

in regulations implementing the amendment.

The applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited. If the research project is terminated for any reason prior to completion, any unused funds collected from catch sold to pay for research expenses may be refunded to NOAA.

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

Dated: April 12, 2010.

**Emily H. Menashes,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XV60

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a determination that an Exempted Fishing Permit (EFP) application submitted by the Gulf of Maine Research Institute (GMRI) contains all of the required information and warrants further consideration. The Assistant Regional Administrator has made a determination that the activities authorized under this EFP would be consistent with the goals and objectives of the Monkfish Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue an EFP. The EFP would allow commercial fishing vessels to conduct research and compensation fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United

States. This EFP, which would enable vessels to harvest monkfish in accordance with the provisions of the Monkfish Research Set-Aside (RSA) Program, would grant exemptions from the monkfish days-at-sea (DAS) possession limits in the Southern Fishery Management Area (SFMA) and the monkfish minimum fish size limits for research purposes only.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before May 3, 2010.

**ADDRESSES:** You may submit written comments by any of the following methods:

- Email: [NERO.EFP@noaa.gov](mailto:NERO.EFP@noaa.gov).

Include in the subject line "Comments on Monkfish RSA Harvest EFP."

- Mail: Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Monkfish RSA Harvest and Gillnet Study EFP, DA10-031."

- Fax: (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:** Anna Macan, Fishery Management Specialist, 978-281-9165.

**SUPPLEMENTARY INFORMATION:** A complete application for an EFP was submitted by GMRI on March 19, 2010, for a project selected under the New England and Mid-Atlantic Fishery Management Councils' Monkfish RSA Program. The final grant is pending a review by NOAA Grants. The project would involve testing tiedown lengths in gillnets and evaluating their effect on monkfish and bycatch retention. This EFP would grant an exemption from monkfish possession limits to vessels for the purpose of harvesting RSA to fund this research project (i.e., compensation fishing) and the monkfish minimum size restrictions for research purposes only.

Research and compensation fishing activities for this project would occur from May 2010 through April 2011. The fishing industry collaborators would have access to 162 monkfish RSA DAS. The applicant states that these vessels must be able to land at least 3,600 lb (1,633 kg) of whole monkfish (1,084 lb (492 kg) tail weight) per trip. This amount is based on the way the participating vessels typically fish, which is to land a "double limit" (6,652 lb (3,017 kg)) using 24 hours and 1 minute of DAS. In order to achieve this target catch, these fishing activities

would require an exemption from monkfish SFMA DAS possession limits at § 648.94(b)(2). This exemption would provide these vessels with the flexibility they need to generate sufficient income to meet projected costs of the research activity, while minimizing operating expenses. Based on the preliminary award of 162 DAS and the fishing practice described above, this would require a total catch of 583,200 lb (264,535 kg) of whole monkfish (175,663 lb (79,679 kg) tail weight). Operating under this total landings cap, compensation fishing would continue until the required goal of 609,000 lb (276,238 kg) of whole monkfish is met, or until the awarded DAS have been fully utilized, whichever occurs first.

The research portion of this project would involve testing tiedown lengths in gillnets and evaluating their effect on monkfish and bycatch retention while under normal commercial fishing conditions. Monkfish gillnets would be configured according to standard commercial requirements with the only modification being the tiedown lengths. Tiedown lengths would consist of 6-inch (15.2 cm) increments of 12, 18, 24, 30, 36, and 42 inches (30.5, 45.7, 76.2, 91.4, and 106.7 cm). Upon haul back of the experimental gear, all catch would be separated and measured. All legal-sized monkfish would be retained and landed for sale. Any legal-sized monkfish landed above the possession limit would be retained and counted against the landings cap described above. Undersized monkfish would be carefully removed from the net, measured, and returned to the sea as quickly as possible. An exemption from the monkfish minimum size restriction is necessary because the participating vessels may retain fish on board longer than under normal sorting procedures in order to collect catch data. The total number of days fishing will not exceed 162. The total number of hauls per day will be four, with a total of 50 nets per vessel, and a soak time of 72 to 120 hr. The research and compensation fishing would occur May 2010 through April 2011.

The participating vessels would be required to comply with all other applicable requirements and restrictions specified at 50 CFR part 648, unless specifically exempted in this EFP. Upon implementation of approved measures in Amendment 16 to the Northeast Multispecies FMP, all participating vessels would be required to comply with any other applicable requirements in regulations implementing the amendment.

The applicant may request minor modifications and extensions to the EFP

throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited. If the research project is terminated for any reason prior to completion, any unused funds collected from catch sold to pay for research expenses may be refunded to NOAA.

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

Dated: April 12, 2010.

**Emily H. Menashes,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-969]

#### Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping Duty Petition: Glyphosate from the People's Republic of China

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** April 16, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Andrea Berton at (202) 482-4037, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> Street and Constitution Avenue, NW, Washington, DC 20230.

#### Extension of Initiation of Investigations The Petition

On March 31, 2010, the Department of Commerce (Department) received an antidumping duty petition filed by Albaugh, Inc. (petitioner) on behalf of the domestic industry producing glyphosate. See *Antidumping Duty Petition on Glyphosate from the People's Republic of China* (March 31, 2010) (Petition).

#### Determination of Industry Support for the Petition

Section 732(b)(1) of the Tariff Act of 1930, as amended (the Act), requires that a petition be filed by or on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that the Department's industry support determination be based on whether a minimum percentage of the relevant

industry supports the petition. A petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A), or (ii) if there is a large number of producers, determine industry support using a statistically valid sampling method to poll the industry.

#### Extension of Time

Section 732(c)(1)(A)(ii) of the Act provides that within 20 days of the filing of an antidumping duty petition, the Department will determine, *inter alia*, whether the petition has been filed by or on behalf of the U.S. industry producing the domestic like product. Section 732(c)(1)(B) of the Act provides that the deadline for the initiation determination, in exceptional circumstances, may be extended by 20 days in any case in which the Department must "poll or otherwise determine support for the petition by the industry." Because it is not clear from the Petition whether the industry support criteria have been met, nor does the Petition provide a usable figure for total production of the domestic like product, the Department has determined it should extend the time for initiating an investigation in order to poll the domestic industry.

The Department will need additional time to gather and analyze the domestic producers' responses to the Department's request for information. Therefore, it is necessary to extend the deadline determining the adequacy of the Petition for a period not to exceed 40 days from the filing of the Petition. As a result, the initiation determination will now be due no later than May 10, 2010.

#### International Trade Commission Notification

The Department will contact the International Trade Commission (ITC) and will make this extension notice available to the ITC.

Dated: April 12, 2010.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XV82**

#### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Pacific Fishery Management Council (Council) will convene a meeting of the Ecosystem Advisory Subpanel (EAS) which is open to the public.

**DATES:** The EAS will meet Tuesday, May 4, 2010 beginning at 8:30 a.m. and conclude at 5 p.m. or when business for the day is completed.

**ADDRESSES:** The EAS meeting will be held at the Pacific Fishery Management Council Office, Large Conference Room, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220; telephone: (503) 820-2280.

**FOR FURTHER INFORMATION CONTACT:** Mike Burner, Staff Officer; telephone: (503) 820-2280.

**SUPPLEMENTARY INFORMATION:** The primary purpose of the meeting is to review and comment on a draft report to the Council on initial stages of developing an Ecosystem Fishery Management Plan (EFMP). The Council's Ecosystem Plan Development Team (EPDT) has taken the lead in preparing a Council requested report on developing an EFMP that includes a draft statement of purpose and need, a draft list of possible initial goals and objectives, and a draft range of options on the geographic range, managed species, and regulatory scope of the EFMP. Members of the EPDT will be in attendance to review the report and respond to EAS questions and comments. The final report is scheduled to be presented to the Council at its June 2010 meeting in Foster City, CA.

Although non-emergency issues not contained in the meeting agenda may come before the EAS for discussion, those issues may not be the subject of formal EAS action during this meeting.