

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 December 30, 2004 (69 FR 78389), 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: February 12, 2008.

**Samuel D. Rauch III**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Availability of Seats for the Florida Keys 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 Florida Keys National Marine Sanctuary (FKNMS) is seeking applications for the following vacant seats on its Sanctuary Advisory Council (council): Citizen at Large—Upper Keys (alternate), Conservation and Environment [2 of 2] (member), Fishing—Charter Sports Fishing (alternate), and South Florida Ecosystem Restoration (member).

Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; residency in the Sanctuary area; and philosophy regarding the protection and management of marine resources. Applicants who are chosen for seats normally serve three-year terms, pursuant to the Council's charter.

**DATES:** Applications are due by March 14, 2008.

**ADDRESSES:** Application packages may be obtained from the Sanctuary Advisory Council and Volunteer Coordinator at [Lilli.Ferguson@noaa.gov](mailto:Lilli.Ferguson@noaa.gov), from the Web site at <http://www.floridakeys.noaa.gov>, by telephone at (305) 292-0311 x245 or in writing at Florida Keys National Marine Sanctuary, 33 East Quay Rd., Key West, FL 33040. Completed applications should be sent to the same address listed above.

**FOR FURTHER INFORMATION CONTACT:** Lilli Ferguson at the above address, e-mail or telephone number.

**SUPPLEMENTARY INFORMATION:** Information concerning the council, including past meeting minutes and member contact information can be found at the sanctuary Web site.

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

Dated: February 11, 2008.

**Daniel J. Basta,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XE36

#### Taking of Marine Incidental to Specified Activities; Taking Marine Mammals Incidental to Power Plant Operations in Central and Southern California

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

**ACTION:** Notice; receipt of applications for letters of authorization; request for comments and information.

**SUMMARY:** NMFS has received applications for take authorizations from 13 power generating stations located on the coast of central and southern California to take small numbers of marine mammals by Level A harassment and mortalities incidental to routine power plant operations for the duration of five years from the date when the authorizations are issued. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is announcing our receipt of these requests for the development and implementation of regulations governing the incidental taking of marine mammals and inviting information, suggestions, and comments on these applications.

**DATES:** Comments and information must be received no later than March 21, 2008.

**ADDRESSES:** Comments on the applications should be addressed 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 one of the contacts listed here (see **FOR FURTHER INFORMATION CONTACT**). The mailbox address for providing email comments is [PR1.0648-EX36@noaa.gov](mailto:PR1.0648-EX36@noaa.gov). Comments sent via email, including all attachments, must not exceed a 10-megabyte file size. Copies of the applications and other supporting material may be obtained by writing to