

§ 648.12 Experimental fishing.

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(d) *Temporary possession letter of authorization (LOA)*: The Regional Administrator (RA), or the RA's designee, may issue an LOA to eligible researchers on board federally permitted fishing vessels on which species of fish that otherwise could not be legally retained would be possessed temporarily for the purpose of collecting catch data. Under this authorization, such species of fish could be retained temporarily for data collection purposes, but shall be discarded as soon as practicable following data collection.

(1) *Eligible activities*. An LOA may be issued by the RA, or the RA's designee, to temporarily exempt a vessel, on which a qualified fishery research technician is collecting catch data, from the following types of fishery regulations: Minimum fish size restrictions; fish possession limits; species quota closures; prohibited fish species, not including species protected under the Endangered Species Act; and gear-specific fish possession restrictions.

(2) *Eligibility criteria*. Only personnel from the following bodies are eligible for a temporary possession LOA: Foreign government agency; U.S. Government agency; U.S. state or territorial agency; university (or other educational institution accredited by a recognized national or international accreditation body); international treaty organization; or scientific institution.

(3) *Application requirements*. To obtain a temporary possession LOA, an eligible applicant, as defined under paragraph (d)(2) of this section, is required to submit a complete application, which must contain the following information: The date of the application; the applicant's name, mailing address, and telephone number; a statement of the purposes and goals for which the LOA is needed; the name(s) and affiliation of the fishery research technicians will collect the data; a statement demonstrating the qualifications of the research technician

that will collect the data; the species (target and incidental) expected to be harvested under the LOA; the proposed disposition of all regulated species harvested under the LOA; the approximate time(s) and place(s) fishing will take place; the type, size, and amount of gear to be used; and the signature of the applicant. In addition, for each vessel to be covered by the LOA, as soon as the information is available and before operations begin, the applicant is required to supply to NMFS the vessel operator name, the vessel's Federal fishing permit number, and the vessel registration or documentation number.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 665****[Docket No. 080225267-91393-03]****RIN 0648-AW49****International Fisheries Regulations; Fisheries in the Western Pacific; Pelagic Fisheries; Hawaii-based Shallow-set Longline Fishery; Correction**

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

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final regulations that were published in the **Federal Register** on December 10, 2009, and are effective January 11, 2010. This change ensures that the process is preserved for closing the Hawaii-based shallow-set longline fishery as a result of the fishery reaching interaction limits for sea turtles.

DATES: Effective January 11, 2010.

FOR FURTHER INFORMATION CONTACT: Adam Bailey, NMFS Pacific Islands Region, 808-944-2248.

SUPPLEMENTARY INFORMATION: The final rule published on December 10, 2009, and effective January 11, 2010 (74 FR 65480), revised annual interaction limits for sea turtles, among other actions.

The amendatory instructions that are the subject of this correction refer to § 665.33 in Title 50 of the CFR. In the amendatory instructions in the published final rule (74 FR 65480), instruction 7 revised 50 CFR 665.33(b), relating to the annual limits on sea turtle interactions. The instruction inadvertently omitted paragraph designation "(b)(1)" relating specifically to the interaction limits. Because of the error, paragraph (b)(2), relating to the process for closing the fishery if a sea turtle interaction limit is reached, would be inadvertently deleted when this rule is made effective on January 11, 2010, if not corrected.

This correction makes one change to the amendatory instructions to accurately reflect effective CFR parts as of January 11, 2010. In the amendatory instruction for § 665.33, the phrase, "...and revise paragraphs (b) and (f) to read as follows:", is revised to read "...and revise paragraphs (b)(1) and (f) to read as follows:".

Correction

Accordingly, in the final rule (FR Doc. No. E9-29444) published on December 10, 2009 (74 FR 65480), on page 65480, column 1, amendatory instruction number 7 is revised to read as follows: **§ 665.33 [Amended]**

7. In § 665.33, remove and reserve paragraphs (a), (c), and (e), and revise paragraphs (b)(1) and (f) to read as follows:

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

Dated: January 5, 2010.

James W. Balsiger,
Acting Assistant Administrator For Fisheries,
National Marine Fisheries Service.

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