

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

RIN 0648-XU95

**Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit**

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

**ACTION:** Notice; receipt of EFP applications; request for comments.

**SUMMARY:** NMFS announces the receipt of exempted fishing permit (EFP) applications, and is considering issuance of EFPs for vessels participating in the EFP fisheries. The EFPs are necessary to allow activities that are otherwise prohibited by Federal regulations. The EFPs will be effective no earlier than April 1, 2010, and would expire no later than April 31, 2011, but could be terminated earlier under terms and conditions of the EFPs and other applicable laws.

**DATES:** Comments must be received no later than 5 p.m., local time on April 1, 2010.

**ADDRESSES:** You may submit comments, identified by 0648-XU95, by any one of the following methods:

- Fax: 206-526-6736, Attn: Kevin Duffy.
- Mail: Barry A. Thom, Acting Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070, Attn: Kevin Duffy.

**FOR FURTHER INFORMATION CONTACT:** To view copies of the 2010 EFP applications, visit the Pacific Council website at [www.pcouncil.org](http://www.pcouncil.org) and browse the "November 2009 Briefing Book"; or contact Kevin Duffy (Northwest Region, NMFS), phone: 206-526-4743, fax: 206-526-6736.

**SUPPLEMENTARY INFORMATION:** This action is authorized by the Magnuson-Stevens Fishery Conservation and Management Act provisions at 50 CFR 600.745, which states that EFPs may be used to authorize fishing activities that would otherwise be prohibited. At the November 2009 Pacific Fishery Management Council (Council) meeting in Costa Mesa, CA, the Council considered applications for five EFPs from: (1) The Nature Conservancy (TNC) and their collaborators; (2) the California Recreational Fishing Alliance (RFA) and Golden Gate Fisherman's Association; (3) the Oregon RFA; (4)

Steven Fosmark; and (5) the Oregon Department of Fish and Wildlife (ODFW). An opportunity for public testimony was provided during the Council meeting. For more details on these EFP applications and to view copies of the applications, see the Pacific Council's website at [www.pcouncil.org](http://www.pcouncil.org) and browse the "November 2009 Briefing Book." The Council recommended that NMFS consider issuing the following EFPs. The Council also recommended a change from the previous years to allow some EFPs, if approved, to span across a calendar year for business and logistical reasons. EFP reporting requirements, in these cases, will be adjusted to ensure reporting consistent with past practice, and an EFP will not be valid for more than 12 consecutive months.

**Community-Based Fishing Association EFP**

TNC submitted a proposal for a 2010 EFP, along with their collaborators: City of Morro Bay Harbor Department; Port San Luis Commercial Fishermen's Association; Port San Luis Harbor District; California Department of Fish and Game; Morro Bay Commercial Fishermen's Organization, Inc.; and Environmental Defense. The primary purpose of the EFP is to test whether establishing a cooperatively managed, community-based fishing association can provide economic and environmental performance benefits.

**Recreational Chilipepper EFP**

The California RFA and the Golden Gate Fishermen's Association submitted an application for a 2010 EFP. The primary purpose of the EFP is to do an area-based recreational fishing study to test if hook-and-line fishing gear can be used to access underutilized chilipepper rockfish seaward of the non-trawl RCA, while keeping bycatch of overfished species low.

**Recreational Yellowtail EFP**

The Oregon RFA submitted an application for a 2010 EFP. The primary purpose of the EFP is to test if recreational fishing gear, fitted with a long leader to keep gear up off the ocean floor, can be used to access underutilized yellowtail rockfish, while keeping bycatch of overfished species low.

**Commercial Chilipepper EFP**

Steven Fosmark submitted an application for a 2010 EFP. The primary purpose of the EFP is to test if a specific longline gear configuration can be used in the commercial fishery to target

underutilized chilipepper rockfish, while keeping bycatch of overfished species low.

**ODFW EFP**

An EFP sponsored by the ODFW will allow selected Oregon charterboats to retain incidentally-caught yelloweye rockfish to be forfeited to the state. The objective of this EFP is to collect biological samples to inform future yelloweye rockfish stock assessments.

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

Dated: March 11, 2010.

**Emily H. Menashes,**

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

[FR Doc. 2010-5741 Filed 3-16-10; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[Docket 15-2010]

**Foreign-Trade Zone 133—Quad-Cities, Iowa/Illinois; Application for Expansion**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Quad-City Foreign Trade Zone, Inc., grantee of FTZ 133, requesting authority to expand the zone within the Davenport-Rock Island-Moline Customs and Border Protection port of entry. 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 March 5, 2010.

FTZ 133 was approved on October 29, 1986 (Board Order 338, 51 FR 40238, 11/5/86). After a subsequent minor boundary modification was approved on June 27, 1997 (A(27f)-26-1997), the general-purpose zone currently consists of 23-acres within the River Cities Business Park, located at 200 East 90th Street, Davenport (Scott County), Iowa.

The applicant is now requesting authority to expand the existing site and to include four additional sites in the area: *Existing Site 1*—expand to include the entire River Cities Business Park (223 acres); *Proposed Site 2* (33 acres)—within Rock Island Arsenal, located at 1775 East Street, Rock Island (Rock Island County), Illinois; *Proposed Site 3* (55 acres)—warehouse complex owned by Modern Warehousing, LLC, located at 801 1st Street East, Milan (Rock Island County), Illinois; *Proposed Site 4* (200 acres)—Eastern Iowa Industrial Center, located northeast of Interstate 80 and Highway 130, Davenport (Scott

County), Iowa; and; *Proposed Site 5* (187 acres)—Iowa Research Commerce & Technology Park, located northwest of Interstate 80 and Highway 61, Davenport (Scott County), Iowa. The sites will provide warehousing and distribution services to area businesses.

No specific manufacturing authority is being requested at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, Claudia Hausler 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 receipts is May 17, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to June 1, 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 Claudia Hausler at [Claudia.Hausler@trade.gov](mailto:Claudia.Hausler@trade.gov) or 202-482-1379.

Dated: March 5, 2010.

**Andrew McGilvray,**  
Executive Secretary.

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 41-2009]

#### **Foreign-Trade Zone 158—Vicksburg/Jackson, MS; Amendment to Application for Subzone; Max Home, LLC (Upholstered Furniture); Fulton and Iuka, MS**

A request has been submitted to the Foreign-Trade Zones Board (the Board) by the Greater Mississippi Foreign-Trade Zone, Inc. (GMFTZ), grantee of FTZ 158, to amend its application requesting special-purpose subzone status for the upholstered furniture manufacturing facilities of Max Home, LLC (Max Home), located in Fulton and

Iuka, Mississippi. The application was docketed under 41-2009 on October 6, 2009 (74 FR 52454, 10-13-09).

GMFTZ is now requesting to add a third site to the proposed subzone plan. The additional manufacturing plant and warehouse (100 employees/26 acres/160,000 sq. ft.) are located at 1313 Sandlin Road, Fulton, Mississippi. The facility will be used to produce cut-and-sewn upholstery covers and finished upholstered furniture (chairs, seats, sofas, sleep sofas, and sectionals). The additional production capacity at the new site in Fulton would add 100,000 pieces to the applicant's proposed scope of authority (new total capacity—270,000 pieces annually).

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the following address: Office of the Executive Secretary, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002. The closing period for receipt of comments is April 16, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to May 3, 2010.

A copy of the application amendment will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at the address listed above 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 Pierre Duy at [Pierre.Duy@trade.gov](mailto:Pierre.Duy@trade.gov) or (202) 482-1378.

Dated: March 12, 2010.

**Andrew McGilvray,**  
Executive Secretary.

[FR Doc. 2010-5820 Filed 3-16-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 17-2010]

#### **Foreign-Trade Zone 163—Ponce, Puerto Rico; Application for Expansion**

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by CODEZOL, C.D., grantee of FTZ 163, requesting authority to expand its zone to include an additional site in the Ponce, Puerto Rico area, within the Ponce Customs and Border Protection port of entry. 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 March 8, 2010.

FTZ 163 was approved on October 18, 1989 (Board Order 443, 54 FR 46097, 11/01/89) and expanded on April 18, 2000 (Board Order 1091, 65 FR 24676, 4/27/00), on June 9, 2005 (Board Order 1397, 70 FR 36117, 6/22/05), on July 26, 2006 (Board Order 1467, 71 FR 44996, 8/8/06), on November 9, 2006 (Board Order 1487, 71 FR 67098, 11/20/06), and on June 26, 2009 (Board Order 1631, 74 FR 34306, 7/15/09).

The zone project currently consists of the following sites in Puerto Rico: Site 1 (106 acres)—within the Port of Ponce area, including a parcel (11 acres) located at 3309 Avenida Santiago de Los Caballeros, Ponce; Site 2 (191 acres, 5 parcels)—Peerless Oil & Chemicals, Inc., Petroleum Terminal Facilities located at Rt. 127, Km. 17.1, Penuelas; Site 3 (13 acres, 2 parcels)—Rio Piedras Distribution Center located within the central portion of the Quebrada Arena Industrial Park, and the Hato Rey Distribution Center located within the northeastern portion of the Tres Monjitas Industrial Park, San Juan; Site 4 (14 acres)—warehouse facility located at State Road No. 3, Km. 1401, Guayama; Site 5 (256 acres, 34 parcels)—located at Mercedita Industrial Park at the intersection of Route PR-9 and Las Americas Highway, Ponce; Site 6 (86 acres)—Coto Laurel Industrial Park located at the southwest corner of the intersection of Highways PR-56 and PR-52, Ponce; Site 7 (17 acres)—warehouse facility located at State Road No. 1, Km 21.1, Guaynabo; Site 8 (5 acres)—warehouse facility located at 42 Salmon Street, Ponce; Site 9 (6 acres)—warehouse facility located on PR Highway 2, at Km.165.2, Hormigueros; and, Site 10 (6 acres)—warehouse facility at #1 Flamboyances Avenue, Road 506 and Rt.14, Coto Laurel Ward, Ponce. An application is pending as the applicant has requested authority (74 FR 62747, 12/01/09) to expand Site 1 to include 3 additional parcels and to add Site 11.

The applicant is now requesting authority to include the following site: *Proposed Site 12* (6 acres)—Yaucono Industrial Park, 2822 Las Americas Ave., Ponce. The site will provide public warehousing and distribution services to area businesses. No specific manufacturing authority is being requested at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, Kathleen Boyce of the FTZ Staff is designated examiner to evaluate