

Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: October 15, 2004.

**Jeffrey C. Anspacher,**

*Director, Export Trading Company Affairs.*

[FR Doc. 04-23579 Filed 10-20-04; 8:45 am]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101504D]

#### New England Fishery Management Council; Public Meetings

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

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

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Scallop Oversight Committee in November 2004. Recommendations from the committee will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** The meeting will be held on Thursday, November 4, 2004, at 9:30 a.m.

**ADDRESSES:** The meeting will be held at the Comfort Inn, 1940 Post Road, Warwick, RI 02886; telephone: (401) 732-0470.

*Council address:* New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:** The Scallop Oversight Committee will consider options and recommend alternatives for Framework Adjustment (FW) 17 that would require some or all vessels with general category scallop permits to operate vessel monitoring system (VMS) equipment. The recommendations would be approved by the Council at its November 16-18, 2004 meeting, followed by a final framework meeting on February 1-3, 2005.

In addition, the Plan Development Team and Advisory Panel will brief the committee about preliminary work on the 2005 Stock Assessment and Fishery Evaluation Report. The final report is scheduled for presentation to the Council in September 2005. Planning

issues related to FW 17 (general category VMS) or FW 18 (biennial specifications and adjustments) may also be discussed. The committee meeting will conclude with a closed-door session to review Advisory Panel applications and discuss appointment recommendations. These recommendations will be presented to the Council's Executive Committee at its next meeting.

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 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. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: October 18, 2004.

**Alan D. Risenhoover,**

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

[FR Doc. E4-2782 Filed 10-20-04; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 101804B]

#### Atlantic Coastal Fisheries Cooperative Management Act Provisions; Application for Exempted Fishing Permits (EFPs)

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

**ACTION:** Notification of a request for EFPs to conduct experimental fishing; request for comments.

**SUMMARY:** The Director, State, Federal and Constituent Programs Office, Northeast Region, NMFS (Office Director) has made a preliminary determination that the subject EFP application contains all the required information and warrants further consideration. The Office Director has also made a preliminary determination that the activities authorized under the

EFPs would be consistent with the goals and objectives of Federal management of the American lobster resource.

However, further review and consultation may be necessary before a final determination is made to issue EFPs. Therefore, NMFS announces that the Office Director proposes to issue EFPs that would allow a maximum of six Federally permitted commercial fishing vessels to participate in a project designed to monitor the movement of berried female American lobsters (berried lobsters) in two inshore locations in the vicinity of Portsmouth, New Hampshire, and Friendship, Maine, and in two offshore locations along the northern edge of Georges Bank and in Corsair and Lydonia Canyons to the southeast of Georges Bank.

This EFP is a collaborative project involving the University of New Hampshire (UNH), Durham, New Hampshire (NH); the Lobster Conservancy, Friendship, Maine; the New England Aquarium, Boston, Massachusetts; and the Atlantic Offshore Lobstermen's Association, Candia, NH. The EFP proposes to monitor a total of 120 legal sized berried lobsters carrying early-stage eggs until the eggs mature and are released. Each berried lobster will be tagged and fitted with a small ambient temperature recording device (Tidbit temperature-loggers) and then the movement and egg-development stages of these tagged berried lobsters will be documented. The objective of the project will be to test the hypothesis that berried lobsters speed up or slow down egg growth and development by moving to warmer or colder water in order to expose their eggs to water temperatures that result in hatching at an optimal time for larval growth and survival. To test this hypothesis, when a tagged berried lobster is recaptured in commercial lobster gear, participating lobstermen will download thermal data from the attached Tidbit temperature-logger, and also preserve a maximum of 6 eggs from each tagged berried lobster to allow researchers to estimate the egg developmental stage and time to maturity. The tagged berried lobsters will then be released unharmed. The EFP would waive the prohibition on removal of eggs specified at 50 CFR 697.7(c)(iv) for the six participating vessels and is limited to the 120 pre-tagged berried lobsters in this project.

This project would not involve the authorization of any additional trap gear, and all trap gear would conform to existing Federal lobster regulations. There would be no anticipated adverse effects on protected resources or habitat as a result of this research. Therefore,

this document invites comments on the issuance of EFPs to allow a maximum of six commercial fishing vessels in possession of Federal lobster permits to remove a maximum of six eggs each time any one of the 120 tagged berried lobsters are captured during the course of normal fishing operations in the designated study areas.

**DATES:** Comments on this lobster EFP notification for berried lobster monitoring and data collection must be received on or before November 5, 2004.

**ADDRESSES:** Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930-2298. Mark the outside of the envelope "Comments - Lobster EFP Proposal". Comments also may be sent via facsimile (fax) to 978-281-9117. Comments on the Lobster EFP Proposal may be submitted by e-mail. The mailbox address for providing e-mail comments is [Lob0204@noaa.gov](mailto:Lob0204@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: "Comments - Lobster EFP Proposal".

**FOR FURTHER INFORMATION CONTACT:** Bob Ross, Fishery Management Specialist, (978) 281-9234, fax (978)-281-9117.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The regulations that govern exempted fishing, at 50 CFR 600.745(b) and 697.22 allow the Regional Administrator to authorize for limited testing, public display, data collection, exploration, health and safety, environmental clean-up, and/or hazardous removal purposes, and the targeting or incidental harvest of managed species that would otherwise be prohibited. An EFP to authorize such activity may be issued, provided there is adequate opportunity for the public to comment on the EFP application, the conservation goals and objectives of Federal management of the American lobster resource are not compromised, and issuance of the EFP is beneficial to the management of the species.

The American lobster fishery is the most valuable fishery in the northeastern United States. In 2002, approximately 82 million pounds (37,324 metric tons (mt)) of American lobster were landed with an ex-vessel value of approximately 293 million dollars. Operating under the Atlantic States Marine Fisheries Commission's interstate management process, American lobster are managed in state waters under Amendment 3 to the American Lobster Interstate Fishery Management Plan (Amendment 3). In Federal waters of the Exclusive

Economic Zone (EEZ), lobster is managed under Federal regulations at 50 CFR part 697. Amendment 3, and compatible Federal regulations established a framework for area management, which includes industry participation in the development of a management program which suits the needs of each lobster management area while meeting targets established in the Interstate Fisheries Management Program. The industry, through area management teams, with the support of state agencies, have played a vital role in advancing the area management program.

American lobster experience very high fishing mortality rates and are overfished throughout their range, from Canada to Cape Hatteras. Although harvest and population abundance are near record levels due to high recent recruitment and favorable environmental conditions, there is significant risk of a sharp drop in abundance, and such a decline would have serious implications. To facilitate the development of effective management tools, extensive monitoring and detailed abundance and size frequency data on the composition of lobsters throughout the range of the resource are necessary. This proposed EFP would monitor tagged berried lobsters in four study areas using traditional lobster trap gear.

##### **Proposed EFP**

The EFP proposes to collect statistical and scientific information as part of a project designed to monitor the movement of tagged berried lobsters to collect data that will assist in the assessment of the lobster resource and in the development of management practices appropriate to the fishery. Participants in this project are funded by, and under the direction of the Northeast Consortium, a group of four research institutions (University of New Hampshire, University of Maine, Massachusetts Institute of Technology, and Woods Hole Oceanographic Institution) which are working together to foster this initiative.

Each of the six commercial fishing vessels in possession of Federal lobster permits involved in this monitoring and data collection program would collect temperature data and a maximum of six eggs from each tagged berried lobster harvested using traditional lobster trap gear. Participating vessels would collect data from each of the four general study areas in the vicinity of Portsmouth, New Hampshire, and Friendship, Maine, the northern edge of Georges Bank and in the vicinity of Corsair and Lydonia Canyons. This EFP would not involve

the authorization of any additional lobster trap gear in the study areas. The participating vessels may retain on deck tagged egg bearing female lobsters, in addition to legal lobsters, for the purpose of collecting temperature data from the attached Tidbit temperature-loggers, and for the purpose of collecting a maximum of six eggs from each tagged berried lobster to allow researchers to estimate the egg developmental stage and time to maturity. All sub-legal lobsters, berried females, and v-notched females would be returned to the sea as quickly as possible after data collection. Pursuant to 50 CFR 600.745(3)(v), the Regional Administrator may attach terms and conditions to the EFP consistent with the purpose of the exempted fishing.

This project would not involve the authorization of any additional lobster trap gear. All traps fished by the participating vessels would comply with all applicable lobster regulations specified at 50 CFR 697. To allow for the collection of temperature data and the removal of a maximum of six of eggs from each tagged berried lobster, the EFP would waive the American lobster prohibition on removal of eggs specified at 50 CFR 697.7(c)(iv). All sample collections would be conducted by six federally permitted commercial fishing vessels, during the course of regular commercial fishing operations. There would not be observers or researchers onboard every participating vessel.

This project, including the lobster handling protocols, was initially developed in consultation with University of New Hampshire scientists. To the greatest extent practicable, these handling protocols are designed to avoid unnecessary adverse environmental impact on lobsters involved in this project, while achieving the data collection objectives of this project.

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

**Dated:** October 18, 2004.

**Alan D. Risenhoover,**

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

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## **DEPARTMENT OF COMMERCE**

### **Technology Administration**

#### **Request for Comments on Electronics Recycling**

**AGENCY:** Technology Administration, Department of Commerce.

**ACTION:** Notice, request for comments.