

process, establishes assessment priorities, and provides coordination of assessment and management activities.

During this conference call the Steering Committee will discuss assessment scheduling for 2010, including changes in the completion dates for updates, the addition of a Goliath Grouper benchmark assessment, and additional Gulf of Mexico tilefish stocks to be assessed during SEDAR 22. The Committee will receive updates on procedural workshops addressing uncertainty and historic catch estimates. The Committee will discuss stocks to update for the Gulf of Mexico in 2011, timing of a future South Atlantic tilefish assessment, and the type of assessment to be conducted next for Gulf red snapper. The Committee will discuss progress on procedural changes implemented in 2010 and receive feedback from the Councils on the proposed changes. The Committee will discuss revised guidelines addressing conflict of interest policies for scientific reviewers and consider whether SEDAR policy changes are required.

Although non-emergency issues not contained in this agenda may come before this group 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 this meeting. 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

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the South Atlantic Fishery Management Council office at the address listed above at least 5 business days prior to the meeting.

Dated: January 12, 2010.

**Tracey L. Thompson,**

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

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XT29

#### Taking and Importing Marine Mammals; Naval Explosive Ordnance Disposal School Training Operations Activities at Eglin Air Force Base, FL

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

**ACTION:** Notice; receipt of application for a Letter of Authorization; request for comments and information.

**SUMMARY:** NMFS has received an application from the U.S. Department of the Air Force, Headquarters 96<sup>th</sup> Air Base Wing (U.S. Air Force), Eglin Air Force Base (Eglin AFB) for authorization to take marine mammals, by harassment, incidental to Naval Explosive Ordnance Disposal School (NEODS) training operations, military readiness activities, at Eglin AFB, FL from approximately October, 2010, to October, 2015. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of the U.S. Air Force's request for the development and implementation of regulations governing the incidental taking of marine mammals and inviting information, suggestions, and comments on the U.S. Air Force's application and request. NMFS issued annual Incidental Harassment Authorizations pursuant to the MMPA, for similar specified activities in 2005, 2006, 2007, and 2008. No activities have occurred to date.

**DATES:** Comments and information must be received no later than February 16, 2010.

**ADDRESSES:** Comments on the application should be addressed to P. Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. The mailbox address for providing email comments is *PR1.0648-XT29@noaa.gov*. NMFS is not responsible for e-mail comments sent to addresses other than the one provided here. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental.htm> without change. All Personal Identifying Information (for

example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

A copy of the application containing a list of the references used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Howard Goldstein or Jolie Harrison, Office of Protected Resources, NMFS, 301-713-2289, ext. 172.

#### SUPPLEMENTARY INFORMATION:

##### Availability

A copy of the application containing a list of the references used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>.

Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

##### Background

In the case of military readiness activities (as defined by Subsection 315(f) of Public Law 107-314; 16 U.S.C. 703 note), subparagraphs 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional, taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued, or if the taking is limited to harassment an Incidental Harassment Authorization (IHA) is issued. Upon making a finding that an application for incidental take is adequate and complete, NMFS commences the incidental take authorization process by publishing in the **Federal Register** a notice of a receipt of an application for the implementation of regulations or a proposed IHA.

An authorization for the incidental takings may be granted if NMFS finds that the taking during the period of the authorization will have a negligible

impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth to achieve the least practicable adverse impact.

NMFS has defined “negligible impact” in 50 CFR 216.103 as:

“...an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.”

With respect to military readiness activities, the MMPA defines “harassment” as:

“(i) any act that injures or has the significant potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) any act that disturbs or is likely to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns, including, but not limited to, migration, surfacing, nursing, breeding, feeding, or behavioral patterns are abandoned or significantly altered (Level B harassment).”

**Summary of Request**

On November 6, 2009, NMFS received an application from the U.S. Air Force requesting an authorization for the take of marine mammals incidental to NEODS training operations. The requested regulations would establish a framework for authorizing incidental take future Letters of Authorization (LOA). These LOAs, if approved, would authorize the take, by Level B (behavioral) harassment, of Atlantic bottlenose dolphins (*Tursiops truncatus*) incidental to NEODS training operations and testing at Eglin Gulf Test and Training Range at property off Santa Rosa Island, FL, in the northern Gulf of Mexico (GOM). Based on the application, pre-mitigation take would average approximately 10 animals per year; approximately 50 animals over the five year period. NMFS issued an Incidental Harassment Authorization (IHA) for the same activity in 2005 (70 FR 51341; August 30, 2005), 2006 (70

FR 60693; October 16, 2006), 2007 (72 FR 58290; October 15, 2007), and 2008 (73 FR 56800, September 30, 2008). The past missions have been delayed due to safety issues concerning bringing demolition charges under a bridge and no missions have occurred to date under any of the IHAs. NEODS missions would involve underwater detonations of small, live explosive charges adjacent to inert mines. The NEODS training activities are classified as military readiness activities. The U.S. Air Force states that noise associated with underwater detonation of the specified explosive charges may expose bottlenose dolphins in the area to noise and pressure resulting in non-injurious temporary threshold shift (TTS) (temporary hearing loss).

**Specified Activities**

The NEODS may conduct up to eight two-day demolition training events annually; these missions may occur at any time of the year, although the U.S. Air Force anticipates that 60 percent of the specified activities will occur during summer months while 40 percent will occur during winter months. Each demolition training event involves a maximum of five detonations. Up to 20 five-pound (lb) charges (five lbs net explosive weight [NEW] per charge) and 20 ten-lb charges (ten lbs NEW per charge) would be detonated annually in the GOM, approximately three nautical miles (5.6 kilometers) offshore of Eglin AFB. Detonations would be conducted on the sea floor, adjacent to an inert mine, at a depth of approximately 60 feet (18.3 meters). Additional information on the NEODS training operations is contained in the application, which is available upon request (see **ADDRESSES**).

**Information Solicited**

Interested persons may submit information, suggestions, and comments related to the U.S. Air Force’s request (see **ADDRESSES**). All information, suggestions, and comments related to the U.S. Air Force’s NEODS training operations request and NMFS’ potential development and implementation of regulations governing the incidental taking of marine mammals by Eglin AFB’s NEODS training operations will

be considered by NMFS in developing, if appropriate, the most effective regulations governing the issuance of Letters of Authorization.

Dated: January 11, 2010.

**James H. Lecky,**

*Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2010-722 Filed 1-14-10; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**Economic Development Administration**

**Trade Adjustment Assistance for Firms Program Fiscal Year 2009 Annual Report**

**AGENCY:** Economic Development Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Secretary of Commerce is directed by Section 1866 of the Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA), which became effective May 17, 2009, to submit to Congress a report on the Trade Adjustment Assistance for Firms (TAAF) program by the 15th of December each year. The TAAF Program is one of four Trade Adjustment Assistance (TAA) programs authorized by the Trade Act of 1974 (Trade Act). The mission of the TAAF Program is to provide technical and financial assistance to U.S. firms affected by import competition. The program provides assistance in the development of business recovery plans, which are known as Adjustment Proposals under Section 252 of the Trade Act, and matching funds to implement projects outlined in the Adjustment Proposals. The TAAF Program supports a national network of 11 Trade Adjustment Assistance Centers (TAACs) to help U.S. firms apply for assistance and prepare and implement strategies to guide their economic recovery.

Overall, there has been an increase in the demand for the TAAF Program in fiscal year 2009, as demonstrated by the increase in the number of petitions for certification and Adjustment Proposals submitted to EDA for approval.

Fiscal year	Petitions received	Petitions accepted for filing	Petitions certified	Petitions denied	Avg. days between submission and acceptance	Avg. days between acceptance and certification
2009 .....	281	247	212	1	28	45
2008 .....	188	190	183	0	11	45