

be consistent with the Travel Management Rule. For more information on the full text, see the **FOR FURTHER INFORMATION** section.

#### Lead and Cooperating Agencies

The U.S. Forest Service—Gila National Forest is the lead agency. Catron County, NM; Hidalgo County, NM; Grant County, NM; and Sierra County, NM are cooperating agencies.

#### Responsible Official

The Responsible Official is the Gila Forest Supervisor.

#### Nature of Decision To Be Made

The decision to be made is how to implement the Travel Management Rule. The responsible official will decide whether to implement the proposed action or an alternative to the proposed action. The decision to be made will also determine whether or not to implement two proposed Forest Plan amendments.

#### Scoping Process

This Notice of Intent initiates the scoping process, which guides the development of the Environmental Impact Statement. Ten open houses are planned for the purpose of providing information to the public regarding this proposed action and soliciting comments. Open houses are scheduled for September 19, 2009, 10 a.m.–4 p.m., Las Cruces, NM, location TBA; September 22, 2009, 3–8 p.m., Glenwood, NM, Glenwood School; September 23, 2009, 3–8 p.m., Mimbres, NM, location TBA; September 24, 2009, 3–8 p.m., Reserve, NM, Reserve Ranger District Office; September 25, 2009, 3–8 p.m., Cliff, NM, location TBA; September 26, 2009, 10 a.m.–5 p.m., Silver City, NM, County Convention Center; September 29, 2009, 3–8 p.m., Truth or Consequences, NM, Black Range District Office; October 1, 2009, 3–8 p.m., Luna, NM, Luna Community Center; October 2, 2009, 3–8 p.m., Quemado, NM, Quemado High School; October 3, 2009, 10 a.m.–12 noon, Lordsburg, NM, location TBA. Information can also be obtained at the following Web site: <http://fs.usda.gov/gila> (Click on link to Travel Management Rule).

It is important that reviewers provide their comments at such times and in such manner that they are useful to the agency's preparation of the environmental impact statement. Therefore, comments should be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions. The submission of timely

and specific comments can affect a reviewer's ability to participate in subsequent administrative appeal or judicial review.

Dated: September 2, 2009.

**Richard E. Markley,**

*Forest Supervisor.*

[FR Doc. E9–21851 Filed 9–10–09; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Notice of Public Meeting, Davy Crockett National Forest Resource Advisory Committee

**SUMMARY:** In accordance with the Secure Rural Schools and Community Self Determination Act of 2000 (Pub. L. 106–393), [as reauthorized as part of Pub. L. 110–343] and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of Agriculture, Forest Service, Davy Crockett National Forest Resource Advisory Committee (RAC) meeting will meet as indicated below.

**DATES:** The Davy Crockett National Forest RAC meeting will be held on Tuesday, September 22, 2009.

**ADDRESSES:** The Davy Crockett National Forest RAC meeting will be held at the Davy Crockett Ranger Station located on State Highway 7, approximately one-quarter mile West of FM 227 in Houston County, Texas. The meeting will begin at 6 p.m. and adjourn at approximately 8 p.m. A public comment period will begin at 7:45 p.m.

**FOR FURTHER INFORMATION CONTACT:** Gerald Lawrence, Jr., Designated Federal Officer, Davy Crockett National Forest, 18551 State Hwy. 7 E., Kennard, TX 75847; Telephone: 936–655–2299 ext. 225 or e-mail at: [glawrence@fs.fed.us](mailto:glawrence@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** The Davy Crockett National Forest RAC proposes projects and funding to the Secretary of Agriculture under Section 203 of the Secure Rural Schools and Community Self Determination Act of 2000, (as reauthorized as part of Pub. L. 110–343). The purpose of the September 22, 2009 meeting is to primarily discuss the Groveton-Phase I Projects proposed by the Forest Service, and new projects proposed by the RAC. These meetings are open to the public. The public may present written comments to the RAC. Each formal RAC meeting will also have time, as identified above, for persons wishing to comment. The time for

individual oral comments may be limited.

**Gerald Lawrence, Jr.,**

*Designated Federal Officer, Davy Crockett National Forest RAC.*

[FR Doc. E9–21785 Filed 9–10–09; 8:45 am]

**BILLING CODE 3410–11–M**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### University of Oklahoma, et al., Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 3705, U.S. Department of Commerce, 14th and Constitution Avenue., NW, Washington, D.C.

**Docket Number: 09–019.** Applicant: University of Oklahoma, Norman, OK 73019. Instrument: Electron Microscope. Manufacturer: FEI Company, the Netherlands. Intended Use: See notice at 74 FR 37979, July 30, 2009.

**Docket Number: 09–027.** Applicant: National Renewable Energy Laboratory, Golden, CO 80401. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: See notice at 74 FR 37979, July 30, 2009.

**Docket Number: 09–042.** Applicant: Temple University Hospital, Philadelphia, PA 19140. Instrument: Electron Microscope. Manufacturer: JEOL, Japan. Intended Use: See notice at 74 FR 37979, July 30, 2009.

**Docket Number: 09–043.** Applicant: University of Central Florida, Orlando, FL 32816. Instrument: Electron Microscope. Manufacturer: Tescan, s.r.o., Czech Republic. Intended Use: See notice at 74 FR 37979, July 30, 2009.

**Docket Number: 09–044.** Applicant: Missouri State University, Springfield, MO 65897. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: See notice at 74 FR 37979, July 30, 2009.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. Reasons: Each foreign

instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: September 4, 2009.

**Christopher Cassel,**

*Acting Director, Subsidies Enforcement Office, Import Administration.*

[FR Doc. E9-21964 Filed 9-10-09; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XR49

#### Incidental Takes of Marine Mammals During Specified Activities; Harbor Activities Related to the Delta IV/Evolved Expendable Launch Vehicle at Vandenberg Air Force Base, CA

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

**ACTION:** Notice; issuance of incidental harassment authorization.

**SUMMARY:** In accordance with the provisions of the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an Incidental Harassment Authorization (IHA) to United Launch Alliance (ULA) to take small numbers of marine mammals, by Level B harassment only, incidental to harbor activities related to the Delta IV/Evolved Expendable Launch Vehicle (EELV) at south Vandenberg Air Force Base, CA (VAFB).

**DATES:** This authorization is effective from September 4, 2009, through September 3, 2010.

**ADDRESSES:** A copy of the IHA and the application are available by writing to P. Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, or by telephoning the contact listed here. A copy of the application may be obtained by writing to this address, by telephoning the contact listed here (**FOR FURTHER INFORMATION CONTACT**) or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may be viewed, by appointment, during regular

business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Jeannine Cody or Candace Nachman, (301) 713-2289 or Monica DeAngelis, NMFS Southwest Region, (562) 980-3232.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 101(a)(5)(D) of the MMPA (16 U.S.C. 1371 (a)(5)(D)) directs the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional, taking of marine mammals, for periods of not more than one year, by United States citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Authorization for incidental taking of small numbers of marine mammals shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. The authorization must set forth the permissible methods of taking, other means of effecting the least practicable adverse impact on the species or stock and its habitat and monitoring and reporting of such takings. NMFS has defined "negligible impact" in 50 CFR 216.103 as "...an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Section 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as:

any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild ["Level A harassment"]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering ["Level B harassment"].

Section 101(a)(5)(D) of the MMPA establishes a 45-day time limit for NMFS' review of an application followed by a 30-day public notice and comment period on any proposed

authorizations for the incidental harassment of small numbers of marine mammals. Not later than 45 days after the close of the public comment period, if the Secretary makes the findings set forth in Section 101(a)(5)(D)(i) of the MMPA, the Secretary shall issue or deny issuance of the authorization with appropriate conditions to meet the requirements of clause 101(a)(5)(D)(ii) of the MMPA.

#### Summary of Request

On June 5, 2009, NMFS received an application from ULA requesting an authorization for the harassment of small numbers of Pacific harbor seals (*Phoca vitulina richardsi*) and California sea lions (*Zalophus californianus*) and northern elephant seals (*Mirounga angustirostris*) incidental to harbor activities related to the Delta IV/EELV, including: transport vessel operations, cargo movement activities, harbor maintenance dredging, and kelp habitat mitigation operations. These activities will support Delta IV/EELV launch activities from the Space Launch Complex at VAFB. NMFS outlined the purpose of the program in a previous notice for the proposed IHA (74 FR 32565, July 8, 2009). The activities to be conducted have not changed between the proposed IHA notice and this final notice announcing the issuance of the IHA.

#### Description of the Specified Activity

NMFS has issued Incidental Harassment Authorizations (IHAs) to The Boeing Company, now ULA, on May 15, 2002 (67 FR 36151, May 23, 2002), May 20, 2003 (68 FR 36540, June 18, 2003), May 20, 2004 (69 FR 29696, May 25, 2004), May 23, 2005 (70 FR 30697, May 27, 2005), June 20, 2006 (71 FR 36321, June 26, 2006), June 21, 2007 (72 FR 34444, June 22, 2007), and August 19, 2008 (73 FR 49649, August 22, 2008) each for a one-year period. ULA did not conduct any dredging activities between 2003 and 2008, and accordingly, was not required to conduct any monitoring activities.

#### Specified Activities

*Delta Mariner* off-loading operations and associated cargo movements will occur a maximum of three times per year. The activities will take place within the harbor located within the VAFB, approximately 2.5 miles (mi) (4.02 kilometers (km)) south of Point Arguello, CA and approximately 1 mi (1.61 km) south of the nearest marine mammal pupping site (i.e., Rocky Point).