

ACTION: Notice of initiation of a 5-year review; request for information.

SUMMARY: We, the National Marine Fisheries Service (NMFS), announce a 5-year review of the U.S. DPS of Smalltooth Sawfish (*Pristis pectinata*) under the Endangered Species Act of 1973 (ESA). A 5-year review is a periodic process conducted to ensure that the listing classification of a species is accurate. A 5-year review is based on the best scientific and commercial data available at the time of the review; therefore, we are requesting submission of any such information on the smalltooth sawfish that has become available since its original listing as an endangered species on April 1, 2003. Based on the results of this 5-year review, we will make the requisite findings under the ESA.

DATES: To allow us adequate time to conduct this review, we must receive your information no later than July 21, 2008. However, we will continue to accept new information about any listed species at any time.

ADDRESSES: Please submit information to Shelley Norton, National Marine Fisheries Service, 263 13th Avenue South, St. Petersburg, FL 33701. Information received in response to this notice and review will be available for public inspection, by appointment, during normal business hours, at the above address. Information may also be submitted by e-mail to: shelley.norton@noaa.gov. Include in the subject line of the e-mail the following identifier: Smalltooth sawfish information for 5-year review. Information may also be submitted via facsimile (fax) to 727-824-5309.

FOR FURTHER INFORMATION CONTACT: Shelley Norton at the above address, or at 727-824-5312.

SUPPLEMENTARY INFORMATION: Under the ESA, a list of endangered and threatened wildlife and plant species must be maintained. The list is published at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the ESA requires that we conduct a review of listed species at least once every five years. On the basis of such reviews under section 4(c)(2)(B), we determine whether or not any species should be removed from the List (delisted), or reclassified from endangered to threatened or from threatened to endangered. Delisting a species must be supported by the best scientific and commercial data available and only considered if such data substantiates that the species is neither endangered nor threatened for one or more of the following reasons: (1) the

species is considered extinct; (2) the species is considered to be recovered; and/or (3) the original data available when the species was listed, or the interpretation of such data, were in error. Any change in Federal classification would require a separate rulemaking process. The regulations in 50 CFR 424.21 require that we publish a notice in the Federal Register announcing those species currently under active review. This notice announces our active review of the smalltooth sawfish, currently listed as endangered.

Public Solicitation of New Information

To ensure that the 5-year review is complete and based on the best available scientific and commercial data available, we are soliciting new information from the public, concerned governmental agencies, Tribes, the scientific community, industry, environmental entities, and any other interested parties concerning the status of the smalltooth sawfish.

The 5-year review considers the best scientific and commercial data available and all new information that has become available since the listing determination or most recent status review. Categories of requested information include: (A) species biology including, but not limited to, population trends, distribution, abundance, demographics, and genetics; (B) habitat conditions including, but not limited to, amount, distribution, and suitability; (C) conservation measures that have been implemented that benefit the species; (D) status and trends of threats; and (E) other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

If you wish to provide information for this 5-year review, you may submit your information and materials to Shelley Norton (see **ADDRESSES** section). Our practice is to make submissions of information, including names and home addresses of respondents, available for public review during regular business hours. Respondents may request that we withhold a respondent's identity as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your submission. We will not, however, consider anonymous submissions. To the extent consistent with applicable law, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of

organizations or businesses, available for public inspection in their entirety. Information and materials received will be available for public inspection, by appointment, during normal business hours (see **ADDRESSES** section).

Authority: 16 U.S.C. 1531 et seq.

Dated: May 16, 2008.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XH96

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper and Grouper Off the Southern Atlantic States

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

ACTION: Notice of receipt of an application for an exempted fishing permit; request for comments.

SUMMARY: NMFS announces the receipt of an application for an exempted fishing permit (EFP) from the Gulf and South Atlantic Fisheries Foundation, Inc.. If granted, the EFP would authorize the applicants, with certain conditions, to collect limited numbers of undersized and out-of-season snapper and grouper in South Atlantic Federal waters. This study is intended to characterize catch and discard mortality within the South Atlantic commercial hook and line snapper-grouper fishery.

DATES: Comments must be received no later than 5 p.m., eastern time, on June 20, 2008.

ADDRESSES: You may submit comments on the application by any of the following methods:

- E-mail: Steve.Branstetter@noaa.gov. Include in the subject line of the e-mail comment the following document identifier: "FND_EFP".
- Mail: Steve Branstetter, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.
- Fax: 727-824-5308.

The application and related documents are available for review upon written request to any of the above addresses.

FOR FURTHER INFORMATION CONTACT: Steve Branstetter, 727-824-5305; fax:

727-824-5308; e-mail:
Steve.Branstetter@noaa.gov.

SUPPLEMENTARY INFORMATION: The EFP is requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), and regulations at 50 CFR 600.745(b) concerning exempted fishing.

The described research is part of a Cooperative Research Program Grant. The Cooperative Research Program is a means of involving commercial and recreational fishermen in the collection of fundamental fisheries information. Resource collection efforts support the development and evaluation of fisheries management and regulatory options.

The proposed collection for scientific research involves activities otherwise prohibited by regulations implementing the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region. The applicants require authorization to possess undersized and out-of-season snapper and grouper for scientific research activities during the period July 1, 2008, through September 30, 2009. Specimens would be collected from Federal waters off the east coast of Florida and Federal waters off the coasts of Georgia, South Carolina, and North Carolina. Sampling would occur during normal fishing operations of the commercial snapper-grouper vertical hook-and-line fishery. Sampling would occur year-round, collecting up to 500 fish during the course of the sampling. Data collections for this study would support improved information about the catch, bycatch, discards, and discard mortality for species in the snapper-grouper complex. These data would provide insight on a stock's resilience to fishing, and would help refine estimates of long-term biological productivity of the stocks. Currently, these data are unavailable, and it is anticipated project results would yield valuable data within this fishery.

NMFS finds this application warrants further consideration. Based on a preliminary review, NMFS intends to issue an EFP. Possible conditions the agency may impose on this permit, if it is indeed granted, include but are not limited to, a prohibition of conducting research within marine protected areas, marine sanctuaries, or special management zones, without additional authorization. Additionally, NMFS may prohibit the possession of Nassau or goliath grouper, and require any sea turtles taken incidentally during the course of fishing or scientific research activities to be handled with due care to prevent injury to live specimens, observed for activity, and returned to

the water. A final decision on issuance of the EFP will depend on a NMFS review of public comments received on the application, consultations with the affected states, the South Atlantic Fishery Management Council, and the U.S. Coast Guard, and a determination that it is consistent with all applicable laws.

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

Dated: May 15, 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 (NOAA)

[Docket Number: 080513656-8657-01]

Office of Oceanic and Atmospheric Research; NOAA Science Advisory Board's Ecosystem Sciences and Management Working Group

AGENCY: Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of solicitation for members of the NOAA Science Advisory Board's Ecosystem Sciences and Management Working Group.

SUMMARY: The Under Secretary of Commerce for Oceans and Atmosphere requested the NOAA Science Advisory Board (SAB) to establish a standing working group to provide scientific advice and broad direction on NOAA's ecosystem related programs in the context of both national and international activities. The Ecosystem Sciences and Management Working Group (ESMWG) will focus on research, monitoring, and management components of NOAA's ecosystem portfolio, as well as the underlying observations and data management issues. The ESMWG will assist in establishing plans, assessing progress, and reviewing priorities on a continuing basis. The ESMWG will be composed of 10-12 scientists and leaders in the following disciplines as related to ecosystem sciences and management: social science, oceanography, living marine resources, sampling and remote sensing, and modeling. The SAB is requesting nominations for membership in the ESMWG.

DATES: Nominations must be received July 21, 2008.

ADDRESSES: Nominations should be submitted electronically to *noaa.sab.ecosystem@noaa.gov*, or mailed to: NOAA Science Advisory Board (SAB) c/o Dr. Cynthia Decker, 1315 East-West Highway-R/SAB, Silver Spring, Maryland 20910.

FOR FURTHER INFORMATION CONTACT: Dr. Cynthia Decker, 301-734-1156.

SUPPLEMENTARY INFORMATION: The complete Terms of Reference of this working group can be found on the NOAA Science Advisory Board Web site: http://www.sab.noaa.gov/working_groups/standing/docs/2008/ESMWG_TOR_FINAL.pdf.

At this time, the SAB is soliciting for up to twelve members in the following disciplines related to ecosystem sciences and management: social science, oceanography, living marine resources, sampling and remote sensing, and modeling. Members should have a credible science background, and an operational knowledge of federal agencies and interactions with state and local partners. Members will be appointed for three-year terms on a rolling and randomized basis with the opportunity for one additional term. The Working Group will convene 2-3 times per year.

The intent is to select the membership of the group from the suggested candidates; however, the SAB retains the prerogative to name members to the working group who were not nominated if it deems this necessary to achieve the desired balance. Once selected, the SAB will post the review panel members' names at <http://www.sab.noaa.gov>.

Nominations:

Anyone is eligible to nominate members of the working group. Self-nominations will be accepted. Nominations should provide: (1) The nominee's full name, title, institutional affiliation, and contact information; (2) the nominee's area(s) of expertise; and (3) a concise Curriculum Vitae (CV) or resume that covers education, experience, relevant publications and summarizes how this expertise addresses the ESMWG terms of reference.

Dated: May 16, 2008.

Mark E. Brown,

Chief Financial Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

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