

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

RIN 0648–XH34

Fisheries in the Western Pacific; Western Pacific Pelagic Fisheries; American Samoa Longline Limited Entry Program

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

ACTION: Notice; availability of permit upgrades.

SUMMARY: NMFS is soliciting applications for American Samoa longline limited entry permit upgrades. Nineteen (19) permit upgrades will be available in 2008 for Class A vessel (i.e., less than or equal to 40 ft, or 12.2 m, in length) permit holders to upgrade to larger vessel size classes. The permit upgrades are available only to Class A permit holders who participated in the fishery before March 22, 2002, and the highest priority for receiving a permit upgrade will be given to the person with the earliest date of documented participation.

DATES: Completed applications for permit upgrades must be received by NMFS by June 30, 2008.

ADDRESSES: Send completed applications to NMFS Pacific Islands Region (PIR), ATTN: ASLE Permit Upgrade, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814–4700.

Application forms are available from NMFS Pacific Islands Region, ATTN: Permits, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814–4700, or the Pacific Islands Region website at www.fpir.noaa.gov.

FOR FURTHER INFORMATION CONTACT: Walter Ikehara, NMFS PIR, Tel 808–944–2275, Fax 808–973–2941, or e-mail Walter.Ikehara@noaa.gov.

SUPPLEMENTARY INFORMATION: On May 25, 2005, NMFS published a final rule (70 FR 29646) that established a limited entry program for the pelagic longline fishery based in American Samoa, under Amendment 11 to the Fishery Management Plan for Pelagic Fisheries in the Western Pacific Region. American Samoa longline limited entry permits were established for four vessel size classes, based on length:

- Class A: less than or equal to 40 ft (12.2 m);
- Class B and B–1: over 40 ft (12.2 m) to 50 ft (15.2 m) inclusive;
- Class C and C–1: over 50 ft (15.2 m) to 70 ft (21.3 m) inclusive; and

- Class D and D–1: over 70 ft (21.3 m).

The limited entry program allows for 26 permit upgrades to be made available for the exclusive use of permit holders in Class A, distributed over a four-year period following the issuance of initial limited entry permits. In 2008, 19 permit upgrades will be available (11 in Class B–1, six in Class C–1, and two in Class D–1). The Regional Administrator may initially issue permit upgrades only to persons who hold Class A permits and who participated in the American Samoa pelagic longline fishery before March 22, 2002. The highest priority will be given to those with the earliest date of documented participation. Those receiving upgraded permits must surrender their Class A permits and the surrendered permits are deducted from the allowed Class A permit total.

This notice announces the availability of permit upgrades and solicits applications for the upgrades. Complete applications must include the completed and signed application form (available from NMFS PIR, see **ADDRESSES**), legible copies of documents supporting historical participation in the American Samoa pelagic longline fishery, and payment for the non-refundable application processing fee. Documents supporting participation should show that fishing was conducted using longline gear. Applications must be received by NMFS by June 30, 2008 to be considered for eligibility for the 2008 permit upgrades.

Authoritative additional information on the American Samoa limited entry program may be found in Title 50 of the Code of Federal Regulations, part 665.

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

Dated: April 23, 2008.

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–XH44

Endangered Species; File No. 10022

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

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that Raymond Carthy, Department of

Wildlife Ecology and Conservation, University of Florida, P.O. Box 110485, Gainesville, Florida 23611–0450, has been issued a permit to take loggerhead (*Caretta caretta*), green (*Chelonia mydas*), and Kemp's ridley (*Lepidochelys kempii*) sea turtles for purposes of scientific research.

ADDRESSES: The permit 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;

Southeast Region, NMFS, 263 13th Ave South, St. Petersburg, FL 33701; phone (727)824–5312; fax (727)824–5309.

FOR FURTHER INFORMATION CONTACT:

Patrick Opay or Amy Hapeman, (301)713–2289.

SUPPLEMENTARY INFORMATION: On November 26, 2007, notice was published in the **Federal Register** (72 FR 65940) that a request for a scientific research permit to take sea turtles had been submitted by the above-named individual. The requested permit has been issued under the authority of 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).

Researchers will determine the significance of Florida's northwest coastal bays to sea turtle development. Researchers will assess sea turtle population abundance and composition, determine size classes, evaluate growth, identify seasonal movements, define overwintering behaviors, and investigate developmental migration. The permit authorizes the researchers to conduct research off the northwest coast of Florida for 5 years. Researchers will capture up to 40 loggerhead, 600 green, and 110 Kemp's ridley sea turtles using strike-net or set-net capture techniques. Animals will be weighed, measured, photographed, skin biopsied, flipper and Passive Integrated Transponder tagged, and released.

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