies to the full implementation of E.O. 13175.

On May 21, 2013, Acting Secretary Rebecca Blank issued a new Tribal Consultation and Coordination Policy for the Department of Commerce (DOC Policy) <http://www.gpo.gov/fdsys/pkg/FR-2013-06-04/pdf/2013-13052.pdf>. The DOC Policy describes the manner in which the Department works with Tribes on a government-to-government basis when formulating or implementing policies that have Tribal implications. The DOC Policy outlines consultation procedures for all operating units within the Department of Commerce.

This final Handbook of NOAA Procedures for Government-to-Government Consultation with Federally Recognized Indian Tribes and Alaska Native Corporations (Handbook) <http://www.legislative.noaa.gov/tribalrelations.html> responds to President Obama's November 5, 2009, memorandum and the principles expressed in E.O. 13175 and the DOC policy. The Handbook is intended only for NOAA internal management purposes and does not create any right or benefit, substantive or procedural, enforceable against the United States, its agencies, entities, or instrumentalities, its officers or employees, or any other person.

##### Summary of Comments Received in Response to the Draft Handbook

On June 24, 2013, NOAA published a notice and request for comments on a draft "NOAA Procedures for Government-to-Government

Consultation with Federally Recognized Indian Tribes" in the **Federal Register** (78 FR 37795). In response, NOAA received letters from 10 different entities, with approximately 25 unique comments. A summary of comments received and NOAA's responses to those comments are presented below. The notice also includes comments received from two national webinars held on July 17, 2013, and August 13, 2013.

##### General Comments and Recommendations

*Comment 1:* The Handbook should strengthen consultation by requiring a Tribal Liaison in each Line Office and Regional Office.

*Response:* NOAA will have Tribal Liaisons in all Line Offices. NOAA recognizes that requiring a Tribal Liaison in each region is ideal. However, funding is a significant constraint on NOAA's ability to commit to this level of staffing. NOAA intends for each region to determine its capacity to provide a Tribal Liaison in accordance with its budget priorities. NOAA does not adopt this recommendation for the reasons identified, but encourages Regional Offices to establish such a position if warranted.

*Comment 2:* Tribes should be involved in training NOAA Employees.

*Response:* NOAA encourages the development of joint training opportunities with Tribes to improve communication and efficiency in the conduct of government-to-government consultations. NOAA will seek to send staff to attend to training to which a Tribe extends an invitation to the extent practicable given existing agency workload responsibilities and resource limitations. In addition, NOAA will make every effort to invite Tribal participation in the development and presentation of in-house training opportunities for NOAA employees. Such in-house training may include: the history of American Indians and Alaska Natives or specific Tribes, cultural protocols, Tribal issues, Tribal governmental structures, and the legal context of Tribal rights and resources. Please send any information regarding training opportunities or related inquiries to Linda Belton, NOAA Tribal Liaison, at [Linda.Belton@noaa.gov](mailto:Linda.Belton@noaa.gov).

*Comment 3:* Consultations should begin at the regional level and then move to NOAA Headquarters if necessary.

*Response:* NOAA agrees. The intent of the Handbook is to encourage and support consultations at a Regional or Line Office level. This will allow the NOAA experts on the ground to provide