on the sale of warsaw grouper; and established the *Oculina* Experimental Closed Area, which prohibited fishing for all snapper grouper species within this area (59 FR 27242). Since the implementation of Amendment 6 in 1994, commercial landings of warsaw grouper have annually averaged approximately 240 pounds (0.1 mt) through 2008. Prior to this action, commercial landings averaged approximately 17,000 pounds (7.7 mt) during the previous 14-year time frame, 1981 through 1994.

The petition, its references, and numerous sources have stated that establishment of large marine protected areas is likely to be the most effective measure for protection and conservation of warsaw grouper. Studies have found larger and more abundant grouper in closed areas than in similar, unprotected areas (Sedberry *et al.,* 1999). Yet, the petition fails to acknowledge that this objective has characterized Federal fishery management of warsaw grouper since the early 1990s. As discussed above, the *Oculina* Banks, a unique deep-water coral reef ecosystem off the South Atlantic coast of the U.S., was protected beginning in 1994 specifically to facilitate rebuilding of deep-water grouper stocks. Amendment 13A to the FMP, effective on April 26, 2004, extended the prohibition on fishing for or possessing snapper grouper species within the *Oculina* Experimental Closed Area for an indefinite period (69 FR 15731). On February 12, 2009, Amendment 14 to the FMP established eight marine protected areas in which fishing for or possession of South Atlantic snapper grouper species is prohibited (74 FR 1621). Similarly, several large closed areas have been established in the Gulf of Mexico, including the Madison and Swanson and Steamboat Lump marine reserves.

In summary, the petition and information in our files does not constitute substantial information indicating existing regulatory mechanisms are inadequate to prevent, or are contributing to, extinction risk for warsaw grouper that is cause for concern. To the contrary, available information suggests management actions have significantly reduced landings, thereby reducing risk of overutilization in both the Gulf of Mexico and South Atlantic. Furthermore, closures of large areas in the Gulf of Mexico and South Atlantic to fishing effort, including known reef habitats important to deep-water groupers, likely offer conservation benefits to the species.

Other Natural or Manmade Factors

The petition and several referenced studies state that warsaw grouper is vulnerable to increased risk of extinction, particularly from fishing pressure, due to biological constraints, including its large size, long lifespan, late age of sexual maturity, low rates of population increase, protogynous hermaphroditism, and formation of spawning aggregations that can be easily targeted by fishermen. Concerns about the inherent vulnerability of rare deep-water grouper species has been a recurring justification for Federal fishery management actions implemented under the MSFCMA. However, as discussed above, fishing pressure has been severely curtailed on this species. Moreover, neither the petition nor information in our files suggests that fishing pressure has resulted in changes in population metrics for the species that might be expected given its particular biological constraints. Additionally, the petition's inclusion of the species' vulnerability to fishing pressure during spawning aggregations is inaccurate. While some grouper species, such as goliath and black grouper, are known to form spawning aggregations, no published studies or other available information in our files document warsaw grouper aggregate to spawn.

The petition also lists potential small population size of adult warsaw grouper and human population growth as other natural or manmade factors contributing to warsaw grouper's vulnerability, but does not provide any supporting information to indicate these generalized concerns are actually negatively affecting warsaw grouper.

Therefore, we conclude that the petition and information in our files does not present substantial information to suggest that other natural or manmade factors, alone or in combination with other factors such as fishing pressure, may be causing extinction risk of concern in warsaw grouper.

Petition Finding

After reviewing the information contained in the petition, as well as information readily available in our files, we conclude the petition fails to present substantial scientific or commercial information indicating the petitioned action may be warranted.

References Cited

A complete list of all references is available upon request from the Protected Resources Division of the NMFS Southeast Regional Office (see **ADDRESSES**).

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: September 22, 2010.

Eric C. Schwaab,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–24334 Filed 9–27–10; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 55–2010]

Foreign-Trade Zone 169—Manatee County, Florida; Extension of Subzone; Aso LLC (Adhesive Bandage Manufacturing); Sarasota County, FL

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Manatee County Port Authority, grantee of FTZ 169, requesting to indefinitely extend Subzone 169A, on behalf of Aso LLC (formerly Aso Corporation) (Aso), located in Sarasota County, Florida. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on September 23, 2010.

Subzone 169A (229 employees, total annual capacity of 2.2 billion bandage strips per year) was approved by the Board in 2000 for the manufacture of adhesive bandages under FTZ procedures (Board Order 1120, 65 FR 58508–58509, 9/29/2000) for a period of 4 years of activation, subject to extension upon review. Subzone 169A consists of one site (166,000 square feet of enclosed space on 38 acres) located at 300 Sarasota Center Blvd., within the International Trade Industrial Park, east of Sarasota (Sarasota County), Florida. Since approval, the subzone has been activated intermittently since the company has at times instead used various duty suspension provisions on adhesive tape. Aso is now requesting to indefinitely extend its subzone status with manufacturing authority to produce adhesive bandages (HTSUS 3005.10) using foreign-sourced adhesive tape (HTSUS 3919.10), representing some 22 percent of the final product value.

FTZ procedures would exempt Aso from customs duty payments on the foreign adhesive tape used in export production. The company anticipates that some 6 percent of the plant's shipments will be exported. On its domestic sales, Aso would be able to choose the duty rate during customs

entry procedures that applies to adhesive bandages (duty-free) for the foreign adhesive tape (duty rate—5.8%) noted above. The request indicates that the savings from FTZ procedures help improve the plant's international competitiveness.

In accordance with the Board's regulations, Diane Finver of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is November 29, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to December 13, 2010.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230–0002, and in the "Reading Room" section of the Board's Web site, which is accessible via *http://www.trade.gov/ftz.*

For further information, contact Diane Finver at *Diane.Finver@trade.gov* or (202) 482–1367.

Dated: September 23, 2010.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2010–24315 Filed 9–27–10; 8:45 am]

BILLING CODE 3510–DS–P

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 Final Approval and Availability of Revised Management Plans for the following National Estuarine Research Reserves: Arraigns Bay, RI and Tijuana River, CA.

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 has approved the revised management plans of the Arraigns Bay, RI National Estuarine Research Reserve and the Tijuana River, CA National Estuarine Research Reserve. The Arraigns Bay, RI Reserve plan calls for an expansion to their boundary and the Tijuana River, CA Reserve plan calls for a reduction to their boundary.

The revised management plan for the Arraigns Bay, RI National Estuarine Research Reserve outlines the administrative structure; the education, training, stewardship, and research goals of the reserve; and the plans for future land acquisition and facility development to support reserve operations. The objectives described in this plan are designed to address the most critical coastal issues in Arraigns Bay such as wastewater and storm water management, coastal and watershed development, and invasive species management. Since the last approved management plan in 1998, the reserve has become fully staffed; added a coastal training program that delivers science-based information to key decision makers; and added significant monitoring of invasive species, water quality, fish and bird populations. In addition to programmatic and staffing advances, the reserve upgraded visiting research facilities, space available for education and storage, and has increased the availability of dock space for research and educational programming.

This management plan calls for a boundary expansion of 156 acres. The lands consist of one 128 acre parcel on the northern end of Prudence Island that is adjacent to current reserve property and the addition of the 28 acre Dyer Island. Dyer Island habitats include coastal brush, salt marsh, cobble beaches, and both hard and soft substrate submerged lands. The island is considered a critical bird rookery and hosts an unusual amount of macro algal diversity and rare examples of un ditched salt marsh habitat. The 128 acre Ballard Property on Prudence Island consists of forested land with early succession al shrub land and grassland communities as well as an important freshwater creek and the associated wetlands. The Dyer Island property will provide opportunities for research and passive recreation while the easily accessed Prudence Island parcel will be appropriate for education, recreation, and upland research purposes. This plan can be accessed at *http://www.nbnerr.org* or *nerrs.noaa.gov.*

The revised management plan for the Tijuana River, CA National Estuarine Research Reserve outlines a framework of overarching goals and program specific objectives that will guide the education, training, stewardship, and research programs of the reserve; updates the reserve boundary; proposes criteria for boundary expansion activities through acquisition and/or mitigation; as well as outlines plans for facility use and development to support reserve operations. The goals described in this plan are designed to provide a framework that supports program integration for collaborative management in a highly urbanized bi-national watershed.

Since the last approved management plan in 2000, the reserve has become fully staffed; added a coastal training program that delivers science-based information to key decision makers; developed a robust volunteer program that provides broad support to Reserve programs; added a bi-nationally focused Watershed Program; completed habitat restoration projects to improve estuary function; improved management of sediment delivery to the estuary; and constructed facilities to support essential functions of the reserve including interpretive structures, staff offices, and an on-site laboratory.

This management plan amends the boundary of the reserve to be 2,293 acres, 238 acres less, in part as a result of excluding the Border Infrastructure System completed since the last approved management plan. This plan can be accessed at *trnerr.org/visitors_center.html* or *nerrs.noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Alison Krepp at (301) 563–7105 regarding the Tijuana River CA, National Estuarine Research Reserve and Cory Riley at (603) 862–2813 regarding the Arraigns Bay RI, National Estuarine Research Reserve 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.

Dated: September 21, 2010.

Donna Witting,

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

[FR Doc. 2010–24341 Filed 9–27–10; 8:45 am]

BILLING CODE 3510–08–P