

Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Pamela Dunston at least seven days prior to the meeting at 202-376-8105.

Dated: February 10, 2009.

**David Blackwood,**

*General Counsel.*

[FR Doc. E9-3177 Filed 2-17-09; 8:45 am]

BILLING CODE 6335-01-M

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Applications for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States. Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before March 10, 2009. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 3720.

**Docket Number: 08-050.** Applicant: University of Colorado, Department of Mechanical Engineering, 427 UCB, ECME 114, Boulder, CO 80309-0427. Instrument: Dual Beam FIB Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: The instrument will be used to fabricate micrometer/nanometer scale devices and test samples in the Nanomaterials Characterization Facility. Application accepted by Commissioner of Customs: September 25, 2008.

**Docket Number: 08-051.** Applicant: Lawrence Berkeley National Laboratory, One Cyclotron Road, MS: 937-0200, Berkeley, CA 94720. Instrument: Electron Microscope. Manufacturer: FEI Company, The Netherlands. Intended Use: The instrument will be used to develop a new class of electron imaging, down to resolution, which can provide new capabilities including an in-situ experimental stage. Application accepted by Commissioner of Customs: September 30, 2008.

**Docket Number: 08-062.** Applicant: Carnegie Mellon University, 5000 Forbes Avenue, Pittsburgh, PA 15213.

Instrument: Scanning Electron Microscope. Manufacturer: FEI Company, The Netherlands. Intended Use: The instrument is to be equipped with an orientation imaging system for the study of grain boundary energy on a wide range of materials, including metals, ceramics and semiconductors. Application accepted by Commissioner of Customs: January 14, 2009.

Dated: February 12, 2009.

**Chris Cassel,**

*Acting Director, IA Subsidies Enforcement Office.*

[FR Doc. E9-3406 Filed 2-17-09; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No.: 0612242720-9119-02]

#### Availability of Grant Funds for Fiscal Year 2009; Correction

**AGENCY:** National Oceanic and Atmospheric Administration; Department of Commerce.

**ACTION:** Notice; Correction.

**SUMMARY:** The National Oceanic and Atmospheric Administration published a document in the **Federal Register** of January 2, 2009 entitled Availability of Grant Funds for Fiscal Year 2009. The information concerning the Coastal and Estuarine Land Conservation Program FY 2010 competition, which appears in the program listing for the National Ocean Service, contained a reference to an incorrect fiscal year. The correct fiscal year for the program is FY 2009.

**DATES:** As published in the January 2, 2009 **Federal Register**, applications must be received and validated by Grants.gov on or before 6 p.m. EST on March 31, 2009. Applications submitted through Grants.gov will have a date and time indication on them.

**ADDRESSES:** Applications may be submitted electronically through Grants.gov online at: <http://www.grants.gov> or by mailing an original and four copies of each proposal to Attn: Elaine Vaudreuil, NOAA, Ocean and Coastal Resource Management, National Policy and Evaluation Division (N/ORM7), 1305 East-West Highway, SSMC4, Station 10657, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Elaine Vaudreuil, Phone: (301) 713-3155 ext 103, e-mail: [Elaine.Vaudreuil@noaa.gov](mailto:Elaine.Vaudreuil@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

## Correction

In the **Federal Register** of January 2, 2009 (74 FR 72, 82), the document entitled Availability of Grant Funds for Fiscal Year 2009 contained an error in the National Ocean Service's entry for its Coastal and Estuarine Land Conservation Program FY 2010 competition. The Funding Availability section of the solicitation incorrectly referenced FY 2010. This notice corrects this error. The forth sentence of the first paragraph of the "Funding Availability" section is corrected to read:

"The FY 2009 President's Request for the program is \$15 million."

All other information and requirements of the January 2, 2009 solicitation remain unchanged.

## Administrative Procedure Act

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act 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 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

Dated: February 10, 2009.

**Christopher C. Cartwright,**

*Associate Assistant Administrator for Management and CFO/CAO, Ocean Services and Coastal Zone Management.*

[FR Doc. E9-3206 Filed 2-17-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Availability of Seats for the Monterey Bay National Marine Sanctuary Advisory Council

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice and request for applications.

**SUMMARY:** The ONMS is seeking applications for the following vacant seat on the Monterey Bay National Marine Sanctuary Advisory Council: Tourism alternate. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations;

philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the sanctuary.

Applicants who are chosen as members should expect to serve until February 2011, pursuant to the council's Charter.

**DATES:** Applications are due by March 13, 2009.

**ADDRESSES:** Application kits may be obtained from Nicole Capps at the Monterey Bay National Marine Sanctuary, 299 Foam Street, Monterey, CA 93940. Completed applications should be sent to the same address. Application kits may also be obtained from the sanctuary's Web site at <http://montereybay.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Nicole Capps at (831) 647-4206, or [nicole.capps@noaa.gov](mailto:nicole.capps@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The MBNMS Advisory Council was established in March 1994 to assure continued public participation in the management of the Sanctuary. Since its establishment, the Advisory Council has played a vital role in decisions affecting the Sanctuary along the central California coast.

The Advisory Council's twenty voting members represent a variety of local user groups, as well as the general public, plus seven local, state and federal governmental jurisdictions. In addition, the respective managers or superintendents for the four California National Marine Sanctuaries (Channel Islands National Marine Sanctuary, Cordell Bank National Marine Sanctuary, Gulf of the Farallones National Marine Sanctuary and the Monterey Bay National Marine Sanctuary) and the Elkhorn Slough National Estuarine Research Reserve sit as non-voting members.

Four working groups support the Advisory Council: The Research Activity Panel ("RAP") chaired by the Research Representative, the Sanctuary Education Panel ("SEP") chaired by the Education Representative, the Conservation Working Group ("CWG") chaired by the Conservation Representative, and the Business and Tourism Activity Panel ("BTAP") chaired by the Business/Industry Representative, each dealing with matters concerning research, education, conservation and human use. The working groups are composed of experts from the appropriate fields of interest and meet monthly, or bi-monthly, serving as invaluable advisors to the Advisory Council and the Sanctuary Superintendent.

The Advisory Council represents the coordination link between the

Sanctuary and the state and federal management agencies, user groups, researchers, educators, policy makers, and other various groups that help to focus efforts and attention on the central California coastal and marine ecosystems.

The Advisory Council functions in an advisory capacity to the Sanctuary Superintendent and is instrumental in helping develop policies, program goals, and identify education, outreach, research, long-term monitoring, resource protection, and revenue enhancement priorities. The Advisory Council works in concert with the Sanctuary Superintendent by keeping him or her informed about issues of concern throughout the Sanctuary, offering recommendations on specific issues, and aiding the Superintendent in achieving the goals of the Sanctuary program within the context of California's marine programs and policies.

**Authority:** 16 U.S.C. Sections 1431, *et seq.* (Federal Domestic Assistance catalog Number 11.429 Marine Sanctuary Program)

Dated: February 6, 2009.

**Daniel J. Basta,**

*Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.*

[FR Doc. E9-3203 Filed 2-17-09; 8:45 am]

**BILLING CODE 3510-NK-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XL67**

#### Incidental Takes of Marine Mammals During Specified Activities; On-ice Marine Geophysical and Seismic Operations in State/OCS Waters of the U.S. Beaufort Sea off Alaska

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

**ACTION:** Notice, withdrawal of an incidental take authorization application.

**SUMMARY:** Notice is hereby given that CGGVeritas Land, Inc. (Veritas) has withdrawn its application for an Incidental Harassment Authorization (IHA). The following action is related to a proposed IHA to Veritas for the take of small numbers of marine mammals, by Level B harassment only, incidental to conducting an on-ice marine geophysical research and seismic survey

in the U.S. Beaufort Sea off Alaska from February to May, 2009.

**ADDRESSES:** The documents and the application related to this action are available by writing to P. Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, or by telephoning the contact listed here.

A copy of the application containing a list of the references used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Howard Goldstein or Ken Hollingshead, NMFS, 301-713-2289.

**SUPPLEMENTARY INFORMATION:** On October 6, 2008, NMFS received an application from Veritas requesting an IHA. The requested IHA was for an authorization to take, by Level B harassment, small numbers of ringed seals (*Phoca hispida*) incidental to conducting on-ice seismic surveys, north and northwest of Thetis Island in State/OCS waters in the Beaufort Sea. On February 9, 2008, NMFS accepted notice from Veritas withdrawing their IHA application for the proposed action. During a recent aerial survey, Veritas found that unsafe ice conditions were present and concluded that such conditions are unsuitable for the on-ice seismic survey operations presented in the IHA application package. The energy source for the proposed activity was Vibroseis. Data acquisition would have begun mid-February and continued until the end of May.

Dated: February 11, 2009.

**James H. Lecky,**

*Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E9-3419 Filed 2-17-09; 8:45 am]

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