

TABLE 1—COMMON NAME AND TOTAL NUMBER OF FISH, AND AMOUNT OF LIVE ROCK TO BE HARVESTED OVER A 2-YEAR PERIOD BY NC AQUARIUMS.—Continued

26 Schoolmaster Snapper
300 lbs. (136 kg) Live Rock
16 Silk Snapper
78 Vermilion Snapper
200 Tomtate
100 Small-mouth Grunt
5 Common Hogfish
5 Spanish Hogfish
5 Cuban Hogfish
200 Cottonwick
6 Blue Angelfish
6 Queen Angelfish
6 Grey Angelfish
6 French Angelfish
6 Stoplight Parrotfish
6 Blue Parrotfish
6 Midnight Parrotfish
6 Dwarf Goatfish
6 Yellow Goatfish

Specimens would be collected in Federal waters from 3 miles (4.8 km) offshore out to 100 fathoms (182 m), from 33°10' N lat. to 36°30' N lat. along the coast of North Carolina. The project proposes to use hook-and-line gear, and standard traps (for example, black sea bass and minnow traps) to collect fish, and SCUBA to collect live rock by hand. The collections would be conducted year-round for a period of 2 years, commencing on the date of issuance of the EFP.

The overall intent of the project is to incorporate North Carolina native species into the educational exhibits at the three aquariums located on Pine Knoll Shores, Roanoke Island, and Fort Fisher, NC. The aquariums use these displays of native North Carolina habitats and species to teach the visiting public (over 1 million a year) about conservation of these resources.

NMFS finds this application warrants further consideration. Based on a preliminary review, NMFS intends to issue an EFP. Possible conditions the agency may impose on this permit, if it is indeed granted, include but are not

limited to, a prohibition of conducting research within marine protected areas, marine sanctuaries, special management zones, or artificial reefs without additional authorization. Additionally, NMFS may prohibit the possession of Nassau or goliath grouper, and require any sea turtles taken incidentally during the course of fishing or scientific research activities to be handled with due care to prevent injury to live specimens, observed for activity, and returned to the water. The harvest of live rock would have to be replaced by an equivalent amount of new rock substrate, or obtained from a commercial (aquaculture) source. A final decision on issuance of the EFP will depend on NMFS review of public comments received on the application, consultations with the affected state, the South Atlantic Fishery Management Council, and the U.S. Coast Guard, and a determination that it is consistent with all applicable laws.

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

Dated: June 1, 2009.

Kristen C. Koch

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

National Oceanic and Atmospheric Administration

RIN 0648-XO59

Fisheries of the South Atlantic and Gulf of Mexico; Southeast Data, Assessment, and Review (SEDAR); black grouper and red grouper.

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

ACTION: Notice of SEDAR Workshops for South Atlantic and Gulf of Mexico black grouper and South Atlantic red grouper.

SUMMARY: The SEDAR assessments of the South Atlantic and Gulf of Mexico stocks of black grouper and South Atlantic red grouper will consist of a series of three workshops: a Data Workshop, an Assessment Workshop, and a Review Workshop. This is the fifteenth SEDAR. See **SUPPLEMENTARY INFORMATION**.

DATES: The Data Workshop will take place June 22–26, 2009; the Assessment Workshop will take place October 5–9, 2009; the Review Workshop will take place January 25–29, 2010. See **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The Data Workshop will be held at the Hilton Garden Inn, 5265 International Boulevard, North Charleston, SC 29418; telephone: (843) 308-9330. The Assessment Workshop will be held at the Hilton Bayfront, 333 First Street South, St. Petersburg, FL 33701; telephone: (727) 894-5000. The Review Workshop will be held at the Hilton Garden Inn-Historic Savannah, 321 West Bay Street Savannah, GA 31401; telephone: (912) 721-5000.

FOR FURTHER INFORMATION CONTACT: Julie Neer, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571-4366.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR includes three workshops: (1) Data Workshop, (2) Stock Assessment Workshop and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Stock Assessment Workshop is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Consensus Summary documenting Panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

SEDAR 19 Workshop Schedule:**June 22–26, 2009; SEDAR 19 Data Workshop**

June 22, 2009: 1 p.m. - 8 p.m.; June 23–25, 2009: 8 a.m. - 8 p.m.; June 26, 2009: 8 a.m. - 12 p.m.

An assessment data set and associated documentation will be developed during the Data Workshop. Participants will evaluate all available data and select appropriate sources for providing information on life history characteristics, catch statistics, discard estimates, length and age composition, and fishery dependent and fishery independent measures of stock abundance.

October 5–9, 2009; SEDAR 19 Assessment Workshop

October 5, 2009: 1 p.m. - 8 p.m.; October 6–8, 2009: 8 a.m. - 8 p.m.; October 9, 2009: 8 a.m. - 12 p.m.

Using datasets provided by the Data Workshop, participants will develop population models to evaluate stock status, estimate population benchmarks and Sustainable Fisheries Act criteria, and project future conditions. Participants will recommend the most appropriate methods and configurations for determining stock status and estimating population parameters. Participants will prepare a workshop report, compare and contrast various assessment approaches, and determine whether the assessments are adequate for submission to the review panel.

January 25–29, 2010; SEDAR 19 Review Workshop

January 25, 2010: 1 p.m. - 8 p.m.; January 26–28, 2010: 8 a.m. - 8 p.m.; January 29, 2010: 8 a.m. - 12 p.m.

The Review Workshop is an independent peer review of the assessment developed during the Data and Assessment Workshops. Workshop Panelists will review the assessment and document their comments and recommendations in a Consensus Summary.

Although non-emergency issues not contained in this agenda may come before these groups for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically identified 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 action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 10 business days prior to each workshop.

Dated: June 2, 2009.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. E9–13127 Filed 6–4–09; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648–XP63

Marine Mammals; File Nos. 14210 and 782–1719

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

ACTION: Notice; issuance of permit and permit amendment.

SUMMARY: Notice is hereby given that LGL Alaska Research Associates (Dr. Tamara McGuire, Principal Investigator), 1101 E. 76th Ave. Suite B, Anchorage, Alaska 99518 (File No. 14210), and the National Marine Mammal Laboratory (NMML), Alaska Fisheries Science Center (Dr. Phillip J. Clapham, Principal Investigator), 7600 Sand Point Way, NE., Seattle, Washington 98115 6349 (File No. 782 1719) have been issued a permit and a permit amendment, respectively, to conduct research on the Cook Inlet stock of beluga whales (*Delphinapterus leucas*).

ADDRESSES: The permits 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)427–2521; and Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802–1668; phone (907)586–7221; fax (907)586–7249.

FOR FURTHER INFORMATION CONTACT:

Kristy Beard or Amy Hapeman, (301)713–2289.

SUPPLEMENTARY INFORMATION:

On February 10, 2009, notice was published

in the **Federal Register** (74 FR 6578) that a request for a scientific research permit and permit amendment to take Cook Inlet beluga whales had been submitted by the above-named organizations. The requested permit and permit amendment have been issued 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), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

Permit No. 14210, issued to LGL Alaska Research Associates, authorizes harassment of up to 54 beluga whales three times annually in Cook Inlet, Alaska for vessel-based photo-identification annually between May and October. The permit expires on May 30, 2014.

Permit No. 782–1719–08 authorizes NMML to take species of cetaceans under NMFS jurisdiction during stock assessment activities throughout U.S. territorial waters and the high seas of the North Pacific Ocean, Southern Ocean, and Arctic Ocean. The permit authorizes Level B harassment during close approach for aerial surveys, vessel-based surveys, observations, and photo-identification and Level A harassment during biopsy sampling and attachment of scientific instruments. This permit amendment authorizes harassment of up to 585 Cook Inlet belugas 20 times annually during aerial surveys, and will be effective until the permit expires on June 30, 2009.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the permitted activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Issuance of this permit and permit amendment, as required by the ESA, was based on a finding that such permits: (1) were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.