

of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226).

Permit No. 10027, issued on July 30, 2008 (73 FR 44224), authorizes the permit holder to study the population biology and connectivity of green (*Chelonia mydas*) and hawksbill (*Eretmochelys imbricata*) sea turtles focusing on distribution and abundance, ecology, health, and threats to sea turtles at the Palmyra Atoll in the Pacific Ocean. The permit holder requests a modification to their existing permit to increase the number of green sea turtles they may take each year. Researchers propose to annually satellite tag up to 16 animals; annually sonic transmitter tag up to 30 animals; annually blood and tissue sample up to 100 animals; annually flipper and PIT tag up to 100 animals; and annually gastric lavage up to 50 animals. The modification would allow them to more quickly accumulate appropriate sample sizes so that information from the study can help inform conservation and management of this species in the Pacific. The amended permit would expire July 31, 2013.

Dated: April 10, 2009.

**Tammy C. Adams,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. E9–8756 Filed 4–15–09; 8:45 am]

**BILLING CODE 3510–22–S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648–XO56**

#### Endangered Species; File No. 1549–01

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

**ACTION:** Notice; issuance of permit modification.

**SUMMARY:** Notice is hereby given that Dr. Boyd Kynard, S.O. Conte Anadromous Fish Research Center (USGS-BRD), Box 796, One Migratory Way, Turners Falls, MA 01376, has been issued a modification to scientific research Permit No. 1549–01.

**ADDRESSES:** The modification and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713–2289; fax (301)427–2521; and

Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978)281–9300; fax (978)281–9333.

**FOR FURTHER INFORMATION CONTACT:** Malcolm Mohead or Kate Swails, (301)713–2289.

**SUPPLEMENTARY INFORMATION:** On August 4, 2008, notice was published in the **Federal Register** (73 FR 45215) that a modification of Permit No. 1549 had been requested by the above-named individual. The requested modification has been granted under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226).

In addition to all research activities authorized under Permit No. 1549, this modification authorizes the researcher to conduct new research in the Merrimack River to: (1) take 200 adult/large juvenile and 100 small juvenile (0–3 years) shortnose sturgeon; (2) use trawls for capture of smaller juveniles; (3) telemetry tag 15 adults/large juveniles and 15 early juveniles; (4) change the action area to include the Estuary to I–495 at Haverhill, MA; and (5) increase incidental mortality of shortnose sturgeon to a total of two sturgeon, but only one adult per year. The purpose of the modification is to provide a mark/recapture population estimate of shortnose sturgeon for the river and to provide evidence for recolonization versus recruitment to explain an apparent recent increase in abundance of shortnose sturgeon recently found in the river. This modification is valid through the expiration date of the original permit, January 31, 2012.

Issuance of this modification, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: April 9, 2009.

**Tammy C. Adams,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. E9–8757 Filed 4–15–09; 8:45 am]

**BILLING CODE 3510–22–S**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 14–2009]

#### Foreign-Trade Zone 15—Kansas City, Missouri Area; Application for Reorganization/Expansion

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Greater Kansas City Foreign-Trade Zone, Inc., grantee of FTZ 15, requesting authority to reorganize and expand the zone in the Kansas City, Missouri, area, within the Kansas City Customs and Border Protection port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on April 8, 2009.

FTZ 15 was approved by the Board on March 23, 1973 (Board Order 93, 38 FR 8622, 4/4/73) and expanded on December 20, 1973 (Board Order 97, 39 FR 26, 1/2/74), on October 25, 1974 (Board Order 102, 39 FR 39487, 11/7/74), on February 28, 1996 (Board Order 804, 61 FR 9676, 3/11/96), on May 31, 1996 (Board Order 824, 61 FR 29529, 6/11/96), on December 8, 1997 (Board Order 934, 62 FR 65654, 12/15/97), on October 19, 1998 (Board Order 1004, 63 FR 59761, 11/5/98), on January 8, 1999 (Board Order 1016, 64 FR 3064, 1/20/99), on June 17, 1999 (Board Order 1042, 64 FR 34188, 6/25/99), on April 15, 2002 (Board Order 1226, 67 FR 20087, 4/24/02), on April 20, 2005 (Board Order 1388, 70 FR 22630, 5/2/05), and on September 7, 2007 (Board Order 1524, 72 FR 53228, 9/18/07).

The general-purpose zone project currently consists of 14 sites (13,338 acres total): *Site 1* (5.7 acres)—Midland International Corporation warehouse facility located at 1650 North Topping in Kansas City; *Site 1A* (3 acres)—1226 Topping Drive in Kansas City; *Site 2* (64 acres)—warehouse complex located at 8300 NE Underground Drive and 3600 Great Midwest Drive in Kansas City; *Site 3* (9,615 acres)—within the 10,000 acre Kansas City International Airport facility in Kansas City; *Site 3A* (1 acre)—located at 10201 North Everton in Kansas City; *Site 3B* (384 acres, 5 parcels) located in Kansas City as follows: Parcel 1 (68 acres)—the Air World Center Business Park located at the intersection of Interstate Highway 29 and 12th Street; Parcel 2 (66 acres)—the Congress Corporate Center Industrial Park located at the intersection of 112th Street and North Congress; Parcel 3 (161 acres)—an industrial park located at 11401 North Congress; Parcel 4 (37

acres)—7501 NW 106th Terrace; and, Parcel 5 (52 acres)—the KCI Logistics Center, located at the intersection of NW 104th Street and Interstate Highway 29; *Site 4* (416 acres)—the Carefree Industrial Park located at 1600 N. Missouri Highway 291 in Sugar Creek/Independence; *Site 5* (1,000 acres) the CARMAR Underground Business Park/CARMAR Industrial Park located at No. 1 Civil War Road in Carthage; *Site 7* (1,567 acres)—the Richards-Gebaur Memorial Airport/Industrial Park complex located at 1540 Maxwell in Kansas City; *Site 8* (26 acres, 2 parcels)—20 acres located at Ryan Road and Brunswick Road and 6 acres located at 411 Brunswick Road, both in Chillicothe; *Site 9* (10 acres)—located at 3800 South 48th Terrace in St. Joseph; *Site 10* (72 acres)—located at 8201 East 23rd Road in Kansas City; *Site 11* (49 acres, 3 parcels)—located at 13700 South Highway 71 (18 acres), 5610 East 139th Street (9 acres), and, 13500 15th Street (22 acres), all in Grandview; *Site 12* (125 acres)—the Botts warehouse located 14100 Botts Road in Grandview.

The applicant is now requesting that the Board grant permanent authority for Parcel 4 and Parcel 5 of *Site 3B*, which were granted temporary designation through an administrative action with authority expiring 12/31/09. As part of the zone reorganization, Parcel 5 of *Site 3B* (52 acres) will become part of existing *Site 3*, while Parcel 4 of *Site 3B* (37 acres) will become proposed *Site 13*. The applicant is also requesting that zone status be restored to the acreage that was temporarily transferred from *Site 3B*, Parcel 2 (89 acres) to create the temporary sites. Proposed *Site 13* is currently being used for warehousing, storage and distribution activities, while the acreage being transferred to *Site 3* is part of the KCI Intermodal Business Centre, which is currently undeveloped. No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, Christopher Kemp of the FTZ staff is designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address listed below. The closing period for their receipt is June 15, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to June 30, 2009).

A copy of the application and accompanying exhibits will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Christopher Kemp at [christopher\\_kemp@ita.doc.gov](mailto:christopher_kemp@ita.doc.gov) or (202) 482-0862.

Dated: April 8, 2009.

**Andrew McGilvray**,  
Executive Secretary.

[FR Doc. E9-8766 Filed 4-15-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-X072**

#### Marine Mammals; File No. 1000-1617

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

**ACTION:** Notice; receipt of application for amendment.

**SUMMARY:** Notice is hereby given that Whitlow Au, University of Hawaii, Hawaii Institute of Marine Biology, Marine Mammal Research Program, PO Box 1106, Kailua, Hawaii 96734, has applied for an amendment to Scientific Research Permit No. 1000-1617-04.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before May 18, 2009.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the Features box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 1000-1617 from the list of available applications.

These documents are also available upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018; and

Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI

96814-4700; phone (808)944-2200; fax (808)973-2941.

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular amendment request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1000-1617.

#### FOR FURTHER INFORMATION CONTACT:

Kristy Beard or Carrie Hubbard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 1000-1617-04 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Permit No. 1000-1617 was issued on June 22, 2001 (66 FR 34155), and has since been amended four times. The permit currently authorizes behavioral observations, photo-identification, genetic sampling, and suction-cup tagging of cetaceans in Hawaii and California. The purpose of the small cetacean research is to investigate population structure, genetic variability, dispersal patterns, social structure, and foraging and diving behavior. Large whale research on humpback whales (*Megaptera novaeangliae*), killer whales (*Orcinus orca*), and Cuvier's and Blainville's beaked whales (*Ziphius cavirostris* and *Mesoplodon densirostris*) focuses on behavior and use of the acoustic environment. The permit holder is now requesting an increase in the number of suction cup tags to be deployed on nine non-ESA-listed species of small cetaceans, and to allow acoustic playbacks to 18 non-ESA-listed cetacean species around Hawaii. The purpose of increased suction cup tagging is to collect adequate data to address the research objectives; because the duration of tag attachment is highly variable, more tagging attempts are required to account for very short