

**SUMMARY:** The National Oceanic and Atmospheric Administration's (NOAA's) Office of National Marine Sanctuaries (ONMS) is announcing the establishment of new indirect cost rates on the recovery of indirect costs for its component organizations involved in natural resource damage assessment and restoration activities for fiscal year (FY) 2006. The indirect cost rates for this fiscal year and dates of implementation are provided in this notice. More information on these rates and the NMSP policy can be obtained from the address provided below.

**FOR FURTHER INFORMATION CONTACT:** Harriet Sopher, 301-713-3125, ext. 271; (FAX: 301-713-0404; e-mail: [Harriet.Sopher@noaa.gov](mailto:Harriet.Sopher@noaa.gov)).

**SUPPLEMENTARY INFORMATION:** The mission of the ONMS with respect to Natural Resource Damage Assessment is to restore injuries to sanctuary resources caused by releases of hazardous substances or oil under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C., 9601 *et seq.*) or the Oil Pollution Act of 1990 (OPA) (33 U.S.C., 2701 *et seq.*), or physical injuries under the National Marine Sanctuaries Act (NMSA) (16 U.S.C., 1431 *et seq.*). The NOAA ONMS consists of the following component organizations: Thirteen National Marine Sanctuaries and one National Monument within NOAP's National Ocean Service. The ONMS conducts Natural Resource Damage Assessments (NRDA) as a basis for recovering damages from responsible parties and uses the funds recovered to restore injured sanctuary resources.

When addressing NRDA incidents, the costs of the damage assessment are recoverable from responsible parties who are potentially liable for an incident. Costs include direct and indirect costs. Direct costs are costs for activities that are clearly and readily attributable to a specific output. In the context of the ONMS, outputs may be associated with damage assessment cases, or may be represented by other program products such as damage assessment regulations. In contrast, indirect costs reflect the costs for activities that collectively support the ONMS's mission and operations. For example, indirect costs include general administrative support and traditional overheads. Although these costs may not be readily traced back to a specific direct activity, indirect costs may be allocated to direct activities using an indirect cost distribution rate.

Consistent with standard Federal accounting requirements, the ONMS is

required to account for and report the full costs of its programs and activities. Further, the ONMS is authorized by law to recover reasonable costs of damage assessment and restoration activities under CEROLA, OPA, and the NMSA. Within the constraints of these legal provisions and their regulatory applications, the ONMS has the discretion to develop indirect cost rates for its component organizations and formulate policies on the recover of indirect cost rates subject to its requirements.

#### The ONMS Indirect Cost Effort

In October 2002, the ONMS hired the public accounting firm Cotton & Company (C&C) to: (1) Evaluate the cost accounting system and allocation practices; (2) recommend the appropriate indirect cost allocation methodology; and, (3) determine the indirect cost rates for the organizations that comprise the ONMS.

The ONMS requested an analysis of its indirect costs for fiscal year 2002. The goal was to develop the most appropriate indirect cost rate allocation methodology and rates for the ONMS component organizations. C&C has continued its assessment of the ONMS indirect cost rate system and structure annually from FY2002 through FY2006.

C&C concluded that the cost accounting system and allocation practices of the ONMS component organizations are consistent with Federal accounting requirements. C&C also determined that the most appropriate indirect allocation method was the Direct Labor Cost Base for all ONMS component organizations. The Direct Labor Cost Base is computed by allocating total indirect costs over the sum of direct labor dollars plus the application of NOAA's leave surcharge and benefits rates to direct labor. The indirect cost rates that C&C has computed for the ONNS component organizations were further assessed as being fair and equitable. A report on C&C's effort, their assessment of the ONMS's cost accounting system and practice, and their determination respecting the most appropriate indirect cost methodology and rates can be obtained from: Harriet Sopher, ONMS 1305 East West Highway, Silver Spring, MD 20910.

C&C reaffirmed that the Direct Labor Cost Base is the most appropriate indirect allocation method for the development of the FY 2006 indirect cost rates.

#### The ONMS Indirect Cost Rates and Policies

The ONMS will apply the indirect cost rates for FY 2006 as recommended by C&C for each of the ONMS component organizations as provided in the following table:

ONMS component organization	FY 2006 indirect rate (percent)
Office of National Marine Sanctuaries (ONMS) .....	137.35
ONMS Florida Keys National Marine Sanctuary (FKNMS) .....	216.43

The FY 2006 rates identified in this policy will be applied to all damage assessment and restoration case costs incurred between October 1, 2005 and present, using the Direct Labor Cost Base allocation methodology. The ONMS will use the FY 2006 rates for future fiscal years until year-specific rates can be developed. For cases that have been settled and for costs claims paid prior to the effective date of the fiscal year in question, the ONMS will not re-open any resolved matters for the purpose of applying the rates in this policy. For cases not settled and cost claims not paid prior to the effective date of the fiscal year in question, costs will be recalculated using the rates in this policy.

Dated: September 25, 2008.

**Daniel J. Basta,**

*Director, Office of National Marine Sanctuaries.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

**RIN: 0648-XK87**

##### Gulf of Mexico Fishery Management Council; Public Meetings

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council will convene a public meeting of the Ad Hoc Recreational Red Snapper Advisory Panel (AP).

**DATES:** The meeting will convene at 9 a.m. on Monday, October 20, 2008 and conclude no later than 3 p.m. on Tuesday, October 21, 2008.

**ADDRESSES:** This meeting will be held at the LaQuinta Inn, 2610 Williams Boulevard, Kenner, LA 70062; telephone: (504) 466-1401.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:**

Steven Atran, Population Dynamics Statistician; Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:**

The Council previously reviewed 27 recommendations from the AP for improving recreational red snapper management, and selected four of the recommendations for further review. Those recommendations include: (1) regional management of recreational red snapper fishing; (2) recreational reef fish permitting system with red snapper endorsement; (3) limited access privilege programs in the for-hire and private recreational sectors; and (4) catch cards and fish tag systems. At this meeting, the AP will discuss issues and possible alternatives to consider for each of these ideas, and will provide recommendations back to the Council for possible further development.

Although other non-emergency issues not on the agenda may come before the panel 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 panel action during this meeting. Panel action will be restricted to those issues specifically identified in the agenda 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 action to address the emergency.

A copy of the agenda can be obtained by calling (813) 348-1630.

**Special Accommodations**

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Tina O'Hern at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: October 1, 2008.

**Tracey L. Thompson,**

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

**National Oceanic and Atmospheric Administration**

**RIN: 0648-XK88**

**Gulf of Mexico Fishery Management Council (Council); Public Meetings**

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council to convene its Standing SSC via conference call.

**DATES:** The conference call will be held October 21, 2008, at 9:30 a.m. EDT.

**ADDRESSES:** The meeting will be held via conference call and listening stations will be available. For specific locations, see **SUPPLEMENTARY INFORMATION**.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Dr. Richard Leard, Interim Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:** The Standing SSC will discuss and develop recommendations for the Council on a 5-year research plan for fisheries managed by the Council. Once approved by the Council at its October 2008 meeting, the 5-year research plan will be submitted to the NMFS for implementation and funding.

Although other non-emergency issues not on the agenda may come before the Standing SSC 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 the meeting. Actions will be restricted to the issue specifically identified in the agenda 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 Standing SSC's intent to take action to address the emergency.

The conference call will begin at 9:30 a.m. EDT and conclude no later than 12:30 p.m. EDT. Listening stations are available at the following locations:

The Gulf Council office (see **ADDRESSES**), and the National Marine Fisheries Service (NMFS) offices as follows:

*St. Petersburg, FL*

263 13th Ave. S., St Petersburg, FL 33701, Contact: Carolyn Potter, telephone: (727) 551-5705;

*Miami, FL*

75 Virginia Beach Dr., Miami, FL 33149, Contact: Sonia Prevo, telephone: (305) 361-4200; and

*Panama City, FL*

3500 Delwood Beach Rd., Panama City, FL 32408, Contact: Janice Hamm, telephone: (850) 234-6541.

**Special Accommodations**

The listening stations are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Tina O'Hern at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: October 1, 2008.

**Tracey L. Thompson,**

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

**National Oceanic and Atmospheric Administration**

**RIN: 0648-XK89**

**Pacific Fishery Management Council; Public Hearings**

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

**ACTION:** Notice of public hearings.

**SUMMARY:** The Pacific Fishery Management Council (Council) will hold public hearings on draft Amendment 20 (Trawl Rationalization) to its groundfish fishery management plan (FMP). These hearings are preparatory to the final Council decision on Amendment 20, scheduled for the November 2-7, 2008 Council meeting, in San Diego, CA.

**DATES:** The hearings will be held on October 27-29, 2008.

**ADDRESSES:** Hearing locations will be held in Newport, OR, Olympia, WA, Eureka, CA, Astoria, OR, and Santa Cruz, CA. See **SUPPLEMENTARY INFORMATION** for specific addresses.

*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.