

border. Sampling consists of approximately 48 days at sea for a total of 250 tows deploying flounder and whelk trawls intended to capture horseshoe crabs for examination and enumeration. Tows will be no longer than 15 minutes of bottom time and will be conducted at night from mid-August through mid-November. Turtle excluder devices will not be installed in the trawl gear because these devices may hinder capture of horseshoe crabs. Thus, it is anticipated that fish and sea turtles will be captured by the unmodified gears. The application anticipates the annual capture of one lethal or non-lethal leatherback, one lethal or non-lethal green, 12 lethal and 28 non-lethal loggerheads, 4 lethal and 9 non-lethal Kemp's ridley sea turtles in 48 days of sampling. The lethal take numbers are based on a 29 percent mortality rate which is the higher rate published for trawl fisheries (Henwood and Stuntz, 1987; Epperly et al., 1995). However, those rates are based on commercial fishing conditions where trawl tow times often exceed 60 minutes. The tow times described in the application will not exceed a 15 minute bottom time—a submergence period that sea turtles are able to survive. Thus, the mortality rate is likely much lower than 29 percent.

Conservation Plan

The conservation plan prepared by the applicant describes measures designed to monitor, minimize, and mitigate the incidental takes of ESA-listed sea turtles. The conservation plan includes limiting sampling effort in areas and times where sea turtles are likely to be present; avoiding coral and rock habitats associated with hawksbills and areas of submerged aquatic vegetation associated with green turtles; using minimal tow durations; avoiding areas of high fishing vessel activity which may attract foraging sea turtles and may increase the chance of multiple captures.

All activities will be conducted under the direct supervision of scientific parties from Virginia Tech. Sampling will not be conducted when sea turtles are observed in the area. If a sea turtle is captured, all efforts will be made to release the turtle as quickly as possible with minimal trauma. If necessary, resuscitation will be attempted as proscribed by 50 CFR 223.206. Scientific parties will be familiarized with resuscitation techniques prior to surveys, and a copy of the resuscitation guidelines will be carried aboard the vessel during survey activities. In the event resuscitation is unsuccessful, the sea turtle will be transferred to the sea

turtle stranding network of the appropriate jurisdiction. Other monitoring or mitigation actions will be undertaken as required.

The applicant considered and rejected three other alternatives, not applying for a permit, conducting the research in an area where ESA-listed species do not occur, or using different sampling gear when developing their conservation plan.

This notice is provided pursuant to section 10(c) of the ESA and the National Environmental Policy Act (NEPA) regulations (40 CFR 1506.6). NMFS will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the NEPA regulations and section 10(a) of the ESA. If it is determined that the requirements are met, a permit will be issued for incidental takes of ESA-listed sea turtles under the jurisdiction of NMFS. The final NEPA and permit determinations will not be completed until after the end of the 30-day comment period and will fully consider all public comments received during the comment period. NMFS will publish a record of its final action in the **Federal Register**.

Dated: April 11, 2005.

P. Michael Payne,

*Chief, Marine Mammal and Turtle Division,
Office of Protected Resources, National
Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041105C]

Mid-Atlantic Fishery Management Council; Meetings

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

ACTION: Notice of public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) and its Atlantic Mackerel Committee; its Research Set-Aside Committee; its Surfclam and Ocean Quahog Committee; its Ecosystems Committee; and, its Executive Committee will hold public meetings.

DATES: The meetings will be held Monday, May 2, 2005 through Thursday, May 5, 2005. See

SUPPLEMENTARY INFORMATION for specific dates and times of the meetings.

ADDRESSES: This meeting will be at the Princess Royale Oceanfront Hotel and Conference Center, 9100 Coastal Highway, Ocean City, MD 21842 telephone 410-524-2544.

Council address: Mid-Atlantic Fishery Management Council, 300 S. New Street, Dover, DE 19904, telephone 302-674-2331.

FOR FURTHER INFORMATION CONTACT:

Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council; telephone: 302-674-2331, ext. 19.

SUPPLEMENTARY INFORMATION:

Dates and Times for the Meetings

On Monday, May 2, the Atlantic Mackerel Committee with its Advisory Panel will meet from 1-5 p.m. On Tuesday, May 3, the Atlantic Mackerel Committee will meet from 8 a.m.-5 p.m.; the Research Set-Aside Committee will meet from 1-2 p.m.; and, the Surfclam and Ocean Quahog Committee with its Advisory Panel will meet from 2-4 p.m. On Wednesday, May 4, the Ecosystems Committee will meet from 8-10 a.m., and the Council will convene at 10 a.m. From 10 a.m. through 12 noon, Council will approve the March Council meeting minutes and action items from the March Council meeting, hear organizational and liaison reports, hear the Executive Director's Report, and hear a report on the status of the Council's Fishery Management Plans (FMP). From 1-5 p.m., Council will address Amendment 14 and Framework 6 to the Summer Flounder, Scup, and Black Sea Bass FMP; address Amendment 9 to the Atlantic Mackerel, Squid, Butterfish FMP; and, discuss Framework 1 to the Spiny Dogfish FMP. On Thursday, May 5, the Executive Committee will meet from 8-9 a.m. Council will convene at 9 a.m., and from 9-11 a.m., Council will receive presentations from individuals affiliated with NMFS and the University of Rhode Island (URI). At 11 a.m. the Council will receive committee reports and entertain any new and/or continuing business.

Agenda items for the Council's committees and the Council itself are: on Monday, May 2, the Atlantic Mackerel Committee and its advisors will review and discuss comments received regarding a controlled/limited access system for mackerel. On Tuesday, May 3, the Atlantic Mackerel Committee will continue to review and discuss comments regarding a controlled/limited access system for mackerel. The Research Set-Aside Committee will review 2006 Request for Proposals (RFP), and review and comment on changes to NOAA's grant

process. The Surfclam and Ocean Quahog Committee and its advisors will review the status of clams/quahogs and assess quota management outcomes including the need, if any, to implement a VMS for the surfclam fleet. On Wednesday, May 4, the Ecosystems Committee will develop a draft questionnaire for state public hearings. Following this committee meeting, the Council will convene to approve the March Council meeting minutes and approve action items from the March Council meeting. The Council will also hear organizational and liaison reports, the Executive Director's report and a report on the status of the MAFMC's FMPs. Council will receive an update on Amendment 14 and Framework 6 to the Summer Flounder, Scup, and Black Sea Bass FMP and address the issue of quota transfers; receive an update on Amendment 9 to the Atlantic Mackerel, Squid, Butterfish FMP; and, Council will review options regarding multi-year setting of specifications for spiny dogfish as proposed in Framework 1 to the Spiny Dogfish FMP and adopt a preferred option for submission to the Secretary. On Thursday, May 5, the Executive Committee will receive reports regarding outcomes from the Council Chairmen's meeting. The Council will convene and hear presentations on NMFS Recreational Fisheries Strategic Plan, and URI's view of the use of property rights in fishery management; hear Committee reports, and entertain any new and/or continuing business.

Although non-emergency issues not contained in this agenda may come before the Council for discussion, these issues may not be the subject of formal Council action during this meeting. Council 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 actions to address such emergencies.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kathy Collins (302-674-2331) at least 5 days prior to the meeting date.

Dated: April 11, 2005.

Emily Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E5-1756 Filed 4-13-05; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041105B]

Fisheries of the South Atlantic; Scientific and Statistical Committee, Biological Assessment Subcommittee, Socio-economic Subcommittee

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

ACTION: Notice of meeting of the Scientific and Statistical Committee, Biological Subcommittee and Socio-economic Subcommittee.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of its Scientific and Statistical Committee (SSC) and SSC Biological Subcommittee and Socio-economic Subcommittee in Charleston, SC.

DATES: The meetings will take place May 10-12, 2005.

ADDRESSES: The meetings will be held at the Town and Country Inn, 2008 Savannah Highway, Charleston, SC 29407; phone 800/334-6660 or 843/571-1000, FAX 843/766-9444.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, S.C., 29407-4699; phone 843/571-4366 or toll free 866/SAFMC-10; FAX 843/769-4520; email: kim.iverson@safmc.net.

SUPPLEMENTARY INFORMATION: Under the Magnuson-Stevens Act, the SSC is the body responsible for reviewing the Council's scientific materials. The Council will hold a joint meeting of its SSC Biological Subcommittee and Socio-economic Subcommittee on May 10, 2005 from 1:30 p.m. until 6 p.m. During the joint meeting the subcommittees will receive the black sea bass stock assessment for the South Atlantic and stock rebuilding projections and also Snapper Grouper Amendment 13B.

On May 11, 2005, the SSC Biological Subcommittee and SSC Socio-economic Subcommittee will meet in separate consecutive sessions from 8:30 a.m.

–12:00 noon. The Subcommittees will develop recommendations for the full SSC regarding black sea bass and Snapper Grouper 13B. From 1:30 p.m. until 6 p.m., there will be a meeting of the full SSC.

On May 12, 2005, the full SSC will continue its meeting from 8:30 a.m. until 5 p.m. During the meeting, the SSC will review the Black Sea Bass Stock Assessment, data and projections and discuss issues relevant to Amendment 13B to the Snapper Grouper Fishery Management Plan. Items for discussion include: (1) species groupings for management units, (2) years of data to be used for determining Stock Status Determination Criteria for data poor species, (3) years of data to be used to calculate percentage reductions in fishing mortality, and (4) release mortality rates.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 5 days prior to the meetings.

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

Dated: April 11, 2005.

Emily Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comments on Commercial Availability Petition under the United States - Caribbean Basin Trade Partnership Act (CBTPA)

April 11, 2005.

AGENCY: The Committee for the Implementation of Textile Agreements (CITA).

ACTION: Request for public comments concerning a petition for a determination that certain 100 percent cotton, 2 x 2 twill weave, flannel fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

SUMMARY: On April 8, 2005, the Chairman of CITA received a petition from Oxford Industries alleging that certain 100 percent cotton, 2 x 2 twill weave, flannel fabrics, of ring spun and combed 2 ply yarns, of the specifications detailed below, classified in subheading 5208.43.0000 of the