

on the affected species or stocks. The provision requiring that the activity not have an unmitigable adverse impact on the availability of the affected species or stock for subsistence uses is not implicated for this proposed action provided the mitigation measures required under the authorization are implemented.

This negligible impact determination is supported by: (1) the likelihood that, given sufficient warning through relatively slow ship speed, marine mammals are expected to move away from a noise source that is annoying prior to it becoming potentially injurious; (2) the fact that marine mammals would have to be closer than 40 m (131 ft) in deep water, 60 m (197 ft) at intermediate depths, or 296 m (971 ft) in shallow water when a single airgun is in use from the vessel to be exposed to levels of sound (180 dB) believed to have even a minimal chance of causing TTS; (3) the fact that marine mammals would have to be closer than 950 m (0.5 nm) in deep water, 1,425 m (0.8 nm) at intermediate depths, and 3,694 m (2 nm) in shallow water when the full array is in use at a 9 m (29.5 ft) tow depth from the vessel to be exposed to levels of sound (180 dB) believed to have even a minimal chance of causing TTS; (4) the likelihood that marine mammal detection ability by trained observers is good at those distances from the vessel; (5) the use of PAM, which is effective out to tens of km, will assist in the detection of vocalizing marine mammals at greater distances from the vessel; (6) the incorporation of other required mitigation measures (i.e., ramp-up, power-down, and shutdown); and (7) the limited duration of the seismic survey in the GOA study area (approximately 18 days). As a result, no take by injury or death is anticipated, and the potential for temporary or permanent hearing impairment is very low and will be avoided through the incorporation of the required monitoring and mitigation measures.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the vicinity of the survey activity, the number of potential harassment takings is estimated to be small, relative to the affected species and stock sizes, and has been mitigated to the lowest level practicable through incorporation of the measures mentioned previously in this document.

#### Authorization

As a result of these determinations, NMFS has issued an IHA to L-DEO for conducting a marine geophysical survey in the Gulf of Alaska in September, 2008, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: September 8, 2008.

**James H. Lecky,**

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

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**BILLING CODE 3510-22-S**

#### COMMODITY FUTURES TRADING COMMISSION

##### Agency Information Collection Activities: Notice of Intent To Renew Collection 3038-0052, Establishing Procedures for Designated Contract Markets and Applicants Seeking Designation, Comment Request

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Extension of an existing collection notice.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.*, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on requirements relating to Part 38 of the Commission's regulations (17 CFR 38) establishing submission and compliance procedures for designated contract markets and applicant exchanges seeking designation with the CFTC.

**DATES:** Comments must be submitted on or before November 12, 2008.

**ADDRESSES:** Comments may be mailed to Bruce Fekrat, Special Counsel, Division of Market Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581.

**FOR FURTHER INFORMATION CONTACT:** Bruce Fekrat, (202) 418-5578; Fax: (202) 418-5527; e-mail: [bfekrat@cftc.gov](mailto:bfekrat@cftc.gov).

**SUPPLEMENTARY INFORMATION:** Under the PRA, Federal agencies must obtain approval from the Office of Management

and Budget (OMB) for each collection of information they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the intent to renew the collection of information listed below.

With respect to the following collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

##### Collection 3038-0052, Establishing Procedures for Designated Contract Markets and Applicants Seeking Designation—Extension

Part 38 of the Commission's regulations governs the activities of designated contract markets. The information collected thereunder is necessary for the Commission to evaluate whether entities operating as, or applying to become, designated contract markets are in compliance with the designation criteria of section 5(b) of the Commodity Exchange Act (CEA), 7 U.S.C. 7(b), and the core principles of section 5(d) of the CEA, 7 U.S.C. 7(d), and the Commission's regulations adopted thereunder.

The Commission estimates the burden of this collection of information as follows:

## ESTIMATED ANNUAL REPORTING BURDEN

Report	Estimated number of respondents	Reports annually by each	Total annual responses	Estimated average number of hours per response	Annual reporting burden
Designation and Compliance .....	13	NA	NA	300	3900
Annual .....	13	1	13	70	910

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information.

Dated: September 8, 2008.

**David A. Stawick,**

*Secretary of the Commission.*

[FR Doc. E8-21287 Filed 9-11-08; 8:45 am]

BILLING CODE 6351-01-P

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Availability of Non-Exclusive, Exclusive License or Partially Exclusive Licensing of U.S. Patent Concerning "Continuous Disreefing Apparatus for Parachute"

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice.

**SUMMARY:** In accordance with 37 CFR Part 404.6, announcement is made of the availability for licensing of US Patent No. US 7,416,158 entitled "Continuous Disreefing Apparatus for Parachute" issued August 26, 2008. This patent has been assigned to the United States Government as represented by the Secretary of the Army.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeffrey DiTullio at U.S. Army Soldier Systems Center, Kansas Street, Natick, MA 01760, Phone: (508) 233-4184 or e-mail: [Jeffrey.Ditullio@us.army.mil](mailto:Jeffrey.Ditullio@us.army.mil).

**SUPPLEMENTARY INFORMATION:** Any licenses granted shall comply with 35 U.S.C. 209 and 37 CFR Part 404.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

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BILLING CODE 3710-08-P

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies; Availability of Proposed Principles and Request for Comments

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Announcement of availability of proposed Principles and request for comments.

**SUMMARY:** Section 2031 of the Water Resources Development Act of 2007 (Pub. L. 110-114) directs the Secretary of the Army to revise the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies (P&G), which the Water Resources Council issued on March 10, 1983. The Army Corps of Engineers ("Corps") proposes to craft the revision in phases. The first phase would address the basic principles of water resources planning ("Principles") and the next phase or phases would provide more detailed implementing guidance.

This notice includes a copy of the proposed Principles (see **SUPPLEMENTARY INFORMATION**), which would replace the first two pages of the P&G. The proposed Principles may also be found at: [http://www.usace.army.mil/cw/hot\\_topics/ht\\_2008/pandg\\_rev.htm](http://www.usace.army.mil/cw/hot_topics/ht_2008/pandg_rev.htm).

**DATES:** Written comments are invited and will be accepted through October 15, 2008.

**ADDRESSES:** Comments should be submitted in writing to HQUSACE, Attn: P&G Revision, CECW-ZA, 441 G Street, NW., Washington, DC 20314-1000, by e-mail to:

[larry.j.prather@usace.army.mil](mailto:larry.j.prather@usace.army.mil) or FAX: 202-761-5649.

#### FOR FURTHER INFORMATION CONTACT:

Larry J. Prather, Assistant Director of Civil Works, at 202-761-0106.

**SUPPLEMENTARY INFORMATION:** Section 2031 of the Water Resources Development Act of 2007 (Pub. L. 110-114) directs the Secretary of the Army to revise the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies, dated March 10, 1983, and to apply the revisions to all water resources projects carried out by the Secretary, other than projects for which the Secretary has already commenced a feasibility study.

The Corps requested interested individuals and organizations to submit suggestions for revision of the P&G in a notice published in the **Federal Register** (73 FR 26086) on Thursday, May 8, 2008. As announced in that notice, the Corps also held a public meeting to hear oral suggestions for proposed revisions on June 5, 2008. Several major issues were discussed in the oral or written comments, including watershed planning, collaborative planning, the reliance on benefit cost ratios, giving more standing to environmental values, and non-structural flood damage reduction projects.

The Corps is now asking interested individuals and organizations to submit comments on the proposed Principles. Comments on any aspect of the proposal are welcome.

The issues on which the public may want to comment include: actions covered by the Principles (section 1), the language used to describe the national planning objective (section 2), the role of public safety in project formulation (sections 2, 7, and 9), the role of watershed analysis (section 4), the response to uncertainty (sections 5, 6, and 9), ensuring consideration of all reasonable alternatives (sections 6 and 7), the definition of and preference for non-structural plans (sections 7 and 9), and the plan selection criteria (section 9). Comments are also specifically invited on the appropriate discount rate to use in formulating proposed water resources projects.