

Dated: August 6, 2008.

**Ronald N. Langston,**

*National Director, Minority Business Development Agency.*

[FR Doc. E8-18498 Filed 8-8-08; 8:45 am]

BILLING CODE 3510-21-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Submission of Conservation Efforts To Make Listings Unnecessary Under the Endangered Species Act

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

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before October 10, 2008.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Marta Nammack, (301) 713-1401 or [marta.nammack@noaa.gov](mailto:marta.nammack@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (Services) announced a Policy for Evaluation of Conservation Efforts When Making Listing Decisions. (68 FR 15100; March 28, 2003). This final policy lists criteria that NMFS will use to evaluate conservation efforts by states and other non-Federal entities. A conservation agreement/plan and procedures for monitoring the agreement/plan's effectiveness is developed by the respondent, based on the respondent's understanding of how best to meet these criteria, and thus to assure the Services that: (1) The conservation effort will be implemented; and (2) the conservation

effort will be effective. The Services take these efforts into account when making decisions on whether to list a species as threatened or endangered under the Endangered Species Act. The accepted plans are followed with annual reports.

##### II. Method of Collection

NMFS does not require, but will accept, plans and reports electronically. NMFS has not developed a form to be used for submission of plans or reports. In the past, NMFS has made plans and annual reports from states available through the Internet and plans to continue this practice.

##### III. Data

*OMB Number:* 0648-0466.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Business or other for-profit organizations; and State, local or tribal governments.

*Estimated Number of Respondents:* 3.

*Estimated Time per Response:* 2,500 hours to complete each agreement or plan that has the intention of making listing unnecessary; 320 hours to conduct monitoring for successful agreements; and 80 hours to prepare a report for successful agreements.

*Estimated Total Annual Burden Hours:* 3,300.

*Estimated Total Annual Cost to Public:* \$150.

##### IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: August 6, 2008.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E8-18451 Filed 8-8-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-AX05

#### Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 11

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

**ACTION:** Supplemental Notice of Intent (NOI) to prepare an environmental impact statement (EIS); request for comments.

**SUMMARY:** On December 19, 2005, the Mid-Atlantic Fishery Management Council (Council), in cooperation with NMFS, announced its intent to prepare a supplemental environmental impact statement (SEIS) for Amendment 11 to the Atlantic Mackerel, Squid, and Butterfish (MSB) Fishery Management Plan (FMP)(Amendment 11). Since then, the Council and NMFS have determined that the Amendment 11 document is an independent action and therefore will be handled as an EIS, rather than SEIS. The Council has chosen to consider management measures in this action in addition to limited access in the Atlantic mackerel (mackerel) fishery, including: The implementation of annual catch limits (ACLs) and accountability measures (AMs) for Atlantic mackerel and butterfish required under the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA); an update of the description and identification of essential fish habitat (EFH) for all life stages of mackerel, *Loligo* squid (*Loligo*), *Illex* squid (*Illex*), and butterfish (including gear impacts on *Loligo* egg EFH); and possible limitations on at-sea processing of mackerel. For purposes of scoping, this supplemental NOI seeks comments on only the above listed new measures that may be included in Amendment 11. Additional scoping will take place via solicitation of public comment at Council meetings and related Council committee meetings as Amendment 11 is considered and developed.

**DATES:** Public comments on the supplemental NOI for Amendment 11 must be received on or before 5 p.m., local time, September 10, 2008.

**ADDRESSES:** Written comments on the supplementary notice of intent for Amendment 11 may be sent by any of the following methods:

- E-mail to the following address: [MSBAmendment11@noaa.gov](mailto:MSBAmendment11@noaa.gov);

- Mail to Sustainable Fisheries Division, Northeast Regional Office, NMFS, One Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Scoping Comments on Supplemental NOI for Amendment 11;" or

- Fax to 978-281-9135. Mark the fax "Scoping Comments on Supplemental NOI for Amendment 11."

Copies of supporting documents used by the Council are available from: Daniel Furlong, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 South New Street, Dover, DE 19904-6790, telephone 302-674-2331.

**FOR FURTHER INFORMATION CONTACT:**

Daniel Furlong, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 South New Street, Dover, DE 19904-6790, telephone 302-674-2331.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 4, 2005 (70 FR 10605), the Council published an NOI to prepare a SEIS to consider the impacts of alternatives for limiting access to the mackerel fishery. The Council subsequently conducted scoping meetings on the development of a limited access program, which the Council originally planned to include in Amendment 9 to the MSB FMP (Amendment 9). However, due to unforeseen delays in the development of Amendment 9, the Council notified the public on December 19, 2005 (70 FR 75114), that the mackerel limited access program would be considered in Amendment 11. The Council subsequently notified the public on February 27, 2007 (72 FR 8693), that it would begin the development of Amendment 11 and the associated SEIS simultaneously with the development of Amendment 10 to the MSB FMP.

**Additional Issues Under Consideration**

During the course of the development of Amendment 11, the Council has identified three additional issues that may be considered in this amendment, in addition to mackerel limited entry. The first issue is implementation of ACLs and accountability measures AMs for mackerel and butterfish. The MSRA requires that fishery management plans contain a mechanism for specifying ACLs such that overfishing does not occur in the fishery, including measures to ensure accountability (AMs). Examples of AMs include in-season closures or pay-back provisions in cases of overages. The second issue is an update of the description and

identification of EFH for all life stages of mackerel, *Loligo, Illex*, and butterfish (including gear impacts on *Loligo* squid egg EFH). NMFS guidance requires that EFH assessments should be updated every 5 years. The MSB EFH assessment has not been generally updated since it was completed in 1999, though gear impact analyses were completed for Amendment 9 to the MSB FMP (73 FR 37382, July 1, 2008). Additionally, EFH for *Loligo* eggs was designated in Amendment 9, therefore, a gear impact analysis for *Loligo* egg EFH will also be included in Amendment 11. The third issue is possible limitations on at-sea processing of mackerel that may be considered to limit overcapitalization of the mackerel fishery; the Council may consider a cap on the amount of at-sea processing or a limitation on at-sea processor vessel size.

**Request for Comments**

The public will have the opportunity to comment on the measures and alternatives being considered by the Council for Amendment 11 through public meetings and public comment periods required by the National Environmental Policy Act, the MSRA, and the Administrative Procedure Act. To date, the location and/or timing of these meetings and comment periods has yet to be finalized, but appropriate notice of them will be published in the **Federal Register**.

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

Dated: August 6, 2008.

**James P. Burgess,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E8-18489 Filed 8-8-08; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XJ53**

**Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit**

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

**ACTION:** Notification of a proposal to conduct exempted fishing; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant

Regional Administrator), has made a preliminary determination that the subject exempted fishing permit (EFP) application submitted by the Gulf of Maine Research Institute (GMRI), which would exempt Atlantic sea scallop (scallop) vessels from small dredge program gear restrictions, should be issued for public comment. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Atlantic Sea Scallop Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made.

**DATES:** Comments on GMRI's EFP application must be received on or before August 26, 2008.

**ADDRESSES:** Comments may be submitted by e-mail. The mailbox address for providing e-mail comments is [scallop.efp@noaa.gov](mailto:scallop.efp@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: "Comments on small dredge EFP." Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope, "Comments on small dredge EFP." Comments may also be sent via facsimile (fax) to (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:** Ryan Silva, Cooperative Research Liaison, phone: 978-281-9326, fax: 978-281-9135.

**SUPPLEMENTARY INFORMATION:** In response to the 2008 Atlantic Sea Scallop RSA Program request for proposals, NOAA's National Marine Fisheries Service received a proposal from GMRI entitled, "An assessment of hanging ratio and mesh orientation of twine-tops on selectivity and bycatch in the general category scallop dredge fishery in scallop limited access areas." The grant approved by NOAA Grants on July 26, 2008, as NOAA Award No. NA08NMF4540667. GMRI proposes to determine if changes to the dredge twine-top configuration would affect the selectivity of a 10.5-ft general category scallop dredge.

Under this award, GMRI was awarded 70,565 lb of scallops from the Elephant Trunk Access Area (ETAA) and 33 days-at-sea (DAS), with the proceeds from sold scallops compensating participating vessel owners and defraying research costs. Small dredge program restrictions at 50 CFR 648.51(e) require a vessel enrolled in the small dredge program to fish with one dredge