

alternatives to establish new recordkeeping and reporting requirements.

In accordance with NOAA's Administrative Order NAO 216-6, Section 5.02(c), the Council and NMFS have identified this preliminary range of alternatives as a means to initiate discussion for scoping purposes only. This may not represent the full range of alternatives that eventually will be evaluated by the Council and NMFS.

Once the Council and NMFS complete the DEIS associated with the Amendments to the FMP for the Queen Conch Fishery of Puerto Rico and the U.S. Virgin Islands and the FMP for the Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands, it must be approved by a majority of the voting members, present and voting, of the Council. After the Council approves this document, the DEIS and associated amendments will be submitted to NMFS for filing with the Environmental Protection Agency (EPA). The EPA will publish a notice of availability of the DEIS for public comment in the **Federal Register**. The DEIS will have a 45-day comment period. This procedure is pursuant to regulations issued by the Council on Environmental Quality (CEQ) for implementing the procedural provisions of the National Environmental Policy Act (NEPA; 40 CFR parts 1500-1508) and to NOAA's Administrative Order 216-6 regarding NOAA's compliance with NEPA and the CEQ regulations.

The Council and NMFS will consider public comments received on the DEIS in developing the final environmental impact statement (FEIS) and before adopting final management measures for the amendment. The Council will submit both the final joint amendment and the supporting FEIS to NMFS for review by the Secretary under the MSA.

NMFS will announce, through a notice published in the **Federal Register**, the availability of the final joint amendment for public review during the Secretarial review period. During Secretarial review, NMFS will also file the FEIS with the EPA for a final 30-day public comment period. This comment period will be concurrent with the Secretarial review period and will end prior to final agency action to approve, disapprove, or partially approve the final joint amendment.

NMFS will announce, through a notice published in the **Federal Register**, all public comment periods on the final joint amendment, its proposed implementing regulations, and its associated FEIS. NMFS will consider all public comments received during the Secretarial review period, whether they are on the final amendment, the

proposed regulations, or the FEIS, prior to final agency action.

#### Scoping Meeting Dates, Times, and Locations

All scoping meetings are scheduled to be held from 7 p.m. to 10 p.m. The meetings will be physically accessible to people with disabilities. Request for sign language interpretation or other auxiliary aids should be directed to the Council (see **ADDRESSES**).

April 27—Doubletree by Hilton San Juan, De Diego Avenue, San Juan, Puerto Rico.

April 28—Holiday Inn and Tropical Casino Ponce, 3315 Ponce By Pass, Ponce, Puerto Rico.

April 29—Salon B, Centro de Usos Múltiples, Doctor Lopez and Celis Aguilera Street, Fajardo, Puerto Rico.

May 4—Mayaguez Resort and Casino, Road 104, Km. 0.3, Mayaguez, Puerto Rico.

May 6—Community Center, Frenchtown, St. Thomas, U.S. Virgin Islands.

May 7—The Florence Williams Public Library, 1122 King Street, Christiansted, St. Croix, U.S. Virgin Islands.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: April 10, 2009

**Kristen C. Koch,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-8888 Filed 4-16-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Notice of Inventions Available for Licensing

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice of inventions available for licensing.

**SUMMARY:** The inventions listed below are owned in whole or in part by the U.S. Government, as represented by the Secretary of Commerce. The U.S. Government's interest in these inventions is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR part 404 to achieve expeditious commercialization of results of federally funded research and development.

**FOR FURTHER INFORMATION CONTACT:** Technical and licensing information on these inventions may be obtained by writing to: National Institute of Standards and Technology, Office of Technology Partnerships, Attn: Mary Clague, Building 222, Room A240,

Gaithersburg, MD 20899. Information is also available via telephone: 301-975-4188, fax 301-975-3482, or e-mail: [mary.clague@nist.gov](mailto:mary.clague@nist.gov). Any request for information should include the NIST Docket number and title for the invention as indicated below.

**SUPPLEMENTARY INFORMATION:** NIST may enter into a Cooperative Research and Development Agreement ("CRADA") with the licensee to perform further research on the invention for purposes of commercialization. The inventions available for licensing are:

#### [NIST Docket Number: 06-003]

*Title:* Zeroeth Order Imaging.

*Abstract:* The invention provides a method of imaging critical dimensions by measuring the zeroeth order of diffracted light. The method involves providing a target, directing light onto the target so as to cause the target to diffract the light. The zeroeth order of the diffracted light is collected and analyzed to determine structural features of the target. The target can be an article of manufacture, such as a semiconductor device, or a separate target that is provided or fabricated on an article of manufacture. One of at least the wavelength and the angle at which the light is directed onto the target can be scanned. The target can fill all or only a portion of the field of view.

#### [NIST Docket Number: 08-013]

*Title:* The Microfluidic Palette: Generation of Multiple Chemical Gradients Within a Microfluidic Chamber.

*Abstract:* This invention is jointly owned with KT Consulting, Inc. The invention is a microfluidic device, capable of generating multiple spatial chemical gradients simultaneously inside a microfluidic chamber. The chemical gradients are generated by diffusion, without convection, and can either be maintained constant over long time periods, or modified dynamically. A representative device is described with a circular chamber in which diffusion occurs, with three access ports for the delivery and removal of solutes. A gradient typically forms in minutes, and can be maintained constant indefinitely. The device can also be used to evaluate chemotactic responses of bacteria or other microorganisms in the absence of convective flow.

#### [NIST Docket Number: 08-033]

*Title:* A New Technique for Combinational Circuit Optimization and a New Circuit for the S-box of AES.

*Abstract:* This invention is jointly owned with the University of Southern Denmark. The invention provides a new

technique for combinational circuit optimization. The technique is a two-step process. In the first step, the non-linearity of the circuit—as measured by the number of nonlinear gates it contains—is reduced. The second step reduces the number of gates in the linear components of the circuit. The technique can be applied to arbitrary circuits, and seems to yield improvements even on circuits that have already been optimized by standard methods. The technique is applied to the S-box of the Advanced Encryption Standard (AES). The result is, as far as we know, the smallest circuit yet constructed for this function.

Dated: April 7, 2009.

**Patrick Gallagher,**

*Deputy Director.*

[FR Doc. E9-8873 Filed 4-16-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XO55

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

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

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The Assistant Regional Administrator has made a preliminary determination that the activities authorized under this EFP would be consistent with the goals and objectives of the Monkfish Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue an EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to recommend that an EFP be issued that would allow eight commercial fishing vessels to conduct research and compensation fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. This EFP, which would enable

vessels to harvest monkfish granted through the Monkfish Research Set-Aside (RSA) Program, would grant exemptions from restrictions of the Gulf of Maine (GOM) Rolling Closure Areas (RCA) I and II and from the monkfish days-at-sea (DAS) possession limits in the Southern and Northern Fishery Management Areas.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before May 4, 2009.

**ADDRESSES:** You may submit written comments by any of the following methods:

- Email: [DA8-057@noaa.gov](mailto:DA8-057@noaa.gov). Include in the subject line “Comments on UMES Monkfish RSA EFP.”

- Mail: Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope “Comments on UMES monkfish RSA EFP, DA8-057.”

- Fax: (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:**

Emily Bryant, Fishery Management Specialist, 978-281-9244.

**SUPPLEMENTARY INFORMATION:** An application for an EFP was submitted by the University of Maryland Eastern Shore (UMES) on March 11, 2009, for a project selected under the New England and Mid-Atlantic Fishery Management Councils’ Monkfish RSA Program. The purpose of the project is to investigate the influence of temperature on monkfish distribution and abundance. This EFP would grant an exemption from monkfish possession limits to eight vessels for the purpose of research and RSA harvest to fund this research project (i.e., compensation fishing).

While conducting RSA compensation trips, the vessels would use gillnets that are 12-inch (30-cm) stretch mesh with a 3.5-inch (9-cm) diameter gauge web that is 12 meshes deep. The nets do not exceed 300 ft (91 m) in length. Average soak times differ between vessels, with a range of 36 to 120 hours. Each vessel would receive two temperature and depth loggers to attach to gillnets during RSA fishing trips. The loggers would collect temperature and depth at intervals of 1 hour, and will be downloaded approximately every two months. Catch data (number and size of monkfish) from panels with probes would be recorded by collaborating fishermen, along with information on location, depth fished, water currents, and lunar cycle. UMES plans to collect

histological samples on board the fishing vessels from a subset of trips for analysis of reproductive condition. Length measurements would be taken each trip from a minimum of 25 randomly selected monkfish from the nets with attached temperature probes to gain information about fish distribution. The smallest samples would measure 17 inches (43 cm) in length. Additional catch, within applicable size and possession limits, would be sold to help offset the costs of the research.

Compensation fishing for this research would occur from May 2009 through April 2010. The eight fishing industry collaborators would have access to 105 monkfish DAS that will be awarded to the project through the Monkfish RSA Program. In order to achieve the target catch to fund the project, these fishing activities would require an exemption from monkfish DAS possession limits at 50 CFR 648.94(b)(2). This exemption would provide these eight vessels with the flexibility they need to generate sufficient income to meet projected costs of the research activity, while minimizing operating expenses. Based on the preliminary award of 105 DAS, this would require a total catch of 340,046 lb (154,242 kg) of whole monkfish (102,424 lb (46,459 kg) tail weight). Operating under this total landings cap, compensation fishing would continue until the required goal of 340,046 lb (154,242 kg) of whole monkfish is met, or until the awarded DAS have been fully utilized, whichever occurs first. Aside from this exemption, fishing activity would be conducted under normal commercial practices.

In addition, this EFP would also allow five of the eight vessels to fish for monkfish using gillnets inside the GOM and would require exemption from the restrictions of RCAs I and II that will be in effect during April 2009 and March 2010. It is expected that these locations, within the rolling closure areas, would provide access to large monkfish and would avoid gear interactions between the research gillnet gear and trawl gear. These locations also coordinate with the locations from previous years’ research.

The applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited. If