

participation and the need for increased funds to encourage state participation. One comment suggested the Framework be accompanied by a robust request for additional resources.

Response: The agencies agree that a detailed estimation of the costs of implementing the national system is necessary, but should not be part of the Framework, which is a broad policy document. An estimation of costs will be developed as part of a National System Action Plan. The agencies agree that incentives for participation are critical to the success of the national system, and have added language to note this need. Resources for implementation of the MPA Executive Order are sought through agencies' federal appropriations processes.

Comment Category 15: Level of Detail

Summary: Several comments requested that the Framework include information on particular steps in the national system implementation process, such as gap analysis and evaluation, and the funding requirements of the system.

Response: The agencies believe that this level of detail is outside the scope of the Framework as a broad programmatic document outlining the goals, objectives, functions and processes of the national system. The MPA Center plans to develop a National System Action Plan that will address many of these issues in more detail, and will be made available to the public. Subsequent information on later stages of the national system, such as gap analysis and evaluation, will be made public through the MPA Center's *Web site* (www.mpa.gov) and national and regional outreach efforts.

Comment Category 16: Draft Environmental Assessment

Summary: One commenter raised several issues about the draft environmental assessment. These comments included: (1) The "no action" alternative is misspecified; (2) a reasonable range of alternatives was not analyzed; and (3) it does not adequately describe the affected environment, environmental consequences and cumulative effects.

Response: The agencies disagree and believe that the EA accurately describes the "no action" alternative, assesses a reasonable range of alternatives, and adequately addresses the affected environment, environmental consequences and cumulative effects at a programmatic level. The Framework itself will not have a significant effect (positive or negative) on the environment as it serves to establish

administrative, managerial, and coordination roles. Any future discretionary federal action that might have an effect on the human environment would require National Environmental Policy Act (NEPA) compliance either tiered from this EA or completed independently by the designating program since the MPA Center does not have the authority to create new MPAs or modify the regulatory authority of existing MPAs.

The "no action" alternative would have the "MPA Executive Order * * * stand alone without any further detail of the process necessary for developing the national system." This alternative describes "no action" as it relates to a national system Framework, not all activities that might be conducted by the MPA Center.

The reason for the simplified range of alternatives in the EA is that any alternative other than those described would simply be a different managerial strategy to achieve the goals of the EO. As such, because the agencies are bound by the EO to achieve certain goals and operating procedures, any impact analysis of the various organizational permutations would show no difference between additional potential alternatives and the preferred.

The agencies believe that the level of detail in this EA is appropriate for the programmatic, broad planning scale of the national system Framework. More detailed analyses on the affected environment, environmental consequences, and cumulative effects would be provided as needed in any tiered or independent NEPA processes required for future discretionary federal actions associated with the national system, such as the creation of new MPAs.

Classification

Regulatory Planning and Review

This action is not a regulatory action subject to E.O. 12866 (58 FR 51735, October 4, 1993).

Energy Effects

NOAA and DOI have determined that this action will have no effect on energy supply, distribution, or use and is therefore not a "significant energy action" as defined by Executive Order 13211 (66 FR 28355, May 18, 2001). No Statement of Energy Effects is required and therefore none has been prepared.

Government to Government Relationship With Tribes

E.O. 13175—Consultation and Coordination with Indian Tribal Governments—outlines the

responsibilities of the Federal Government regarding its policies with tribal implications, *i.e.*, regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes (65 FR 67249, November 9, 2000). Pursuant to E.O. 13175, tribal governments were consulted in the development of this Framework, and NOAA and DOI will continue to consult with tribal governments as the national system is developed.

Administrative Procedure Act

Pursuant to authority at 5 U.S.C. 553(b)(A), prior notice and an opportunity for public comment are not required to be given, as this document concerns agency procedure or practice. Nevertheless, NOAA and DOI wanted the benefit of the public's comment and therefore provided for two opportunities for public comment.

Dated: November 7, 2008.

William Corso,

Deputy Assistant Administrator, Ocean Services and Coastal Zone Management.

[FR Doc. E8-27143 Filed 11-18-08; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XL81

Mid-Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council), its Omnibus Annual Catch Limits/Accountability Measures (ACL/AM) Committee, its Research Set-Aside (RSA) Committee, its Ecosystems and Ocean Planning Committee, its Squid, Mackerel, and Butterfish Committee, its Surfclam/Ocean Quahog Committee, and its Executive Committee will hold public meetings.

DATES: The meetings will be held on Tuesday, December 9, 2008 through Thursday, December 11, 2008. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: The meetings will be held at the Gurney's Inn Resort & Spa, 290 Old Montauk Highway, Montauk, NY 11954; telephone: (631) 668-2345.

Council address: Mid-Atlantic Fishery Management Council, 300 S. New St., Room 2115, Dover, DE 19904; telephone: (302) 674-2331.

FOR FURTHER INFORMATION CONTACT:

Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 674-2331 ext. 19.

SUPPLEMENTARY INFORMATION: On Tuesday, December 9, The Council will convene jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Board from 8:30 a.m. until 4 p.m. From 4 p.m. until 5:30 p.m., the Council's Omnibus ACL/AM Committee will meet. From 7 p.m. until 8:30 p.m., there will be a RSA presentation. On Wednesday, December 10, concurrent sessions of the RSA Committee and the Ecosystems and Ocean Planning Committee will meet from 8 a.m. until 9:30 a.m. The Council will convene at 9:30 and meet until 12 p.m. From 1 p.m. until 1:15 p.m., there will be an awards presentation. The Squid, Mackerel, and Butterfish Committee will meet from 1:15 p.m. until 3:30 p.m. The Surfclam/Ocean Quahog Committee will meet from 3:30 p.m. until 5:30 p.m. On Thursday, December 11, the Executive Committee will meet from 8 a.m. until 9 a.m. The Council will convene at 9 a.m. and meet until 12 noon.

Agenda items by day for the Council's Committees and the Council itself are:

Tuesday, December 9—The Council will convene jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Board. They will review and discuss the Monitoring Committee's and Advisory Panel's recommendations on summer flounder, scup, and black sea bass recreational management measures, and develop and approve management measures for the 2009 summer flounder, scup, and black sea bass recreational fisheries. The Omnibus ACL/AM Committee will review Magnuson-Stevens Act (MSA) requirements for ACL/AMs, review the Council's comments on National Standard (NS) 1 proposed rule, review the Council's prior position on ACL/AM approach, and develop a timeline/plan of action to address ACL/AM requirements. An evening presentation/demonstration of an RSA project regarding size and bag limit model for party boats will be presented.

Wednesday, December 10—The RSA Committee will review final reports of recently released closed out RSA awards. The Ecosystems and Ocean Planning Committee will prioritize future Committee activities. The Council will convene to discuss its regular business session to approve October Council minutes, approve actions from the October meeting, and receive various organizational reports. The Council will then review and discuss the Spiny Dogfish Committee's recommendations for the spiny dogfish quota and related management measures for 2009/10 and beyond fishing years and adopt quota and related management measures for 2009/10 and beyond fishing years. The Fisheries Achievement Award and the Ricks E Savage Award will be presented. The Squid, Mackerel, and Butterfish Committee will review and clarify Amendment 11 management alternatives, to include a mackerel limited entry program, essential fish habitat (EFH) designations, at-sea processing issues, and ACL/AMs. The Surfclam/Ocean Quahog Committee will review market power analyses for the excessive shares issue and discuss Fishery Management Plan (FMP) objectives and need for changes.

Thursday, December 11—The Executive Committee will report on the October Northeast Region Coordinating Council (NRCC) meeting and address Scientific and Statistical Committee (SSC) membership process and logistics/mechanics of using the SSC to provide advice to the Council. The Council will receive a presentation by Robert Brock of the National Marine Fisheries Service (NMFS) on its Research and Management Plan for Deep Sea Corals and Sponges. The Council will have a brief discussion regarding the April 2008 Council intent for Tilefish Gear Restricted Areas. The Council will hear Committee reports and discuss any continuing and new business.

Although non-emergency issues not contained in this agenda may come before the Council for discussion, these issues may not be the subject of formal Council action during these meetings. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final actions to address such emergencies.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Bryan, (302) 674-2331 ext 18, at least 5 days prior to the meeting date.

Dated: November 13, 2008.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E8-27353 Filed 11-18-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE

Department of the Air Force

Intent To Grant an Exclusive License

SUMMARY: Pursuant to the provisions of Part 404 of Title 37, Code of Federal Regulations, the Department of the Air Force announces its intention to grant Conceptual MindWorks, Inc., a business entity of Texas, having a place of business at 9830 Colonnade Blvd. Suite 377, San Antonio, Texas 78230, an exclusive license in any right, title and interest the Air Force has in:

U.S. Patent No. 5,856,108 issued January 5, 1999, entitled "Biosynthesis of Diazomelanin and Diazoluminomelanin and Methods Thereof" by Johnathan L. Kiel *et al.*, as well as other related know-how.

U.S. Patent No. 5,902,728 issued May 11, 1999, entitled "Diazodenitrification in Manufacture of Recombinant Bacterial Biosensors" by Jill E. Parker *et al.*, as well as other related know-how.

FOR FURTHER INFORMATION CONTACT: A license for these patents and related know-how will be granted unless a written objection is filed within fifteen (15) days from the date of publication of this Notice. Please contact Christopher J. Menke, Attorney, Air Force Materiel Command Law Office, AFMCLO/JAZ, Building 11, Suite D18, 2240 B Street, Wright-Patterson AFB OH 45433-7109. Telephone: (937) 904-5031; Facsimile (937) 255-3733.

Bao-Anh Trinh,

Air Force Federal Register Liaison Officer.
[FR Doc. E8-27458 Filed 11-18-08; 8:45 am]

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