

The more restrictive Alternative 4 under Action 5 in Amendment 6 specifies:

For a person aboard a shrimp trawler to fish for penaeid shrimp in the South Atlantic EEZ or possess penaeid shrimp in or from the South Atlantic EEZ, a valid commercial vessel permit for South Atlantic penaeid shrimp must have been issued to the vessel and must be on board. A federal penaeid shrimp permit will be issued to any vessel owner who submits an application.

Alternative 4 and other alternatives are described further in the Council's public hearing document, which is a summary of alternatives for Action 5 in Amendment 6 to the Shrimp FMP (see **ADDRESSES** for information on obtaining the public hearing document).

These meetings will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) by November 19, 2004.

Dated: November 3, 2004.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 04-24957 Filed 11-8-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 110304C]

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

**ACTION:** Notification of a proposal for Exempted Fishing Permits to conduct experimental 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 contains all the required information and warrants further consideration. 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 Northeast (NE) Multispecies Fishery Management Plan (FMP). However, further review and

consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to recommend that an EFP be issued that would allow one vessel to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP may allow exemptions from the NE multispecies rolling closure areas, minimum mesh size, and the days-at-sea (DAS) effort control program for up to 16 DAS for testing a bycatch reducing gear modification. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before November 24, 2004.

**ADDRESSES:** Comments on this notice may be submitted by e-mail to: [DA564@noaa.gov](mailto:DA564@noaa.gov). Include in the subject line the following document identifier: "Comments on UNH Double Grid Gear Modification EFP Proposal." Written comments may also 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 UNH Double Grid Gear Modification EFP Proposal." Comments may also be sent via fax to (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:** Heather Sagar, Fishery Management Specialist, phone (978) 281-9341.

**SUPPLEMENTARY INFORMATION:** Notice of this proposed project was previously published in the **Federal Register** on September 24, 2004, (69 FR 57269) with the comment period ending on October 12, 2004. However, the exemption for the Gulf of Maine Regulated Mesh Area (RMA) minimum mesh size was inadvertently omitted in that notice.

Bart McNeel, in cooperation with the University of New Hampshire Cooperative Extension (UNH), submitted an application for an EFP on May 21, 2004, for a project that started in 2002. This EFP would authorize one commercial vessel to conduct sea trials using a double grid excluder device. The final phase of this 2-year study would be conducted by UNH with the goal of designing trawl gear through modifications to the grid bar orientations to release sub-legal sized cod and flatfish species incidental to the catch, while retaining fish of marketable size. To accomplish this, the commercial fishing vessel would

conduct trawl net gear trials using the double grid excluder device within the Gulf of Maine and Georges Bank area from 40°30' N. latitude to the coast of Maine, excluding the Western and Eastern U.S./Canada Areas and all groundfish year-round closure areas. An exemption from the minimum mesh size is requested in order to place a small-mesh catch bag over the escape vent in order to quantify the results.

The fishing portion of this study began in March 2002. The applicant requests an exemption from 16 DAS to complete the project during the 2004 fishing year. Based upon the catch rates from eight days of fishing in the 2003 fishing year, the following catch is estimated for the 2004 fishing year: American plaice 992 lb (450 kg); cod 7,200 lb (3,266 kg); haddock 1,376 lb (624 kg); monkfish 2,317 lb (1,051 kg); pollock 144 lb (65 kg); white hake 400 lb (181 kg); and witch flounder 688 lb (312 kg). Estimated discards are estimated to be: American plaice 112 lb (51 kg); cod 5,008 lb (2,272 kg); dogfish 9,008 lb (4,085 kg); herring 2,608 lb (1,183 kg); lobster 32 lb (15 kg); monkfish 48 lb (22 kg); skate 64 lb (29 kg); white hake 2,528 lb (1,147 kg); whiting 800 lb (363 kg); and witch flounder 32 lb (15 kg). All undersized fish would be returned to the sea as quickly as possible. Legal-sized fish that would otherwise have to be discarded would be allowed to be retained and sold within the applicable GOM possession limits. The participating vessel would be required to report all landings in its Vessel Trip Report.

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

Dated: November 4, 2004.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 110404A]

#### Marine Mammals; File No. 1033-1683-00

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

**ACTION:** Receipt of application for amendment.

**SUMMARY:** Notice is hereby given that Michael A. Castellini, Ph.D., Institute of

Marine Science, School of Fisheries and Ocean Sciences, University of Alaska, Fairbanks, AK 99775, has requested an amendment to scientific research Permit No. 1033-1683-00.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before December 9, 2004.

**ADDRESSES:** The amendment request and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376.

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular amendment request would be appropriate.

Comments may also be submitted by facsimile at (301)713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 1033-1683-01.

**FOR FURTHER INFORMATION CONTACT:** Ruth Johnson or Amy Sloan (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 1033-1683-00, issued on September 25, 2002 (67 FR 62699) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Permit No. 1033-1683-00 authorizes the permit holder to capture, sample, instrument and release Weddell seals, incidentally harass crabeater seal (*Lobodon carcinophagus*), leopard seal (*Hydrurga leptonyx*), Ross seal (*Ommatophoca rossii*), southern elephant seal (*Mirounga leonina*), and Antarctic fur seal (*Archtocephalus gazella*), and import blood, feces and milk collected during research. The permit holder requests authorization to: capture 20 additional adult Weddell seals (10 inshore, 10 offshore), handle, blood sample, collect a whisker and hair

sample; and collect a whisker and hair sample from adult female seals already authorized to be taken. These activities will provide information of the effects of the Antarctic ecosystem changes on seals.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: November 4, 2004.

**Jill Lewandowski,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 04-24954 Filed 11-8-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 110304A]

#### Marine Mammals; File No. 782-1708

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

**ACTION:** Issuance of permit amendment.

**SUMMARY:** Notice is hereby given that The National Marine Mammal Laboratory (NMML), National Marine Fisheries Service, NOAA, 7600 Sand Point Way, NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0070 [PI: Dr. John Bengtson] has been issued an amendment to scientific research Permit No. 782-1708-00 to take Northern fur seals (*Callorhinus ursinus*).

**ADDRESSES:** The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7221; fax (907)586-7249.

**FOR FURTHER INFORMATION CONTACT:** Ruth Johnson or Amy Sloan, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On September 16, 2004, notice was published in the **Federal Register** (69 FR 55797) that an amendment of Permit No. 782-1708-00 issued on August 23, 2003 (68 FR 53967), had been requested by the above-named organization. The requested amendment has been granted

under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The Permit authorizes the Holder to capture, restrain, shear mark, weigh, measure, sample (including tooth, tissue, blood, fecal and throat swabs, enema), ultrasound, flipper tag, and instrument fur seals; animals are recaptured to remove instruments or to reinstrument. Fur seals may be incidentally harassed during capture operations, surveys, and scat collection. Researchers may also collect, obtain, and maintain scientific specimens taken from dead animals during the native subsistence harvest (St. Paul and St. George only) and from animals found dead on rookeries during other research activities (all islands) in Alaska.

The Amendment authorizes the Holder to inject up to 60 pups with deuterium oxide (D2O) and up to 70 adults with tritiated water (3H2O). Animals may be blood sampled pre- and post-injection of isotopes, held up to 2.5 hours and released. At the end of the perinatal suckling period, the pups may be recaptured, weighed and a single 5-10 mL blood sample obtained. Females may also be biopsy sampled for fatty acid analysis. All animals requested are a subset of seals already authorized to be taken. No increase in number of animals taken is requested or authorized.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: November 3, 2004.

**Amy Sloan,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

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