

or otherwise in furtherance of the purposes of the Act.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

##### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-CBOE-2009-035 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington DC 20549-1090.

All submissions should refer to File Number SR-CBOE-2009-035. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR-CBOE-2009-035 and should be submitted on or before July 2, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

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**BILLING CODE 8010-01-P**

#### DEPARTMENT OF STATE

##### [Public Notice 6658]

#### **Title: Meetings of the United States-Chile Environment Affairs Council and Joint Commission for Environmental Cooperation**

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

**SUMMARY:** The Department of State and the Office of the United States Trade Representative (USTR) are providing notice that, as set forth in Chapter 19 (Environment) of the United States-Chile Free Trade Agreement (FTA) and the United States-Chile Environmental Cooperation Agreement (ECA), the two governments intend to hold the fifth meeting of the Environment Affairs Council (the "Council") and the third meeting of the Joint Commission for Environmental Cooperation (the "Commission") in Washington, DC on July 1st, 2009. A public information session will be held for on July 1st, at 3 p.m., in room 1107 at the U.S. Department of State, 2201 C Street, NW., Washington, DC 20520. If you would like to attend the session, please send the following information to Robert Wing at the fax number or e-mail address listed below under **ADDRESSES**: (1) Your name, (2) your date of birth, and (3) the number of a valid identification card that a government has issued to you.

The purpose of the Council and Commission meeting is detailed below under **SUPPLEMENTARY INFORMATION**.

The meeting agenda will include an overview of Chapter 19 and review of its implementation, progress report on projects outlined in the FTA's Environment Chapter, a discussion of the roles and activities of the Trade and Environment Policy Advisory Committee and the public advisory committee that advises the Chilean government on trade and environment policy issues, an overview of progress of implementing selected projects under the 2007-2008 Work Program pursuant to the United States-Chile ECA and the presentation of a new ECA Work Program. The Department of State and USTR invite interested agencies,

organizations, and members of the public to submit written comments or suggestions regarding agenda items and to attend the public session.

In preparing comments, we encourage submitters to refer to:

- The FTA's Environment Chapter including Annex 19.3, and the Final Environment Review of the FTA, available at: [http://www.ustr.gov/Trade\\_Agreements/Bilateral/Chile\\_FTA/Section\\_Index.html](http://www.ustr.gov/Trade_Agreements/Bilateral/Chile_FTA/Section_Index.html).
- The ECA, available at: <http://www.state.gov/g/oes/rls/or/22185.htm>.

**DATES:** To be assured of timely consideration, comments are requested no later than June 25, 2009.

**ADDRESSES:** Written comments or suggestions should be submitted to both: (1) Robert Wing, U.S. Department of State, Bureau of Oceans, Environment, and Science, Office of Environmental Policy by electronic mail at [wingRD@state.gov](mailto:wingRD@state.gov) with the subject line "US-Chile EAC Meeting" or by fax to (202) 647-5947; and (2) Mara M. Burr, Deputy Assistant United States Trade Representative for Environment and Natural Resources, Office of the United States Trade Representative by electronic mail at [mburr@ustr.eop.gov](mailto:mburr@ustr.eop.gov) with the subject line "US-Chile EAC Meetings" or by fax to (202) 395-9517.

**FOR FURTHER INFORMATION CONTACT:** Robert Wing, Telephone (202) 647-9266 or Mara M. Burr, Telephone (202) 395-7320.

**SUPPLEMENTARY INFORMATION:** The United States-Chile FTA entered into force on January 4, 2004. Article 3 of Chapter 19 (Environment) of the FTA establishes an Environment Affairs Council, which is required to meet at least once a year to discuss the implementation of, and progress under, Chapter 19. Chapter 19 requires that meetings of the Council include a public session. Under Chapter 19, the two governments agreed to undertake eight specific cooperative activities set out in Annex 19.3 of the Chapter and to negotiate a United States-Chile Environmental Cooperation Agreement to further environmental cooperative activities. The ECA entered into force on May 1, 2004 and sets out a framework for environmental cooperative activities between the two governments. Article II of the ECA establishes the United States-Chile Joint Commission for Environmental Cooperation, with responsibilities that include developing and periodically reviewing a Work Program. The Commission is required to meet at least every two years. The first meetings of the Council and the Commission were held on July 22, 2004, in Santiago, Chile, and the third meeting

<sup>13</sup> 17 CFR 200.30-3(a)(12).

of the Council and second meeting of the Commission were held on October 23–24, 2006, in Santiago, Chile.

At the fourth Council meeting held on April 24, 2008, in Santiago, Chile the Council discussed the implementation of Chapter 19 of the FTA with respect to public participation, progress reports on the eight cooperation projects under Chapter 19, implementation of the 2005–2006 Work Program, and elaboration of the 2007–2008 Work Program. At this meeting the Trade and Environment Policy Advisory Committee and Chile's Advisory Committee held the first ever exchange between FTA-related trade and environment advisory committees.

At the upcoming fifth meeting of the Council, the Council will review the status of implementation of Chapter 19 and receive reports on (1) The progress of projects outlined in the FTA's Environment Chapter, (2) the roles and activities of the Trade and Environment Policy Advisory Committee and the public advisory committee that advises the Chilean government on trade and environment policy issues, and (3) the 2009–2010 Work Program Pursuant to the U.S.-Chile ECA. At its third meeting, the Commission, during a Joint Public Session with the Council, will receive reports on progress of implementing the 2007–2008 ECA Work Program and review and approve a new Work Program. At these meetings, the Council and Commission will also consider recommendations for future bilateral environmental cooperation. The public is advised to refer to the State Department Web site at <http://www.state.gov/g/oes/env/> and the USTR Web site at <http://www.USTR.gov> for further information related to the Council meeting.

Dated: June 4, 2009.

**Daniel T. Fantozzi,**  
Director, Office of Environmental Policy,  
Department of State.

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q)

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (formerly Subpart Q) during the Week Ending May 30, 2009. The following Applications for

Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (*See* 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* DOT–OST–2009–0129.

*Date Filed:* May 27, 2009.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* June 17, 2009.

*Description:* Application of SmartLynx Airlines, Ltd. requesting a foreign air carrier permit authorizing the carrier to operate charter foreign air transportation of persons, property and mail (a) between any point or points behind the European Union, via any point or points in the European Union and intermediate points, to any point or points in the United States, and beyond; (b) between any point or points in the European Common Aviation Area and any point or points in the United States; and (c) pursuant to the prior approval requirements of Part 212.

*Docket Number:* DOT–OST–2009–0132.

*Date Filed:* May 28, 2009.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* June 18, 2009.

*Description:* Application of Lufthansa Cargo AG requesting a foreign air carrier permit authorizing it to engage in: (a) Scheduled and charter foreign air transportation of property and mail from any point or points behind any Member State of the European Union via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond; (b) scheduled and charter foreign air transportation of property and mail between any point or points in the United States and any point or points in any member of the European Common Aviation Area; (c) scheduled and charter foreign air transportation of property and mail between any point or points in the United States and any point or points; (d) other charter pursuant to the prior approval requirements; and (e) transportation authorized by any additional route rights made available to European Community carriers in the future.

*Docket Number:* DOT–OST–2008–0026.

*Date Filed:* May 27, 2009.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* June 17, 2009.

*Description:* Application of Air Italy S.p.A. requesting an amendment of the first two paragraphs of its foreign air carrier permit it now holds to authorize: (a) Scheduled and charter foreign air transportation of persons, property and mail from any point or points behind any Member State of the European Community via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond; and (b) scheduled and charter foreign air transportation of persons, property and mail between any point or points in the United States and any point or points in the European Common Aviation Area. Air Italy also seeks an exemption to permit its operations as a scheduled foreign air carrier within the full geographic scope of the permit amendment.

**Renee V. Wright,**

Program Manager, Docket Operations,  
Federal Register Liaison.

[FR Doc. E9–13710 Filed 6–10–09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB–55 (Sub-No. 697X)]

#### CSX Transportation, Inc.— Abandonment Exemption—in Glynn County, GA

On May 22, 2009, CSX Transportation, Inc. (CSXT) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a 0.31-mile rail line on its Southern Region, Jacksonville Division, Brunswick Subdivision, between milepost AOB 534.36 and milepost AOB 534.67 in Brunswick, Glynn County, GA. The line traverses United States Postal Service Zip Code 31520.

CSXT also requests expedited consideration of the exemption petition, including effectiveness of the exemption no later than August 1, 2009. CSXT states that expedited action is necessary here because a new middle school has been built to the east of the right-of-way. In order to access the school, a new road must be built across the line. CSXT argues that construction must begin soon in order for the new road to be completed before the start of the school