

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 Paul J. Howard, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: August 7, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E9-19377 Filed 8-12-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration (NOAA)

#### Marine Protected Areas Federal Advisory Committee; Public Meeting

**AGENCY:** National Ocean Service, NOAA, Department of Commerce.

**ACTION:** Notice of open meeting

**SUMMARY:** Notice is hereby given of a meeting of the Marine Protected Areas Federal Advisory Committee (Committee) in Anchorage, Alaska.

**DATES:** The meeting will be held Wednesday, September 9, 2009, from 9 a.m. to 5:30 p.m., Thursday, September 10, from 8:30 a.m. to 5 p.m., and Friday, September 11, from 8:30 a.m. to 4:30 p.m. These times and the agenda topics described below are subject to change. Refer to the Web page listed below for the most up-to-date meeting agenda.

**ADDRESSES:** The meeting will be held at the Hilton Anchorage, 500 West Third Avenue, Anchorage, Alaska.

**FOR FURTHER INFORMATION CONTACT:** Lauren Wenzel, Designated Federal Officer, MPA FAC, National Marine Protected Areas Center, 1305 East West Highway, Silver Spring, Maryland 20910. (Phone: 301-713-3100 x136. Fax: 301-713-3110); e-mail: [lauren.wenzel@noaa.gov](mailto:lauren.wenzel@noaa.gov); or visit the

National MPA Center Web site at <http://www.mpa.gov>.

**SUPPLEMENTARY INFORMATION:** The Committee, composed of external, knowledgeable representatives of stakeholder groups, was established by the Department of Commerce (DOC) to provide advice to the Secretaries of Commerce and the Interior on implementation of section 4 of Executive Order 13158 on MPAs. The meeting will be open to public participation from 4:30 p.m. to 5:30 p.m. on Wednesday, September 9, 2009, and from 8:35 a.m. to 9:30 a.m. on Friday, September 11, 2009. In general, each individual or group will be limited to a total time of five (5) minutes. If members of the public wish to submit written statements, they should be submitted to the Designated Federal Official by September 4, 2009.

**Matters To Be Considered:** The Committee meeting will include two expert panel presentations, one on how the national system can contribute to ecological resilience in the face of climate change, and one, including invited management agencies and stakeholders, on marine protected areas in Alaska. The Scientific and Technical Subcommittee and the Review and Evaluation Subcommittee will meet to finalize recommendations, and will report back to the full MPA FAC for deliberations and action. The meeting also will include elections of a new MPA FAC Chair and Vice Chair. The agenda is subject to change. The latest version will be posted at <http://www.mpa.gov>.

Dated: August 3, 2009.

**David M. Kennedy,**

*Director, Office of Ocean and Coastal Resource Management.*

[FR Doc. E9-19286 Filed 8-12-09; 8:45 am]

**BILLING CODE M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### National Estuarine Research Reserve System

**AGENCY:** Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

**ACTION:** Notice of Public Comment Period for the Revised Management Plan for the Jacques Cousteau National Estuarine Research Reserve.

**SUMMARY:** Notice is hereby given that the Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce is announcing a thirty day public comment period on the Jacques Cousteau National Estuarine Research Reserve Management Plan Revision.

The Jacques Cousteau National Estuarine Research Reserve consists of public lands within the Mullica River-Great Bay watershed of New Jersey and managed by a variety of local, state, and federal agencies. The site was designated as the Jacques Cousteau National Estuarine Research Reserve in 1998 pursuant to Section 315 of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1461. The reserve has been operating in partnership with The Institute of Marine and Coastal Sciences of Rutgers, the State University of New Jersey under a management plan approved in 1997. Pursuant to 15 CFR 921.33(c), a state must revise their management plan every five years. The submission of this plan fulfills this requirement and sets a course for successful implementation of the goals and objectives of the reserve. A boundary expansion and land conservation initiative, new facilities, and updated programmatic objectives are notable revisions to the 1997 approved management plan.

The revised management plan outlines the administrative structure; the research, coastal training, education and outreach, and stewardship goals of the reserve; and the plans for future land acquisition and facility development to support reserve operations. This management plan describes how the reserve will focus on three key coastal management issues: Nutrient inputs into coastal waters; human alteration of habitat and water quality; and effects of climate change on coastal and estuarine systems.

Since 1997, the reserve has completed a site profile that characterizes the reserve; they have also expanded the coastal training, research and monitoring, stewardship and education programs significantly. A new administrative building, the Jacques Cousteau Coastal Center, and a new interpretive exhibit, "Life on the Edge" at the Tuckerton Seaport, have been built to support the growth of reserve programs.

With the approval of this management plan, the Jacques Cousteau National Estuarine Research Reserve will expand their total acreage from 114,665 acres to 114,873 acres. This change is

attributable to the acquisition of four parcels within the Mullica River watershed through a partnership with New Jersey Conservation Foundation and the continued implementation of the Mullica River Conservation Initiative. The acquisition of Bear Creek Preserve (100 acres), Hanselman Preserve (57 acres), Rudolph Property (31 acres), and Lee Property (20 acres) provides additional buffer areas (mixed pitch pine-scrub oak upland, Atlantic white cedar forest) for key land and water areas (salt marsh flats, tidal wetlands).

**FOR FURTHER INFORMATION CONTACT:**

Michael Migliori at (301) 563-1126 or Laurie McGilvray at (301) 563-1158 of NOAA's National Ocean Service, Estuarine Reserves Division, 1305 East-West Highway, N/ORM5, 10th floor, Silver Spring, MD 20910. For copies of the Jacques Cousteau Management Plan revision, visit <http://www.jcnerr.org/>.

Dated: August 3, 2009.

**David M. Kennedy,**

*Director, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration.*

[FR Doc. E9-19284 Filed 8-12-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XQ83**

#### Taking and Importing of Marine Mammals

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

**ACTION:** Notice; annual affirmative finding renewals.

**SUMMARY:** The Assistant Administrator for Fisheries, NMFS (Assistant Administrator), has renewed the affirmative findings for the Government of Ecuador, the Government of El Salvador, the Government of Mexico and the Government of Spain under the Marine Mammal Protection Act (MMPA). These affirmative findings will allow yellowfin tuna harvested in the eastern tropical Pacific Ocean (ETP) in compliance with the International Dolphin Conservation Program (IDCP) by Ecuadorian-flag, El Salvadorian-flag, Mexican-flag or Spanish-flag purse seine vessels or purse seine vessels operating under Ecuadorian, El Salvadorian, Mexican, or Spanish jurisdiction to be imported into the United States. These

affirmative findings were based on review of documentary evidence submitted separately by the Governments of Ecuador, El Salvador, Mexico, and Spain and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the U.S. Department of State.

**DATES:** The affirmative finding renewals are effective from April 1, 2009, through March 31, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213; phone 562-980-4000; fax 562-980-4018.

**SUPPLEMENTARY INFORMATION:** The MMPA, 16 U.S.C. 1361 *et seq.*, allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator for Fisheries (Assistant Administrator) will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, and the Department of State.

The affirmative finding process requires that the harvesting nation is meeting its obligations under the IDCP and obligations of membership in the IATTC. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS reviews the affirmative finding and determine whether the harvesting nation continues to meet the requirements. A nation may provide information related to compliance with IDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the IDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f), the Assistant Administrator considered documentary evidence submitted separately by the Government of Ecuador, the Government of El

Salvador, the Government of Mexico, and the Government of Spain, as well as evidence obtained from the IATTC and the Department of State and has determined that Ecuador, El Salvador, Mexico and Spain have each met the MMPA's requirements to receive annual affirmative finding renewals.

After consultation with the Department of State, the Assistant Administrator issued annual affirmative finding renewals to the Governments of Ecuador, El Salvador, Mexico, and Spain, allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Ecuadorian-flag, El Salvadorian-flag, Mexican-flag or Spanish-flag purse seine vessels or purse seine vessels operating under the jurisdiction of these nations. These annual renewals of affirmative findings for Ecuador, El Salvador, Mexico and Spain will remain valid through March 31, 2010.

Dated: August 7, 2009.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

**RIN 0710-ZA04**

#### Proposed Suspension and Modification of Nationwide Permit 21

**AGENCY:** United States Army Corps of Engineers, Department of Defense,

**ACTION:** Notice; extension of comment period.

**SUMMARY:** In the July 15, 2009, issue of the *Federal Register* (74 FR 34311) the U.S. Army Corps of Engineers published a proposal to take two actions concerning Nationwide Permit 21, which authorizes discharges of dredged or fill material into waters of the United States for surface coal mining activities. The two proposed actions are to suspend NWP 21 to prohibit its use to authorize surface coal mining activities in the Appalachian region of Kentucky, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, and then to modify NWP 21 to make that prohibition permanent until NWP 21 expires on March 18, 2012. The July 15, 2009, notice stated that public comments and any requests for a public hearing must be received by August 14,