

- e. By project types.
- iii. Whether this project duplicates other projects funded or considered for funding by NOAA or other Federal agencies.
- iv. Program priorities and policy factors.
- v. Applicant's prior award performance.
- vi. Partnerships and/or participation of targeted groups.
- vii. Adequacy of information necessary for NOAA staff to make a National Environmental Policy Act (NEPA) determination and draft necessary documentation before recommendations for funding are made to the Grants Officer.

Intergovernmental Review: Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

Limitation of Liability: In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

National Environmental Policy Act (NEPA): NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA Web site: <http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, http://www.nepa.noaa.gov/NAO216_6_TOC.pdf, and the Council on Environmental Quality implementation regulations, http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm. Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting of

an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements: The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of February 11, 2008 (73 FR 7696), are applicable to this solicitation.

Paperwork Reduction Act: This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, and SF-LLL and CD-346 has been approved by the Office of Management and Budget (OMB) under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. Notwithstanding any other provision of law, no person is required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number.

Executive Order 12866: This notice has been determined to be not significant for purposes of Executive Order 12866.

Executive Order 13132 (Federalism): It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

Administrative Procedure Act/Regulatory Flexibility Act: Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements for the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: October 1, 2008.

Mark E. Brown,

Chief Financial Officer/Chief Administrative Officer, Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. E8-23661 Filed 10-6-08; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XJ28

Endangered Species; File No. 13330

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

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that the Southeast Fisheries Science Center (SEFSC), National Marine Fisheries Service (NMFS), 75 Virginia Beach Drive Miami, Florida 33149, has been issued a permit to take smalltooth sawfish (*Pristis pectinata*) for purposes of scientific research.

ADDRESSES: The permits and related documents are available for review upon written request or by appointment in the following offices:

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; and

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 Jennifer Skidmore, (301)713-2289.

SUPPLEMENTARY INFORMATION: On April 2, 2008, notice was published in the **Federal Register** (73 FR 17955) that a request for scientific research permit to take smalltooth sawfish had been submitted by the above-named institution. 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).

The research will be conducted each year over the course of a five-year permit in coastal waters of Florida. Up to 45 smalltooth sawfish will be taken annually using nets and hook and line gear. Researchers will conduct a variety

sampling and tagging activities in order to collect biological and ecological information on these species that will help efforts to conserve them. Up to 2 loggerhead (*Caretta caretta*) and one green (*Chelonia mydas*) or hawksbill (*Eretmochelys imbricata*) or leatherback (*Dermochelys coriacea*) or Kemp's ridley (*Lepidochelys kempii*) sea turtle, and one American crocodile (*Crocodylus acutus*) could be lethally taken during the smalltooth sawfish research.

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.

Dated: October 1, 2008.

P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E8-23741 Filed 10-6-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XK94

Gulf of Mexico Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Gulf of Mexico Fishery Management Council will convene public meetings.

DATES: The meetings will be held October 27–30, 2008.

ADDRESSES: The meetings will be held at the Renaissance Riverview Plaza, 64 S. Water St., Mobile, AL 36602.

Council address: Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

FOR FURTHER INFORMATION CONTACT: Richard Leard, Interim Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

SUPPLEMENTARY INFORMATION:

Council

Wednesday, October 29, 2008

1 p.m. - The Council meeting will begin with a review of the agenda and minutes.

From 1:15 p.m. - 1:30 p.m., the Council will approve the 2009 Committee Rosters.

From 1:30 p.m. - 3:30 p.m., the Council will receive public testimony on exempted fishing permits (EFPs), if any; the Final Aquaculture Fishery Management Plan (FMP); and hold an Open Public Comment Period regarding any fishery issue of concern. People wishing to speak before the Council should complete a public comment card prior to the comment period.

From 3:30 p.m. - 5:30 p.m., the Council will review and discuss reports from the previous two days' committee meetings as follows: Joint Reef Fish/Mackerel/Red Drum, Ad Hoc Allocation, and Reef Fish Management.

The following will be, in part, CLOSED SESSIONS - Joint Scientific and Statistical Committee (SSC) Selection/Administrative Policy and Budget/Personnel.

Thursday, October 30, 2008

From 8:30 a.m. - 10:30 a.m., the Council will continue to review and discuss reports from the committee meetings as follows: Joint SSC Selection/Administrative Policy; Budget/Personnel; Operator Permits; Law Enforcement; Outreach & Education (O&E); Habitat Protection; Migratory Species; and Marine Reserves.

From 10:30 a.m. - 11 a.m., the Council will receive a report from the SSC of its Review of the 5-year Research Plan.

From 11 a.m. - 12 p.m., other business items will follow. The Council will conclude its meeting at approximately 12 p.m.

Committees

Monday, October 27, 2008

1 p.m. - 3 p.m. - The Ad Hoc Allocation Committee will meet to discuss Draft Allocation Principles.

3 p.m. - 4 p.m. - The Operator Permits Committee will meet to discuss a Draft Scoping Document for Generic Operator Permit Amendment.

4 p.m. - 4:30 p.m. - The Law Enforcement Committee will meet to discuss the 2009–12 Strategic Plan and the 2009–10 Operations Plan.

4:30 p.m. - 5 p.m. - The Outreach and Education Committee will meet to discuss proposed agenda for the O&E Advisory Panel (AP) Meeting.

5 p.m. - 7 p.m. - There will be an Open Public Question and Answer

Session and Public Hearing on the Aquaculture FMP.

Tuesday, October 28, 2008

8:30 a.m. - 11 a.m. - The Reef Fish Management Committee will meet to discuss the Ad Hoc Recreational Red Snapper AP Recommendations, review an Update on Endangered Species Act (ESA) Biological Opinion on sea turtle bycatch, consider red snapper recreational seasons and establishing a Vessel Monitoring System AP.

11 a.m. - 12 p.m. - The Budget/Personnel Committee will meet to discuss the status of 2008 budget; FY 2009 budget; and will have a CLOSED SESSION to discuss the Executive Director search status.

1:30 p.m. - 3:30 p.m. - The Joint Reef Fish/Mackerel/Red Drum Management Committee will meet to discuss the Final Aquaculture FMP.

3:30 p.m. - 5 p.m. - The Joint SSC Selection Committee/Administrative Policy Committee will meet to Review the SSC's role and appointment process and in a CLOSED SESSION review the SSC membership.

Wednesday, October 29, 2008

8:30 a.m. - 9:30 a.m. - The Migratory Species Committee will receive a presentation on Amendment 3 to the HMS FMP (Small Coastal Sharks) and Amendment 4 to the Highly Migratory Species (HMS) FMP (Caribbean Issues).

9:30 a.m. - 10:30 a.m. - The Marine Reserves Committee will receive a presentation on marine protected area (MPA) Framework and Proposed Nomination Process and may comment on an advanced notice of proposed rule (ANPR) for consultations under the National Marine Sanctuaries Act (NMSA).

10:30 a.m. - 11:30 a.m. - The Habitat Protection Committee will receive a presentation on Amendment 1 to the HMS EFH FMP.

Although other non-emergency issues not on the agendas may come before the Council and Committees 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 these meetings. Actions of the Council and Committees will be restricted to those issues specifically identified in the agendas 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 action to address the emergency. The established times for addressing items on the agenda may be