

- Hungary investigated notified or suspected occurrences of the disease;
- Hungary had an effective surveillance program in place that supported the detection and investigation of outbreaks;
- Diagnostic and laboratory capabilities within Bács-Kiskun and Csongrád Counties were both adequate and effective;
- Hungary undertook appropriate eradication and control measures and movement restrictions in response to the outbreaks to prevent further spread of disease; and
- Procedures used for repopulation of affected premises in Bács-Kiskun and Csongrád Counties included monitoring to demonstrate that HPAI H5N1 had been eradicated from the premises.

Based on these factors, which are consistent with the OIE's recommendations for reinstatement of trade with a country that has experienced an HPAI H5N1 outbreak,<sup>1</sup> our evaluation concludes that DFCSAH was able to effectively control and eradicate HPAI H5N1 in the domestic poultry population and that the Hungarian authorities have adequate control measures in place to rapidly identify, control, and eradicate the disease should it be reintroduced into Hungary in either wild birds or domestic poultry.

We are making the evaluation available for public comment. We will consider all comments that we receive on or before the date listed under the heading **DATES** at the beginning of this notice.

If, after the close of the comment period, APHIS can identify no additional risk factors that would indicate that domestic poultry in Bács-Kiskun and Csongrád Counties in Hungary continue to be affected with HPAI H5N1, we would conclude that the importation of live birds, poultry carcasses, parts of carcasses, and eggs (other than hatching eggs) of poultry, game birds, or other birds from Hungary presents a low risk of introducing HPAI H5N1 into the United States.

The evaluation may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the evaluation by calling or writing to the person listed under **FOR**

**FURTHER INFORMATION CONTACT.** Please refer to the title of the evaluation when requesting copies.

**Authority:** 7 U.S.C. 450, 7701–7772, 7781–7786, and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR. 2.22, 2.80, and 371.4.

Done in Washington, DC, this 9th day of June 2009.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E9–14004 Filed 6–12–09; 8:45 am]

**BILLING CODE 3410–34–P**

## COMMISSION ON CIVIL RIGHTS

### Agenda and Notice of Public Meeting of the Minnesota Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a planning and briefing meeting of the Minnesota Advisory Committee to the Commission will convene at 9 a.m. and adjourn at 12 p.m. on June 25, 2009, at Johnson & Condon, P.A., 7401 Metro Boulevard, Edina, Minnesota 55439. The purpose of the meeting is to conduct a SAC orientation, hold a briefing on fair housing in Minnesota, and plan future activities.

Members of the public are entitled to submit written comments. The address is 55 W. Monroe St., Suite 410, Chicago, IL 60603. Persons wishing to e-mail their comments, or to present their comments verbally at the meeting, or who desire additional information should contact Carolyn Allen, Administrative Assistant at (312) 353–8311 or by e-mail: [callen@usccr.gov](mailto:callen@usccr.gov).

Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

Records generated from this meeting may be inspected and reproduced at the Midwestern Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, <http://www.usccr.gov>, or to contact the Midwestern Regional Office at the above e-mail or street address.

The meeting will be conducted pursuant to the rules and regulations of the Commission and FACA.

Dated in Washington, DC, June 9, 2009.

**Christopher Byrnes,**

*Chief, Regional Programs Coordination Unit.*

### Agenda and Notice of Public Meeting of the Kansas Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a planning meeting of the Kansas Advisory Committee to the Commission will convene by conference call at 2 p.m. and adjourn at approximately 3 p.m. on Thursday, June 25, 2009. The purpose of this meeting is to discuss the SAC transcript concerning "Kansas's Caucus Process and Related Voting Rights Issues" and "Enforcement of Employment Civil Rights Laws"

This meeting is available to the public through the following toll-free call-in number: (866) 364–7584, conference call access code number 11616548. Any interested member of the public may call this number and listen to the meeting. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and contact name Farella E. Robinson.

To ensure that the Commission secures an appropriate number of lines for the public, persons are asked to register by contacting Corrine Sanders of the Central Regional Office and TTY/TDD telephone number, by 4 p.m. on June 19, 2009.

Members of the public are entitled to submit written comments. The address is U.S. Commission on Civil Rights, 400 State Avenue, Suite 908, Kansas City, Kansas 66101. Comments may be e-mailed to [frbinson@usccr.gov](mailto:frbinson@usccr.gov). Records generated by this meeting may be inspected and reproduced at the Central Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, <http://www.usccr.gov>, or to contact the Central Regional Office at the above e-mail or street address.

The meeting will be conducted pursuant to the rules and regulations of the Commission and FACA.

<sup>1</sup> OIE (2008). Risk Analysis. In *Terrestrial Animal Health Code*, 17th edition. Paris, World Organization for Animal Health: Chapter 2.2 on Import Risk Analysis; Chapter 10.4 on Avian Influenza. To view the document on the Internet, go to <http://www.oie.int/emg/normes/mcode/Asummary.htm?e1d11>.

Dated in Washington, DC, June 9, 2009.

Christopher Byrnes,  
Chief, Regional Programs Coordination Unit.  
[FR Doc. E9-13931 Filed 6-12-09; 8:45 am]  
BILLING CODE 6335-01-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XP70

#### Fisheries in the Western Pacific; Amended Marine Conservation Plan for Pacific Insular Areas; Western Pacific Sustainable Fisheries Fund

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

**ACTION:** Notice of agency decision.

**SUMMARY:** NMFS announces approval of an amended marine conservation plan (MCP) for Pacific Insular Areas other than American Samoa, Guam, and the Northern Mariana Islands.

**DATES:** This agency decision is effective April 11, 2008, through April 10, 2011.

**ADDRESSES:** Copies of the MCP are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226.

**FOR FURTHER INFORMATION CONTACT:** Jarad Makaiau, Sustainable Fisheries, NMFS Pacific Islands Regional Office, 808-944-2108.

**SUPPLEMENTARY INFORMATION:** Under Section 204(e) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Secretary of State, with the concurrence of the Secretary of Commerce (Secretary) and in consultation with the Council, may negotiate and enter into a Pacific Insular Area fishery agreement (PIAFA) to allow foreign fishing within the U.S. Exclusive Economic Zone (EEZ) adjacent to any Pacific Insular Area other than American Samoa, Guam or the Northern Mariana Islands, which, by definition, does not include the State of Hawaii. Before entering into a PIAFA, the Council must develop a three-year Marine Conservation Plan (MCP) providing details on uses for any funds collected by the Secretary under the PIAFA.

The Magnuson-Stevens Act authorizes that any payments received under a PIAFA, in support of conservation and management objectives in an MCP, shall be deposited into the Western Pacific Sustainable Fisheries Fund (Fund) for

use by the Council. Amounts received by the Secretary attributable to fines and penalties imposed under the Magnuson-Stevens Act for violations by foreign vessels occurring within the EEZ off any Pacific Insular Area (other than American Samoa, Guam or the Northern Mariana Islands) shall also be deposited into the Fund for use by the Council.

An MCP must be consistent with the Council's fishery management plans, must identify conservation and management objectives (including criteria for determining when such objectives have been met), and must prioritize planned marine conservation projects. Although no foreign fishing is contemplated at this time, the Council developed an MCP for the Pacific Insular Areas, here defined as the U.S. EEZ around Johnston and Palmyra Atoll, Kingman Reef and Jarvis, Howland, Baker, and Wake Islands. These areas are sometimes known as the Pacific remote island areas.

In August 2007, the Council approved an MCP for the Pacific Insular Area and recommended its submission to the Secretary for approval. NMFS, as designee of the Secretary, received the MCP on November 6, 2007. That MCP, dated August 27, 2007, satisfied the requirements of Magnuson-Stevens Act Section 204(e), and was approved for the three-year period April 11, 2008, through April 10, 2011 (73 FR 21111; April 18, 2008).

At its 144th meeting in March 2009, the Council approved amendments to the MCP. On April 3, 2009, the Council submitted to NMFS the amended MCP, dated March 2009, for approval. The amended MCP revises the previously-approved August 2007 MCP by streamlining the descriptions of the projects associated with the MCP's conservation and management objectives, and also includes evaluative criteria for each program or project.

The amended MCP contains seven conservation and management objectives, listed below. These objectives are based upon the Council's guiding principles and five year Program Plan, and are consistent with the Council's fishery management plans:

1. Support quality research and obtain the most complete scientific information available to assess and manage fisheries;
2. Promote an ecosystem approach in fisheries management, including reducing waste in fisheries and minimizing impacts on marine habitat and impacts on protected species;
3. Conduct education and outreach to foster good stewardship principles and broad and direct public participation in the Council's decision making process;

4. Recognize the importance of island cultures and traditional fishing practices in managing fishery resources and foster opportunities for participation;

5. Promote responsible domestic fisheries development to provided long term economic growth and stability and local food production;

6. Promote regional cooperation to manage domestic and international fisheries; and

7. Encourage development of technologies and methods to achieve the most effective level of monitoring, control and surveillance and to ensure safety at sea.

The amended MCP identifies major task areas that include data collection and monitoring, fishery management, social economic research and assessment, policy development, protected species conservation, public outreach, media activities and products, meeting and event participation, workshops, plans and training, infrastructure development, etc. Projects are ranked in order of priority and would aid in fulfilling the Council's conservation and management objectives. The MCP also outlines a process by which the Council's Executive Committee could revisit the project ranking to adapt to changing management needs.

This notice announces that NMFS has determined that the amended MCP for the Western Pacific Sustainable Fisheries Fund satisfies the requirements of the Magnuson-Stevens Act and approves the amended MCP for the three-year period April 11, 2008, through April 10, 2011.

Dated: June 9, 2009.

**Kristen C. Koch,**

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

[FR Doc. E9-14032 Filed 6-12-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XP74

#### Incidental Taking of Marine Mammals; Taking of Marine Mammals Incidental to the Explosive Removal of Offshore Structures in the Gulf of Mexico

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

**ACTION:** Notice; issuance of a letter of authorization.