

for another two years, effective June 12, 2009.

The NPAFC was established by the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, signed on February 12, 1992, by Canada, Japan, the Russian Federation, and the United States, and entered into force on February 16, 1993. The U.S. Advisory Panel will continue to work with the U.S. Section to promote the conservation of anadromous fish stocks, particularly salmon, throughout their migratory range in the North Pacific Ocean, as well as ecologically related species.

The U.S. Section of the Commission is composed of three Commissioners who are appointed by the President. Each Commissioner is appointed for a term not to exceed 4 years, but is eligible for reappointment. The Secretary of State, in consultation with the Secretary of Commerce, may designate alternate commissioners. The Advisory Panel to the U.S. Section is composed of 14 members, 11 of whom are appointed by the Secretary, in consultation with the Secretary of Commerce. Advisory Panel members serve for a term not to exceed 4 years, and may not serve more than two consecutive terms.

The Advisory Panel will continue to follow the procedures prescribed by the Federal Advisory Committee Act (FACA). Meetings will continue to be open to the public unless a determination is made in accordance with Section 10 of the FACA, 5 U.S.C. Secs. 552b(c)(1) and (4), that a meeting or a portion of the meeting should be closed to the public. Notice of each meeting will continue to be provided for publication in the **Federal Register** as far in advance as possible prior to the meeting.

For further information on the renewal of the Advisory Panel, please contact John Field, Office of Marine Conservation in the Department of State, (202) 647-3263.

Dated: May 5, 2009.

**David A. Balton,**

*Deputy Assistant Secretary for Oceans and Fisheries, Department of State.*

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**BILLING CODE 4710-09-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Application of Air Excursions, LLC for Certificate Authority

**AGENCY:** Department of Transportation.

**ACTION:** Notice of Order to Show Cause (Order 2009-6-11), Docket DOT-OST-2008-0318.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Air Excursions, LLC, fit, willing, and able to engage in interstate scheduled air transportation of persons, property, and mail.

**DATES:** Persons wishing to file objections should do so no later than June 26, 2009.

**ADDRESSES:** Objections and answers to objections should be filed in Docket DOT-OST-2008-0318 and addressed to U.S. Department of Transportation, Docket Operations, (M-30, Room W12-140), 1200 New Jersey Avenue, SE., West Building Ground Floor, Washington, DC 20590, and should be served upon the parties listed in Attachment A to the Order to Show Cause.

#### FOR FURTHER INFORMATION CONTACT:

Lauralyn J. Remo, Chief, Air Carrier Fitness Division (X-56, Room W86-307), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 366-9721.

Dated: June 12, 2009.

**Christa Fornarotto,**

*Acting Assistant Secretary for Aviation and International Affairs.*

[FR Doc. E9-14418 Filed 6-18-09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in California

**AGENCY:** Federal Highway Administration (FHWA), U.S. DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA and other Federal agencies: Shasta-Trinity National Forest (Forest Service), and U.S. Bureau of Reclamation, Mid-Pacific Region (Bureau of Reclamation).

**SUMMARY:** This notice announces actions taken by the FHWA and other Federal agencies that are final within the meaning of 23 U.S.C. 139(I)(1). These actions relate to a proposed highway project, replacement of the Antlers Bridge (Bridge No. 06-0089) and realignment of a 0.42-mile segment of Interstate 5, in the County of Shasta, State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(I)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before December 16, 2009. If the Federal law that authorizes judicial review of a claim provides a time period of less than 180 days for filing such claim, then that shorter time period still applies.

#### FOR FURTHER INFORMATION CONTACT:

Lanh Phan, Transportation Engineer, Federal Highway Administration, 650 Capitol Mall, Suite 4-100, Sacramento, CA 95814, weekdays between 7 a.m. and 4 p.m., telephone 916-498-5046, [lanh.phan@dot.gov](mailto:lanh.phan@dot.gov). For Forest Service: Stacy Smith, Shasta-Trinity National Forest, 204 West Alma, Mount Shasta, CA 96067, Telephone: (530) 926-9643, e-mail: [slsmith01@fs.fed.us](mailto:slsmith01@fs.fed.us). For Bureau of Reclamation: Buford Holt, Bureau of Reclamation, Northern California Area Office, 16349 Shasta Dam Boulevard, Shasta Lake, CA 96019, Telephone: (530) 276-2047, e-mail: [bholt@mp.usbr.gov](mailto:bholt@mp.usbr.gov). For California Department of Transportation: Edward Espinoza, Chief, Caltrans Environmental Planning Office, 1657 Riverside Drive, Redding, CA 96001, during normal office hours 7:30 a.m.-4:15 p.m. Monday-Friday, Telephone: (530) 225-3308, e-mail: [ejespino@dot.ca.gov](mailto:ejespino@dot.ca.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the FHWA and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(I)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: Replacement of the Antlers Bridge (Bridge No. 06-0089) and realignment of a 0.42-mile segment of Interstate 5, in Shasta County, near the community of Lakehead. The existing steel truss bridge was constructed in 1941 and exhibits signs of structural fatigue. Additionally, the section of highway abutting the south end of the bridge includes a series of curves and has an accident rate higher than average for similar highways statewide. The proposed project entails construction of a new bridge on an alignment immediately east of the existing bridge. The existing bridge will be removed once the new bridge is operational. A 0.42-mile section of highway south of the bridge will be reconstructed to improve the alignment. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (EA) for the project, approved on September 29, 2006, in the FHWA Finding of No

Significant Impact (FONSI) issued on January 19, 2007, and in other documents in the FHWA project records. The EA, FONSI, and other project records are available by contacting Caltrans at the address provided above. The FHWA EA and FONSI can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist3/departments/envinternet/antler/antler.htm>. The Forest Service and Bureau of Reclamation decisions and permits are available by contacting the Forest Service and Bureau of Reclamation at the addresses provided above. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General*: National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. *Air*: Clean Air Act, 42 U.S.C. 7401–7671(q).
3. *Wildlife*: Endangered Species Act [16 U.S.C. 1531–1544 and Section 1536], Marine Mammal Protection Act [16 U.S.C. 1361], Anadromous Fish Conservation Act [16 U.S.C. 757(a)–757(g)], Migratory Bird Treaty Act [16 U.S.C. 703–712], Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 *et seq.*].
4. *Historic and Cultural Resources*: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)–11]; Archeological and Historic Preservation Act [16 U.S.C. 469–469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013].
5. *Social and Economic*: Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996].
6. *Wetlands and Water Resources*: Clean Water Act, 33 U.S.C. 1251–1377 (Section 404, Section 401, Section 319); Emergency Wetlands Resources Act, 16 U.S.C. 3921, 3931; TEA–21 Wetlands Mitigation, 23 U.S.C. 103(b)(6)(m), 133(b)(11); Flood Disaster Protection Act, 42 U.S.C. 4001–4128; Rivers and Harbors Act of 1899, 33 U.S.C. 401–406.
7. *Hazardous Materials*: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992(k).

8. *Executive Orders*: E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1).

Issued on: June 15, 2009.

**Cindy Vigue,**

*Director, State Programs, Federal Highway Administration, Sacramento, California.*

[FR Doc. E9–14408 Filed 6–18–09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2007–28043]

#### Hours of Service (HOS) of Drivers; Renewal of American Pyrotechnics Association (APA) Exemption From the 14-Hour Rule During Independence Day Celebrations

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA previously announced its decision to renew the American Pyrotechnics Association (APA) exemption for 61 member motor carriers from FMCSA's regulation that drivers of commercial motor vehicles (CMVs) may not drive after the 14th hour after coming on duty. No comments were submitted to the public docket; consequently, the Agency confirms the renewal of the exemption. **DATES:** This exemption is effective during the periods of June 28, 2009, through July 8, 2009, and June 28, 2010, through July 8, 2010, inclusive.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas L. Yager, Chief, FMCSA Driver and Carrier Operations Division, Office of Bus and Truck Standards and Operations; Telephone: 202–366–4325, E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:**

## Background

Under 49 U.S.C. 31315 and 31136(e), FMCSA may renew an exemption from the hours of service (HOS) requirements in 49 CFR 395.3(a)(2) for up to two years if it finds “such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption” (49 CFR 381.305(a)). APA, a trade association representing the domestic fireworks industry, applied for renewal of a limited exemption from the HOS rules on behalf of 61 of its member motor carriers, and approximately 3,000 of their CMV drivers for an eleven-day period surrounding Independence Day in 2009, and a similar period in 2010, as previously announced in the **Federal Register** (74 FR 24069, May 22, 2009). A copy of the application is included in the docket referenced at the beginning of this notice. The list of APA member companies covered by the exemption from 49 CFR 395.3(a)(2) is included as an Appendix to this notice.

The HOS rules prohibit a property-carrying CMV driver from driving after the 14th hour after coming on duty following 10 consecutive hours off duty (49 CFR 395.3(a)(2)). During the periods June 28–July 8, 2009, and June 28–July 8, 2010, inclusive, the companies named in the Appendix and approximately 3,000 CMV drivers employed by them, will be exempt from section 395.3(a)(2) if they are operating in conjunction with the staging of fireworks shows celebrating Independence Day. These CMV drivers hold a commercial driver's license with hazardous materials endorsement. They also are trained pyrotechnicians. They transport fireworks and set up and stage fireworks shows.

Section 49 CFR 395.3(a)(2) prohibits a driver from driving after the 14th hour after coming on duty and does not permit off-duty periods to extend the 14-hour limit. This exemption permits CMV drivers engaged in these operations to exclude off-duty and sleeper-berth time of any length from the calculation of the 14-hour duty period. These drivers must continue to obtain 10 consecutive hours off duty prior to the 14-hour period, and remain subject to the 11-hour driving time limit, the 60- and 70-hour on-duty limits, and all other HOS rules.

APA sought renewal of this exemption because compliance by its members with the current 14-hour rule would impose a substantial economic hardship on numerous cities, towns and municipalities, as well as its member companies, with regard to their Independence Day celebrations. APA