

and Construction Trades Department v. *Allbaugh*, 172 F. Supp. 2d 138 (D.D.C. 2001). This decision is currently on appeal. When the case been finally resolved, the Department will provide further information on implementation of Executive Order 13202.

Projects selected for funding by Sea Grant in Sea Grant states may be administered through the Sea Grant Program from that state. Unsuccessful applications will be held in the National Sea Grant Office for a period of five (5) years and then destroyed.

Pursuant to Executive Orders 12876, 12900, and 13021, the Department of Commerce, National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to broadening the participation of Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities in its educational and research programs. The DOC/NOAA vision, mission, and goals are to achieve full participation by Minority Serving Institutions (MSI) in order to advance the development of human potential, to strengthen the nation's capacity to provide high-quality education, and to increase opportunities for MSIs to participate in and benefit from Federal Financial Assistance programs. DOC/NOAA encourages all applicants to include meaningful participation of MSIs. Institutions eligible to be considered MSIs are listed at the following Internet Web site: <http://www.ed.gov/offices/OCR/minorityinst.html>.

This notice contains collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424B, and SF-LLL has been approved by OMB under the respective control numbers 0338-0043, 0348-0040, and 0348-0046. The use of NOAA Forms 90-2 and 90-4, or equivalents, has been approved by OMB under the control number 0648-0362. Public reporting burden for these NOAA forms is estimated to average 20 minutes for a NOAA Form 90-2 and 15 minutes for a NOAA Form 90-4. These response times include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions for reducing the burden, to the National Sea Grant Office (*see FOR FURTHER INFORMATION CONTACT*, above).

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a

penalty for failure to comply with, a collection of information subject to the Paperwork Reduction Act, unless that collection displays a currently valid OMB control number.

IX. Classification

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

It has been determined that this notice is not significant for purposes of Executive Order 12866.

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

Because notice and comment are not required under 5 U.S.C. 553, or any other law, for notices relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice, 5 U.S.C. 601 *et seq.*

Dated: May 31, 2002.

Louisa Koch,

Deputy Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce.

Dated: April 19, 2002.

Cathleen Short,

Assistant Director for Fisheries, U.S. Fish and Wildlife Service, Department of the Interior.

Dated: May 10, 2002.

Margaret D. Blum,

Associate Administrator for Ports, Intermodal and Environmental Activities, U.S. Maritime Administration, Department of Transportation.

Dated: May 15, 2002.

James E. Caponiti,

Associate Administrator for National Security, U.S. Maritime Administration, Department of Transportation.

[FR Doc. 02-14102 Filed 6-5-02; 8:45 am]

BILLING CODE 3510-KA-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 052802D]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Rocket Launches

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

ACTION: Notice of issuance of a letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that a 1-year letter of authorization to take small numbers of seals and sea lions was issued on May 31, 2002, to the 30th Space Wing, U.S. Air Force.

ADDRESSES: The letter of authorization and supporting documentation are available for review during regular business hours in the following offices: Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, and the Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

FOR FURTHER INFORMATION CONTACT: Simona Perry Roberts, Office of Protected Resources, NMFS, (301) 713-2322, or Christina Fahy, NMFS, (562) 980-4023.

SUPPLEMENTARY INFORMATION: Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of seals and sea lions incidental to missile and rocket launches, aircraft flight test operations, and helicopter operations at Vandenberg Air Force Base, CA were published on March 1, 1999 (64 FR 9925), and remain in effect until December 31, 2003.

Issuance of this letter of authorization is based on a finding that the total takings will have no more than a

negligible impact on the seal and sea lion populations off the Vandenberg coast and on the Northern Channel Islands.

Dated: May 31, 2002.

David Cottingham,
Deputy Director, Office of Protected Resources, National Marine Fisheries Service.
[FR Doc. 02-14236 Filed 6-5-02; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 052402B]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Issuance of permit 1387.

SUMMARY: Notice is given that NMFS has issued permit 1387 to Thomas Gaffney, Special Agent of the NMFS Office of Law Enforcement in Santa Maria, California, that authorizes takes of Endangered Species Act-listed anadromous fish species for enhancement purposes (rescue and salvage), subject to certain conditions set forth in this document.

ADDRESSES: The applications and related documents are available for review in the following office, by appointment: Protected Resources Division, NMFS, 777 Sonoma Avenue, Room 325, Santa Rosa, California 95404-6528.

FOR FURTHER INFORMATION CONTACT: Daniel Logan, Protected Resources Division, NMFS, Santa Rosa, California, (707) 575-6053, or e-mail: dan.logan@noaa.gov.

SUPPLEMENTARY INFORMATION:

Species Covered in this Notice

The following species and evolutionarily significant units (ESUs) are covered in this notice: Southern California steelhead (*Oncorhynchus mykiss*) ESU.

Issuance of this permit, as required by the ESA, was based on a finding that such issuance (1) was applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permit; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA. This permit was issued in accordance with, and is subject to, part 222 of title 50 CFR, the NMFS'

regulations governing listed species permits.

Thomas Gaffney has monitored water quality in Mission Creek and has noted that conditions are deteriorating rapidly and that the stream is drying. Gaffney, having observed steelhead in residual pools in the stream, and dead steelhead in some pools, believes that the remaining live steelhead cannot leave the pools and will perish without intervention. The NMFS SWR believes that, because the health and life of the animals are in danger, the issuance of permit 1387 is an urgent action and sufficient to qualify as an emergency situation consistent with CFR 222.303(g).

Permit Issued

Permit 1387 was issued on May 22, 2002. This permit includes the following take limits: (1) Thomas Gaffney is authorized to rescue up to 250 ESA-listed juvenile Southern California steelhead from habitat areas where conditions are likely to result in imminent mortality; (2) Thomas Gaffney is authorized to transport and release rescued steelhead into NMFS-approved habitat areas within the same watershed where the chance of long-term survival is increased; (3) Thomas Gaffney is authorized to take tissue samples from all rescued fish; and (4) the expiration date of Permit 1387 is December 31, 2002.

Dated: May 31, 2002.

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

[FR Doc. 02-14237 Filed 6-5-02; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket No. 24-2002]

Foreign-Trade Zone 93—Raleigh/Durham, NC, Application for Foreign-Trade Subzone Status, General Electric Aircraft Engines (Gas Turbine Engines), Research Triangle Park/Durham, NC

An application has been submitted to the Foreign-Trade-Zones Board (the Board) by the Triangle J Council of Governments, grantee of FTZ 93, requesting special-purpose subzone status for the manufacturing and distribution facilities (gas turbine engines) of General Electric Aircraft Engines (GEAE) in Research Triangle Park/Durham, North Carolina. The application was submitted pursuant to

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 May 28, 2002.

The GEAE facilities are located at 3701 South Miami Boulevard, Research Triangle Park/Durham, North Carolina (six buildings/513,273 square feet on 512 acres). The facilities (150 employees) are used for the development, manufacture, and distribution of gas turbine engines and engine parts for aerospace, marine, and industrial applications. Foreign-source materials account for approximately 10 to 20 percent of finished-product value, and may include items from the following categories: plastic or rubber tubes, plates, and other articles; fiberglass sheets; stainless steel wire; iron or steel tubes or fittings; stranded wire products; iron or steel fasteners; nickel or nickel-alloy products; aluminum wire and fittings; cobalt mattes; titanium nuts, bolts, screws, tubes, sleeves, and bars; articles of chromium and rhenium; base metal fittings, tubing, and stoppers; pumps for liquids and parts thereof; heat exchange units; centrifuges; valves and parts thereof; bearings and parts thereof; transmission shafts and parts thereof; gaskets; electric motors; electrical inductors and ignition equipment; signaling equipment; electrical switches and relays; insulated wire and cable; ceramic insulators; counters and other instruments; measuring or checking instruments; and lamps and lighting fittings.

Zone procedures would exempt GEAE from Customs duty payments on foreign materials used in production for export. On domestic sales, the company would be able to choose the duty rates that apply to the finished products (duty-free to 2.5%) rather than the duty rates that would otherwise apply to the foreign-sourced materials noted above (duty-free to 15%). In addition, GEAE states that it would realize logistical/procedural and other benefits. The application indicates that the savings from zone procedures will help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report 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 one of the following addresses:

1. Submissions Via Express/Package Delivery Services: Foreign-Trade-Zones