

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[Docket No. 041116319-4319-01; I.D. 110504D]

Magnuson-Stevens Act Provisions; Fishing Capacity Reduction Program for the Crab Species Covered by the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs

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

ACTION: Notice of fishing capacity reduction program payment tender.

SUMMARY: NMFS issues this notice to inform the public about tendering reduction payments to accepted bidders under the Bering Sea/Aleutian Islands King and Tanner Crab fishing capacity reduction program. NMFS has accepted reduction bids, and a successful referendum has approved an industry fee system for repaying the \$97.4 million reduction loan financing 100 percent of the program's cost. Accordingly, NMFS is preparing to tender reduction payments to accepted bidders.

ADDRESSES: Send questions about this notice to Michael L. Grable, Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3282.

FOR FURTHER INFORMATION CONTACT: Michael L. Grable, (301) 713-2390.

SUPPLEMENTARY INFORMATION:**I. Background**

Section 144 of Public Law 106-554 (as amended by section 2201 of Pub. L. 107-20 and section 205 of Public Law 107-117) directed the Secretary of Commerce to establish a \$100 million fishing capacity reduction program (program) in the Bering Sea/Aleutian Islands king and Tanner crab fishery (crab fishery). The program's objective is reducing the crab fishery's harvesting capacity. This will help financially stabilize this limited-entry fishery and fosters its future management.

NMFS implemented the program by publishing a proposed rule on December 12, 2002 (67 FR 76329) and a final rule on December 12, 2003 (68 FR 69331). Persons wanting further program details should refer to these rules.

This is a voluntary program in which, in return for reduction payments, bidders whose bids NMFS accepts

permanently relinquish their fishing licenses, the fishing histories upon which those licenses' issuance was based, and their vessels' worldwide fishing privileges. Their vessels may never fish again and may never be transferred out of U.S. registry.

The total cost of reduction payments to all accepted bidders (and, thus, the program's total cost) cannot exceed \$100 million. This cost is 100 percent financed by a fishing capacity reduction loan from NMFS' Fisheries Finance Program. Future crab landing fees will repay the reduction loan over the next 30 years. Each of six area/species endorsement crab fisheries has a different reduction loan subamount to repay and does so at a fee rate appropriate for each subamount.

Under the program, the holders of non-interim crab fishery licenses make bid offers to NMFS for reduction payments. NMFS scores each bid's reduction payment amount against the amount of the bidder's past ex-vessel crab revenues and, in a reverse auction, accepts those bids whose reduction payments are the lowest percentages of the bidders' revenues during a certain period. NMFS quits accepting bids before acceptance of the bid with the next lowest bid score causes reduction payments to exceed the maximum \$100 million program cost. Bid acceptances create reduction contracts whose performance are subject only to a successful referendum about the industry fee system necessary to repay the reduction loan.

The referendum follows the bidding process. Approval of the industry fee system requires at least two-thirds of the qualified voters casting ballots to vote in favor of the industry fee system. Qualified voters are all interim and non-interim holders of crab licenses, except those endorsed only for the Norton Sound area/species crab fishery.

II. Present Status

NMFS has twice invited program bids and administered separate referendums on each of the two accepted bidder results.

NMFS administered and, because of a mistake which overstated the bidding results, readministered a referendum about bids accepted under the first invitation to bid. The readministered referendum was unsuccessful. Because of the circumstances involved, however, NMFS issued a second invitation to bid for which the referendum was successful. This notice involves the program's second invitation to bid and the accepted bids, referendum, and reduction contracts consequent to such second invitation to bid.

NMFS issued the second invitation to bid, and the bidding period opened, on August 6, 2004. This bidding period closed on September 24, 2004. Fifty five, non-interim, crab license holders submitted bids totaling \$225,954,284. NMFS accepted 25 bids. These totaled \$97,399,357. The next lowest scoring bid would have exceeded the program's \$100 million maximum cost. The accepted bids involved 25 fishing vessels and 62 fishing licenses or permits. Twenty five of the permits were non-interim crab fishery licenses. The remaining included 15 groundfish fishing licenses, 20 Federal fishery vessel permits, 1 high seas permit, and 1 halibut individual fishing quota allocation.

On October 1, 2004, NMFS mailed referendum ballots to 313 qualified referendum voters. This referendum involved the fees necessary to repay the \$97,399,357 reduction loan resulting from the 25 bids NMFS accepted under the program's second invitation to bid. The second referendum voting period opened on October 1, 2004, and closed on November 15, 2004. Two hundred seventy three (or 87.22 percent) of the referendum's qualified voters cast timely ballots. Two hundred seventeen (or 79.49 percent) of the those ballots approved the fees. This exceeded the two-thirds minimum required for industry fee system approval. This referendum was, consequently, successful and approved the industry fee system. Accordingly, the reduction contracts are now in full force and effect and NMFS is now preparing to tender and disburse reduction payments to accepted bidders.

III. Purpose

NMFS publishes this notification to inform the public before tendering reduction payments to the 25 accepted bidders. NMFS will tender reduction payments on December 27, 2004. When NMFS tenders a reduction payment to an accepted bidder, the bidder must then permanently stop all further fishing with each reduction permit the bidder has relinquished and with the reduction vessel whose worldwide fishing privileges the bidder has relinquished. NMFS will then:

(a) Revoke each reduction permit each accepted bidder relinquished,

(b) Revoke each reduction vessel's fishing history,

(c) Notify the National Vessel Documentation Center to revoke the fishery trade endorsement of each accepted bidder's reduction vessel and otherwise appropriately annotate the reduction vessel's document, and

(d) Notify the U.S. Maritime Administration to prohibit the reduction vessel's transfer to foreign ownership or registry.

Among other things, the reduction contract with each accepted bidder requires the bidder to notify each creditor or other party with an interest in the bidder's reduction vessel or reduction permit that the bidder has entered into a reduction contract which relinquishes the reduction permit and the reduction vessel's fishing privileges in return for NMFS payment to the bidder of a reduction payment. Upon

NMFS reduction payment tender, each accepted bidder must, among other things and as a condition of NMFS disbursing the bidder's reduction payment in accordance with the bidder's written payment instruction, also certify to NMFS that the bidder has given such notice to each such creditor or other party.

This notification begins the 30-day period and puts the public (including creditors or other parties) on notice. Section IV of this notification identifies the accepted bidders and the reduction

vessels and reduction permits involved in their bids.

IV. Accepted Bidders, Reduction Vessels, and Reduction Permits.

The table below establishes:

- (a) The names of the accepted bidders,
- (b) The names and official numbers of the reduction vessels whose worldwide fishing privileges the accepted bidders relinquished, and
- (c) The license numbers and natures of the reduction permits the accepted bidders relinquished.

BILLING CODE 3510-22-S

ACCEPTED BIDDER	VESSEL NAME	VESSEL OFFICIAL NUMBER	PERMIT FISHERY	PERMIT NUMBER
Aleutian Rover, LLC	Aleutian Rover	517272	Red King Crab, Bristol Bay	LLC33319
			C.Opilio and C. Bairdi Crab, BS/AI	LLC33319
			Blue King Crab, St. Matthew	LLC33319
			Federal Fishery Vessel Permit	5282
American Way Fisheries, Inc.	American Way	662562	Red King Crab, Bristol Bay	LLC1658
			C.Opilio and C. Bairdi Crab, BS/AI	LLC1658
			Blue King Crab, St. Matthew	LLC1658
			Red or Blue King Crab, Pribilof	LLC1658

Bering Sea Groundfish	LLG1657		
Federal Fishery Vessel Permit	2099		
Halibut Individual Fishing Quota	2458		
Red King Crab, Bristol Bay	LLC3891		
Blue King, St. Matthew	LLC3891		
C.Opilio and C. Bairdi Crab, BS/AI	LLC3891		
Bering Sea Groundfish	LLG3890		
Federal Fishery Vessel Permit	4555		
Red King Crab, Bristol Bay	LLC3965		
Blue King Crab, St. Matthew	LLC3965		
Red or Blue King Crab, Pribilof	LLC3965		

Diamond Head, Inc.	Diamond Head	289678	C.Opilio and C. Bairdi Crab, BS/AI	LLC3965
			Blue King Crab, St. Matthew	LLC1947
			Red King Crab, Bristol Bay	LLC1947
			C.Opilio and C. Bairdi Crab, BS/AI	LLC1947
			Federal Fishery Vessel Permit	5548
Gene E Watson	Norseman	553713	Red King Crab, Bristol Bay	LLC3297
			C.Opilio and C. Bairdi Crab, BS/AI	LLC3297
			Blue King Crab, St. Matthew	LLC3297
Harlan Dean Jr	Westling	633577	Red King Crab, Bristol Bay	LLC2808
			C.Opilio and C. Bairdi Crab, BS/AI	LLC2808

K H Colburn, Inc.	Sirene	615699	Blue King Crab, St. Matthew	LLC2808
			Bering Sea Groundfish	LLG2807
			C.Opilio and C. Bairdi Crab, BS/AI	LLG3657
			Red King Crab, Bristol Bay	LLC3657
			Blue King Crab, St. Matthew	LLC3657
			Bering Sea Groundfish	LLC3656
			Federal Fishery Vessel Permit	7113
Kodiak Queen, Inc.	Kodiak Queen	507891	Red King Crab, Bristol Bay	LLC3879
			Blue King Crab, St. Matthew	LLC3879
			C.Opilio and C. Bairdi Crab, BS/AI	LLC3879
			Federal Fishery Vessel Permit	603

Labrador Group	Labrador	284504	Red King Crab, Bristol Bay	LLC2037
			C.Opilio and C. Bairdi Crab, BS/AI	LLC2037
			Red or Blue King Crab, Pribilof	LLC2037
			Blue King Crab, St. Matthew	LLC2037
			Bering Sea Groundfish	LLG2036
			Federal Fishery Vessel Permit	4589
		558637	Blue King Crab, St. Matthew	LLG2577
			Red King Crab, Bristol Bay	LLC2577
			C.Opilio and C. Bairdi Crab, BS/AI	LLC2577
			Bering Sea Groundfish	LLC2576
Mattsen Fisheries, Inc.	Shaman		Federal Fishery Vessel Permit	602

Micheal K King	Rebel	596135	Red King Crab, Bristol Bay	LLC3020
			Blue King Crab, St. Matthew	LLC3020
			C.Opilio and C. Bairdi Crab, BS/AI	LLC3020
			Bering Sea Groundfish	LLG4478
			High Seas	596135
			Federal Fishery Vessel Permit	3689
Norseman Fisheries, Inc.	Norseman II	601068	C.Opilio and C. Bairdi Crab, BS/AI	LLC1243
			Red King Crab, Bristol Bay	LLC1243
			Red or Blue King Crab, Pribilof	LLC1243
			Western Gulf Groundfish	LLG1242
			Federal Fishery Vessel Permit	5451

North Pacific, LLC	North Pacific	511698	Brown King Crab, Aleutian Islands	LLC3256
			Red King Crab, Bristol Bay	LLC3256
			Blue King Crab, St. Matthew	LLC3256
			Red or Blue King Crab, Pribilof	LLC3256
			C.Opilio and C. Bairdi Crab, BS/AI	LLC3256
			Bering Sea Groundfish	LLG3255
			Federal Fishery Vessel Permit	4851
Northern Orion, Inc.	Northern Orion	589854	Red King Crab, Bristol Bay	LLC3035
			Blue King Crab, St. Matthew	LLC3035
			Red or Blue King Crab, Pribilof	LLC3035
			C.Opilio and C. Bairdi Crab, BS/AI	LLC3035

Ocean Viking LLC	Western Viking	507161	Federal Fishery Vessel Permit	3747
			Brown King Crab, Aleutian Islands	LLC1229
			Blue King Crab, St. Matthew	LLC1229
			Red or Blue King Crab, Pribilof	LLC1229
			Red King Crab, Bristol Bay	LLC1229
			C.Opilio and C. Bairdi Crab, BS/AI	LLC1229
			Bering Sea Groundfish	LLG1228
			Western Gulf Groundfish	LLG1228
			Federal Fishery Vessel Permit	5131
Profs. Fishermen'S Assoc., Inc.	Stormy Sea	586415	Red King Crab, Aleutian Islands	LLC3106
			Blue King Crab, St. Matthew	LLC3106

Brown King Crab, Aleutian Islands	LLC3106
C.Opilio and C. Bairdi Crab, BS/AI	LLC3106
Red or Blue King Crab, Pribilof	LLC3106
Red King Crab, Bristol Bay	LLC3106
Bering Sea Groundfish	LLG3105
Federal Fishery Vessel Permit	4136
Red King Crab, Bristol Bay	LLC1817
Red or Blue King Crab, Pribilof	LLC1817
Blue King Crab, St. Matthew	LLC1817
C.Opilio and C. Bairdi Crab, BS/AI	LLC1817
Bering Sea Groundfish	LLG1816

Q & S Enterprises, Inc.	Exito	273458
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Sea Spray, LLC	Sea Spray	522411	Federal Fishery Vessel Permit	5091
			Red King Crab, Bristol Bay	LLC22289
			C.Opilio and C. Bairdi Crab, BS/AI	LLC22289
			Blue King Crab, St. Matthew	LLC22289
Seventh Son, Inc.	Lady Jessie	643789	Red King Crab, Bristol Bay	LLC3930
			Blue King Crab, St. Matthew	LLC3930
			C.Opilio and C. Bairdi Crab, BS/AI	LLC3930
			Federal Fishery Vessel Permit	5262
Silent Lady, Inc.	Silent Lady	529872	Red King Crab, Bristol Bay	LLC3326
			C.Opilio and C. Bairdi Crab, BS/AI	LLC3326

Red or Blue King Crab, Pribilof	LLC3326
Bering Sea Groundfish	LLG3325
Federal Fishery Vessel Permit	5328
Red King Crab, Bristol Bay	LLC3033
C.Opilio and C. Bairdi Crab, BS/AI	LLC3033
Blue King Crab, St. Matthew	LLC3033
Federal Fishery Vessel Permit	3743
C.Opilio and C. Bairdi Crab, BS/AI	LLC3457
Red or Blue King Crab, Pribilof	LLC3457
Red King Crab, Bristol Bay	LLC3457
Blue King Crab, St. Matthew	LLC3457

Central Gulf Groundfish	LLG3456		
Federal Fishery Vessel Permit	1901		
Red King Crab, Bristol Bay	LLC3330		
Blue King Crab, St. Matthew	LLC3330		
C.Opilio and C. Bairdi Crab, BS/AI	LLC3330		
Red or Blue King Crab, Pribilof	LLC3330		
C.Opilio and C. Bairdi Crab, BS/AI	LLC2920		
Red or Blue King Crab, Pribilof	LLC2920		
Federal Fishery Vessel Permit	3016		

Timothy J Kennedy	969494	Secret Island	
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Zolotoi Partnership	625095	Zolotoi	
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Authority: Pub. L. 107–206, Pub. L. 108–7, 16 U.S.C. 1861a (b–e), and 50 CFR 600.1000 *et seq.*

Dated: November 18, 2004.

Rebecca Lent,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 04–26059 Filed 11–23–04; 8:45 am]

BILLING CODE 3510–22–C

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton, Wool and Man-Made Fiber Textiles and Textile Products Produced or Manufactured in Taiwan; Correction

November 18, 2004.

In the letter to the Commissioner, Bureau of Customs and Border Protection published in the **Federal Register** on November 12, 2004 (69 FR 65414), on page 65415, 2nd column, in the table listing import restraint limits, please insert Categories 338/339 with the limit of 1,054,585 dozen under “Sublevels in Group II”, as it was inadvertently left out.

James C. Leonard III,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. E4–3333 Filed 11–23–04 8:45 am]

BILLING CODE 3510–DR–S

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Science Board

AGENCY: Department of Defense.

ACTION: Notice of Advisory Committee meeting.

SUMMARY: The Defense Science Board Task Force on Force Protection in Urban and Unconventional Environments will meet in closed session on December 1–2, 2004, at Fort Irwin, CA; 29 Palms, CA; and March Air Reserve Base, CA. This Task Force will review and evaluate force protection capabilities in urban and unconventional environments and provide recommendations to effect change to the future Joint Force.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology & Logistics on scientific and technical matters as they affect the perceived needs of the Department of Defense. Specifically, the Task Force’s foci will

be to evaluate force protection in the context of post major combat operations that have been conducted in Iraq and Afghanistan. In the operations, loss of national treasure—military and civilian, U.S. and other nations—has resulted from actions executed by non-state and rogue actors. The threat and capabilities these insurgent, terrorist and criminal actions present post a most serious challenge to our ability to achieve unified action.

In accordance with Section 10(d) of the Federal Advisory Committee Act, Public Law 92–463, as amended (5 U.S.C. App. 2), it has been determined that these Defense Science Board Task Force meetings concern matters listed in 5 U.S.C. 552b(c)(1) and that, accordingly, these meetings will be closed to the public.

Due to scheduling difficulties, there is insufficient time to provide timely notice required by Section 10(a)(2) of the Federal Advisory Committee Act and § 101–6.1015(b) of the GSA Final Rule on Federal Advisory Committee Management, 41 CFR Part 101–6, which further requires publication at least 15 calendar days prior to the meeting.

Dated: November 17, 2004.

Jeannette Owings-Ballard,

OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 04–25983 Filed 11–23–04; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF ENERGY

Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Consolidation of Nuclear Operations Related to Production of Radioisotope Power Systems; Correction

AGENCY: Department of Energy.

ACTION: Notice of Intent; correction.

SUMMARY: The Department of Energy published a notice of intent in the **Federal Register** on November 16, 2004, (69 FR 67139) announcing its intent to prepare an environmental impact statement (EIS), for the proposed consolidation of nuclear activities related to production of radioisotope power systems required for Government national security and space exploration missions at a single, highly secure DOE site. The document contained an incorrect telephone number and an incorrect street address for a public meeting.

Corrections

In the **Federal Register** of November 16, 2004, in FR Doc. 04–25406, on page

67140, the following corrections should be made:

First column, first paragraph,

Twin Falls, ID: 1586 Blue Lakes Blvd. North,

Second column, under **ADDRESSES**

heading, first paragraph,

You may leave a message at (800) 919–3706.

FOR FURTHER INFORMATION CONTACT:

Timothy A. Frazier, Document Manager, NE–50/Germantown Building, Office of Space and Defense Power Systems, Office of Nuclear Energy, Science and Technology, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585–1290, telephone 301–903–9420, or submitted via e-mail to ConsolidationEIS@nuclear.energy.gov.

Issued in Washington, DC on November 18, 2004.

Carol M. Borgstrom,

Director, Office of NEPA Policy and Compliance.

[FR Doc. 04–26035 Filed 11–23–04; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

[Docket Nos. PP 39–1 and PP–96–2]

Applications To Transfer Presidential Permits; Boise Cascade Corporation and Boise White Paper, LLC

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of applications.

SUMMARY: Boise Cascade Corporation (Boise) and Boise White Paper, L.L.C. (BWP) have jointly applied to transfer Presidential Permits PP–39 and PP–96 from Boise to BWP.

DATES: Comments, protests or requests to intervene must be submitted on or before December 27, 2004.

ADDRESSES: Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Import/Export (FE–27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585–0350 (FAX 202–287–5736).

FOR FURTHER INFORMATION CONTACT:

Ellen Russell (Program Office) 202–586–9624 or Michael Skinker (Program Attorney) 202–586–2793.

SUPPLEMENTARY INFORMATION: The construction, operation, maintenance, and connection of facilities at the international border of the United States for the transmission of electric energy between the United States and a foreign country is prohibited in the absence of a Presidential permit issued pursuant to