

## 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 one of the most valuable fisheries in the northeastern United States. In 2005, approximately 87 million pounds (39,712 metric tons) of American lobster were landed with an ex-vessel value of approximately 414 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 throughout their range, from Canada to Cape Hatteras, North Carolina. 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 data on the biology and composition of lobsters throughout the range of the resource are necessary. To facilitate effective management, this proposed EFP would monitor egg

growth and development of berried lobsters in three study areas using traditional lobster trap gear.

## Proposed EFP

The EFP proposes to continue the collection of statistical and scientific information as part of a project, originally announced in the **Federal Register** on October 21, 2004 (69 FR 19165), that is designed to monitor 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. Previous data collected in 2005 and 2006 from tagged berried lobsters that were monitored for egg-development stages, indicated a percentage of berried females are carrying eggs that are not fertilized. This continuation of the research will focus on quantifying fertilization success, and monitor egg growth and development.

Each of the maximum of 13 commercial fishing vessels in possession of Federal lobster permits involved in this monitoring and data collection program would collect a maximum of ten eggs from each berried lobster harvested, up to a maximum of 50 berried lobster per vessel, using traditional lobster trap gear. Removal of a maximum of ten eggs from each berried lobster should have no impact on the health or survival of the lobsters, since lobsters typically experience significantly greater rates of daily egg loss throughout their 13-month incubation period, with cumulative egg loss as high as 36 percent. Participating vessels would collect data from each of the three general study areas in the vicinity of Portsmouth, NH, the northern edge of Georges Bank, and in the vicinity of Veatch and Hydrographer Canyons along the southern edge of Georges Bank. The participating vessels may retain on deck egg bearing female lobsters, in addition to legal lobsters, for the purpose of collecting a maximum of ten eggs from each berried lobster to allow researchers to determine what percentage of eggs are fertilized, and to estimate the egg developmental stage, and time to maturity. All berried lobsters would be returned to the sea as quickly as possible after data collection. Pursuant to 50 CFR 600.745(b)(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 part 697. To allow

for the removal of a maximum of ten eggs from each berried lobster, the EFP would waive the American lobster prohibition on removal of eggs specified at 50 CFR 697.7(c)(1)(iv). All sample collections would be conducted by a maximum of 13 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 UNH 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: May 31, 2007.

**James P. Burgess**

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

### National Oceanic and Atmospheric Administration

#### Meeting: Climate Change Science Program (CCSP) Product Development Committee (CPDC) for Synthesis and Assessment Product 3.3

**AGENCY:** Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of open meeting.

**SUMMARY:** The Climate Change Science Program (CCSP) Product Development Committee for Synthesis and Assessment Product 3.3 (CPDC-S&A 3.3) was established by a Decision Memorandum dated October 17, 2006. CPDC-S&A 3.3 is the Federal Advisory Committee charged with responsibility to develop a draft Synthesis and Assessment Product that addresses CCSP Topic 3.3: "Weather and Climate Extremes in a Changing Climate".

**Place:** The meeting will be held at the Aspen Global Change Institute, 100 East Francis St. Aspen, Colorado, 81611.

**Time and Dates:** The meeting will convene at 4 p.m. on Monday, June 25, 2007 and adjourn at 5:30 p.m. on Thursday, June 28, 2007. Meeting information will be available online on the CPDC-S&A 3.3 Web site (<http://>

[www.climate.noaa.gov/index.jsp?pg=../ccsp/33.jsp](http://www.climate.noaa.gov/index.jsp?pg=../ccsp/33.jsp)). Please note that meeting location, times, and agenda topics described below are subject to change.

*Status:* The meeting will be open to public participation and will include a 30-minute public comment period on June 25 from 4 p.m. to 4:30 p.m. (check Web site to confirm this time and the room in which the meeting will be held). The CPDC-S&A 3.3 expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of five (5) minutes. Written comments (at least 35 copies) should be received by the CPDC-S&A 3.3 Designated Federal Official (DFO) by June 18, 2007 to provide sufficient time for review. Written comments received after June 18 will be distributed to the CPDC-S&A 3.3, but may not be reviewed prior to the meeting date. Seats will be available to the public on a first-come, first-served basis.

*Matters to be Considered:* The meeting will (1) formulate responses to the published NRC review report on the First Draft of Synthesis and Assessment Product 3.3 and revise the First Draft accordingly; (2) finalize plans for completion and submission of the Second Draft of Synthesis and Assessment Product 3.3 to the Climate Change Science Program Office for the public comment period.

**FOR FURTHER INFORMATION CONTACT:** Dr. Christopher D. Miller, CPDC-S&A 3.3 DFO and the Program Manager, NOAA/OAR/Climate Program Office, Climate Change Data and Detection Program Element, 1315 East-West Highway, Room 12239, Silver Spring, Maryland 20910; telephone 301-734-1241, e-mail: [Christopher.D.Miller@noaa.gov](mailto:Christopher.D.Miller@noaa.gov).

Dated: May 31, 2007.

**Terry Bevels,**

*Deputy Chief Financial Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[XRIN: 0648-XA66]

**Western Pacific Fishery Management Council; Public Meetings**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings and hearings.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold its 138th meeting to consider and take actions on fishery management issues in the Western Pacific Region.

**DATES:** The 138th Council meeting and public hearings will be held on June 19 - 22, 2007. For specific times and the agenda, see **SUPPLEMENTARY INFORMATION**.

**INFORMATION.**

**ADDRESSES:** The 138th Council meeting and public hearings will be held at the Ala Moana Hotel, 410 Atkinson Drive, Honolulu, HI 96814-4722; telephone: (808) 955-4811.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

**SUPPLEMENTARY INFORMATION:** In addition to the agenda items listed here, the Council will hear recommendations from other Council advisory groups. Public comment periods will be provided throughout the agenda. The order in which agenda items are addressed may change. The Council will meet as late as necessary to complete scheduled business.

*Schedule and Agenda for Council Standing Committee Meetings*

**Tuesday, June 19, 2007**

*Standing Committee*

1. 9 a.m. - 11 a.m. - Marianas Archipelago Ecosystem Standing Committee
2. 9 a.m. - 11 a.m. - Hawaii Archipelago Ecosystem Standing Committee
3. 11 a.m. - 12:30 p.m. - American Samoa Archipelago Ecosystem Standing Committee
4. 1:30 p.m. - 3:30 p.m. - Pelagics and International Ecosystem Standing Committee
5. 3:30 p.m. - 5 p.m. - Program Planning/Research Standing Committee
6. 3:30 p.m. - 5 p.m. - Executive/Budget Standing Committee

The agenda during the full Council meeting will include the items listed here.

*Schedule and Agenda for Council Meeting*

**Wednesday, June 20, 2007, 9 a.m. - 9 p.m.**

1. Introductions
2. Approval of Agenda
3. Approval of 137th Meeting Minutes
4. Agency Reports

- A. NMFS
  1. Pacific Islands Regional Office (PIRO)
  2. Pacific Islands Fisheries Science Center (PIFSC)
  - B. NOAA General Counsel
  - C. United States Fish and Wildlife Service (USFWS)
  5. Mariana Archipelago
    - A. Island Area Reports
      1. Commonwealth of the Northern Mariana Islands (CNMI)
      2. Guam
      - B. Enforcement Reports
        1. CNMI Enforcement Agency Report
        2. Guam Enforcement Agency Report
        3. United States Coast Guard (USCG) Enforcement Report
        4. NMFS Office for Law Enforcement (OLE) Report
        5. Status of Violations
        - C. CNMI Marine Conservation Plan (MCP)
        - D. Mariana Community Initiatives and New Issues
        - E. Education and Outreach Initiatives
        - F. Scientific and Statistical Committee (SSC) Recommendations
        - G. Standing Committee Recommendations
        - H. Public Comment
        - I. Council Discussion and Action
    6. American Samoa Archipelago
      - A. Island Area Reports
      - B. Enforcement Reports
        1. Agency Enforcement Report
        2. U.S.C.G. Enforcement Report
        3. NMFS OLE Report
        4. Status of Violations
        - C. Report on American Samoa Longline Workshop
        - D. Education and Outreach Initiatives
        - E. Advisory Panel (AP) Recommendations
        - F. Regional Ecosystem Advisory Committee (REAC) Report
        - G. SSC Recommendations
        - H. Standing Committee Recommendations
        - I. Public Comment
        - J. Council Discussion and Action
      7. Hawaii Archipelago and Pacific Remote Island Areas (PRIA)
        - A. Main Hawaiian Islands (MHI) Bottomfish (ACTION ITEM)
          1. Report on MHI Bottomfish Working Groups and Meetings
            - a. Public Meetings
            - b. Agency Workshop, Working Groups and Outreach
            - c. Enforcement Training and Compliance Workshop
          2. Seasonal Closure, Total Allowable Catch (TAC), Permits and Reporting
          3. Permits and Reporting Details
          4. Federal Recreational Bag Limits
          5. Inclusion of State of Hawaii Bottomfish Restricted Fishing Areas (BRFA) in Federal Waters