

**DATES:** Application forms should reach the Coast Guard on or before November 30, 2009.

**ADDRESSES:** A copy of the application form, as well as this notice, is available in our online docket, USCG-2008-0799 at <http://www.regulations.gov> and at the Coast Guard's Advisory Committee homeport Web page at: <https://homeport.uscg.mil/nosac>. You may request an application form by writing Mr. James Magill, Assistant Designated Federal Officer of NOSAC, Commandant (CG-5222), ATTN: Vessel and Facility Operations Standards, U.S. Coast Guard, 2100 Second Street, SW., STOP 7126, Washington, DC 20593-7126; by calling 202-372-1414; or by faxing 202-372-1926. Send your completed application to the Assistant Designated Federal Officer at the street address above.

**FOR FURTHER INFORMATION CONTACT:** Commander Patrick W. Clark, Designated Federal Officer (DSO) of NOSAC, or James M. Magill, Assistant Designated Federal Officer, telephone 202-372-1414, fax 202-372-1926.

**SUPPLEMENTARY INFORMATION:** NOSAC is a Federal advisory committee established under the provisions of the Federal Advisory Committee Act (FACA), (codified at 5 U.S.C.). It consists of 15 regular members who have particular knowledge and experience regarding offshore technology, equipment, safety and training, as well as environmental expertise in the exploration or recovery of offshore mineral resources. It provides advice and makes recommendations to the Assistant Commandant for Marine Safety, Security and Stewardship regarding safety, security and rulemaking matters relating to the offshore mineral and energy industries. This advice assists the Coast Guard in developing policy and regulations and formulating the positions of the United States in advance of meetings of the International Maritime Organization.

NOSAC meets approximately twice a year, with one of these meetings being held at Coast Guard Headquarters in Washington, DC. It may also meet for extraordinary purposes. Its subcommittees and working groups may meet to consider specific issues or topics as required.

We will consider applications for five positions. These positions will begin in January 2010. Applications should reach the Coast Guard by November 30, 2009. If we do not receive sufficient qualified applicants by the deadline we may consider applications received later if they arrive within a reasonable time

before we make our recommendations to the Secretary of Homeland Security.

To be eligible, applicants should have experience in one of the following categories: (1) Offshore operations, (2) diving services associated with offshore activities, (3) general public, (4) pipelaying services, or (5) deepwater ports. Please state on the application form which of the five categories you are applying for. Each member normally serves a term of 3 years or until a replacement is appointed. A few members may serve consecutive terms. All members serve at their own expense and receive no salary, reimbursement of travel expenses, or other compensation from the Federal Government.

In support of the Coast Guard policy on gender and ethnic nondiscrimination, we encourage qualified men and women and members of all racial and ethnic groups to apply. The Coast Guard values diversity; all the different characteristics and attributes of persons that enhance the mission of the Coast Guard.

If you are interested in applying to become a member of NOSAC, send a completed application form to Mr. James Magill, Assistant Designated Federal Officer of NOSAC, Commandant (CG-5222), Attn: Vessel and Facility Operations Standards, U.S. Coast Guard, 2100 Second Street, SW., STOP 7126, Washington, DC 20593-7126; by calling 202-372-1414; or by faxing 202-372-1926. Send the application form in time for it to be received by the Assistant DFO on or before November 30, 2009.

A copy of the application form is available in the docket for this notice. To visit our online docket, go to <http://www.regulations.gov>, enter the docket number for this notice (USCG-2009-0661) in the Search box, and click "Go".

Dated: July 14, 2009.

**Howard L. Hime,**

*Acting Director of Commercial Regulations and Standards, Assistant Commandant for Marine Safety, Security and Stewardship.*

[FR Doc. E9-17288 Filed 7-20-09; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-R1-ES-2009-N129; 10120-1112-0000-F2]**

### Endangered and Threatened Wildlife and Plants; Permit Application, Northern Spotted Owl, Oregon

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Receipt of application for enhancement of survival permit; notice of availability of programmatic safe harbor agreement.

**SUMMARY:** The Oregon Department of Forestry (ODF) has applied to the U.S. Fish and Wildlife Service (Service) for an enhancement of survival permit (permit) pursuant to the Endangered Species Act of 1973, as amended. The permit application includes a proposed programmatic safe harbor agreement (Agreement) between ODF, the U.S. Department of Agriculture—Natural Resources Conservation Service (NRCS), and the Service. The proposed term of the permit and Agreement is 50 years. The requested permit would authorize ODF to extend incidental take coverage with assurances through issuance of Certificates of Inclusion to eligible landowners who are willing to carry out habitat management measures that would benefit the northern spotted owl (*Strix occidentalis caurina*), which is federally listed as threatened. The covered area or geographic scope of this Agreement includes non-Federal forest lands within the range of the spotted owl in Oregon. We request comments from the public on the permit application, proposed Agreement, and related documents, which are available for review (see **ADDRESSES** below).

**DATES:** Comments must be received from interested parties on or before August 20, 2009.

**ADDRESSES:** You may submit your written comments to State Supervisor (see **SUPPLEMENTARY INFORMATION** below). Include your name and address in your comments and refer to the "Spotted Owl Programmatic Safe Harbor Agreement."

**FOR FURTHER INFORMATION CONTACT:** Richard Szlemp (see **SUPPLEMENTARY INFORMATION** below), telephone (503) 231-6179. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800/877-8339, 24 hours a day, 7 days a week.

### SUPPLEMENTARY INFORMATION:

#### Document Availability

You may obtain copies of the draft documents by contacting the State Supervisor, Oregon Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2600 SE., 98th Ave., Suite 100, Portland, OR 97266; telephone (503) 231-6179; facsimile (503) 231-6195; or by making an appointment to view the documents at the above address during normal business hours. You may also view the documents on the Internet at <http://www.fws.gov/oregonfwo/species/>. The

Service is furnishing this notice to provide the public, other State and Federal agencies, and interested Tribes an opportunity to review and comment of the draft documents.

#### Public Availability of Comments

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### Background

Under a Safe Harbor Agreement, participating landowners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 *et seq.*). Safe Harbor Agreements, and the subsequent enhancement of survival permits that are issued pursuant to section 10(a)(1)(A) of the Act, encourage private and other non-Federal property owners to implement conservation efforts for listed species by assuring the landowners that they will not be subjected to increased property use restrictions as a result of their efforts to either attract listed species to their property, or to increase the numbers or distribution of listed species already on their property. Application requirements and issuance criteria for enhancement of survival permits for federally listed threatened species through Safe Harbor Agreements are found in 50 CFR 17.32(c). These permits allow future incidental take of any covered species above the mutually agreed upon baseline conditions for those species in accordance with the terms of the permit and accompanying agreement.

We jointly developed the proposed Agreement with ODF and NRCS for the conservation of the northern spotted owl. State of Oregon statutes give ODF the authority to enter into Stewardship Agreements with landowners who wish to voluntarily improve fish and wildlife habitat and water quality. Stewardship Agreements provide regulatory certainty to landowners in complying with State forest practice requirements. The proposed Safe Harbor Agreement is intended to complement ODF's Stewardship Agreement program.

On March 30, 2009, NRCS announced a sign-up for the Healthy Forest Reserve

Program (HFRP) in Oregon to landowners interested in promoting the recovery of threatened and endangered species, improving biodiversity, and enhancing carbon sequestration. The sign-up period closed on April 30, 2009. The HFRP is a voluntary program established for the purpose of restoring and enhancing forest ecosystems. There are two enrollment options with the HFRP in Oregon for fiscal year 2009: A 10-year restoration agreement and a permanent easement. Under a restoration agreement, participants can receive 50 percent of the cost of selected conservation practices. With a permanent easement, the HFRP pays 100 percent of the easement value and 100 percent of the cost of selected activities. Landowners continue to manage the land for timber production while maintaining habitat for spotted owls under the permanent easement. The HFRP is incorporated into the Agreement to provide an additional financial incentive for landowners to become a party to the Agreement. The future availability of funding for the HFRP will depend upon Congressional appropriations.

The area covered by this Agreement includes all non-Federal, forest-capable lands within the historic range of the spotted owl in Oregon. Sites not currently occupied by spotted owls or not containing potentially suitable habitat will have a baseline condition of zero unless a landowner is willing to accept a baseline greater than zero to support an enhanced level of conservation after the Agreement expires. Sites known to be occupied by spotted owls or that contain suitable habitat will have their baseline conditions determined on a case-by-case basis by ODF and the Service, with landowner consent. Baseline conditions will be expressed in terms of the amount (acres) and quality of habitat. Forest characteristics such as stand age, tree species composition, average diameters, number of canopy layers, average canopy closure, and number of snags will be used to reference habitat quality.

The purpose of this Agreement is to encourage private landowners to create, maintain, and enhance spotted owl habitat through forest management. The northern spotted owl was listed as a threatened species by the Service in 1990 (55 FR 26114) via a final rule published in the **Federal Register** June 26, 1990, with an effective date of July 30, 1990. One of the primary threats affecting the spotted owl is the widespread loss of suitable habitat. Spotted owls are most often found in older forests with: High canopy closure;

a multi-layered/multi-species canopy; larger trees (greater than 30 inches diameter at chest height); a high incidence of those large trees with various deformities (broken tops, large cavities, e.g.); large dead trees; accumulations of woody debris on the ground, including large fallen trees; and sufficient open space below the tree canopy for spotted owls to fly. Much of the private, commercial forest land in Oregon has been previously harvested at least once and has been replanted. The even-aged forest stands that typically develop after replanting are dense, with little variation in tree spacing, tree heights, and species composition. Trees are often harvested on 40–60 year rotations, or less. This type of management does not provide the time for development of good quality spotted owl habitat, or the conditions to establish a diversity of habitat structure. This Agreement is intended to encourage landowners to voluntarily manage their forests on longer rotations and to create more structural diversity through active management that would more closely mimic natural conditions.

Under this Agreement, private lands may be enrolled through individual Stewardship Agreements between the ODF and cooperating landowners. Landowners who also participate in the HFRP will have to meet additional NRCS requirements. The duration of the Stewardship Agreements would vary depending on circumstances, but would not be less than 10 years. Cooperators will be issued a Certificate of Inclusion which will allow activities on the enrolled properties to be included within ODF's section 10(a)(1)(A) enhancement of survival permit. Cooperators may renew their Stewardship Agreements to remain in effect for the 50-year duration of the permit. Cooperators will avoid conducting activities that could adversely impact the spotted owl's habitat during the term of their Stewardship Agreement.

Without the regulatory assurances provided through the Agreement and permit, landowners may otherwise be unwilling or reluctant to manage their lands in a way that would attract federally listed species such as the spotted owl onto their properties. The proposed Agreement is expected to provide a net conservation benefit to the spotted owl by enhancing the quality, quantity, or connectivity of forest habitat, thereby increasing the distribution, abundance, and genetic diversity of the species.

The Service has made a preliminary determination that the proposed Agreement and permit application are

eligible for a categorical exclusion under the National Environmental Policy Act of 1969 (NEPA). We explain the basis for this determination in an Environmental Action Statement that is also available for public review (see **ADDRESSES**).

The Service will evaluate the permit application, associated documents, and comments submitted thereon to determine whether the permit application meets the requirements of section 10(a)(1)(A) of the Act and that other applicable requirements have been satisfied. If we determine that all requirements are met, we will sign the Agreement and issue an enhancement of survival permit under section 10(a)(1)(A) of the Act to ODF for the take of northern spotted owls, incidental to otherwise lawful activities in accordance with the terms of the Agreement. This notice is provided pursuant to section 10(c) of the Act and NEPA regulations (40 CFR 1506.6).

Dated: July 14, 2009.

**Miel Corbett,**

Acting State Supervisor, Fish and Wildlife Service, Oregon Fish and Wildlife Office, Portland, Oregon.

[FR Doc. E9-17281 Filed 7-20-09; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2009-N147; 80221-1113-0000-F5]

### Endangered Species Recovery Permit Applications

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt of permit applications; request for comment.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (Act) prohibits activities with endangered and threatened species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing these permits.

**DATES:** Comments on these permit applications must be received on or before August 20, 2009.

**ADDRESSES:** Written data or comments should be submitted to the U.S. Fish and Wildlife Service, Endangered Species Program Manager, Region 8, 2800 Cottage Way, Room W-2606,

Sacramento, CA, 95825 (telephone: 916-414-6464; fax: 916-414-6486). Please refer to the respective permit number for each application when submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Daniel Marquez, Fish and Wildlife Biologist; see **ADDRESSES** (telephone: 760-431-9440; fax: 760-431-9624).

**SUPPLEMENTARY INFORMATION:** The following applicants have applied for scientific research permits to conduct certain activities with endangered species under section 10(a)(1)(A) of the Act (16 U.S.C. 1531 *et seq.*). We seek review and comment from local, State, and Federal agencies and the public on the following permit requests. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### Permit No. TE-217119

*Applicant:* Carie M. Wingert, San Luis Obispo, California.

The applicant requests a permit to take (harass by survey) the California least tern (*Sterna Antillarum browni*), and take (capture, handle, and release) the giant kangaroo rat (*Dipodomys ingens*) and Tipton kangaroo rat (*Dipodomys nitratoideus nitratoideus*) in conjunction with surveys and population monitoring studies throughout the range of each species in California for the purpose of enhancing their survival.

#### Permit No. TE-785148

*Applicant:* AMEC Earth and Environmental, San Diego, California.

The applicant requests an amendment to an existing permit (August 28, 2001, 66 FR 45322) to take (harass by survey, and locate/monitor nests) the California least tern (*Sterna Antillarum browni*) in conjunction with surveys and population monitoring studies throughout the range of the species in California for the purpose of enhancing its survival.

#### Permit No. TE-214148

*Applicant:* Patrick W. Del Pizzo, San Diego, California.

The applicant requests a permit to take (harass by survey, and locate/monitor nests) the California least tern (*Sterna Antillarum browni*) in

conjunction with surveys and population monitoring studies throughout the range of the species in California for the purpose of enhancing its survival.

#### Permit No. TE-217402

*Applicant:* Julie M. Love, Santa Barbara, California.

The applicant requests a permit to take (survey, capture, and release) the tidewater goby (*Eucyclogobius newberryi*) in conjunction with surveys and population monitoring throughout the range of the species in California for the purpose of enhancing its survival.

#### Permit No. TE-217401

*Applicant:* Cristina V. Slaughter, Santa Barbara, California.

The applicant requests a permit to take (survey, capture, and release) the tidewater goby (*Eucyclogobius newberryi*) and Arroyo southwestern (*Bufo microscaphus californicus*) in conjunction with surveys and population monitoring throughout the range of each species in California for the purpose of enhancing their survival.

#### Permit No. TE-781084

*Applicant:* Anita M. Hayworth, Encinitas, California.

The applicant requests an amendment to an existing permit (March 15, 1996, 61 FR 10779) to take (capture, collect, and kill) the Conservancy fairy shrimp (*Branchinecta conservatio*), the longhorn fairy shrimp (*Branchinecta longiantenna*), and the vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with surveys throughout the range of each species in California for the purpose of enhancing their survival.

#### Permit No. TE-217663

*Applicant:* Ann M. Dalkey, Redondo Beach, California.

The applicant requests a permit to take (survey by pursuit) the Palos Verdes blue butterfly (*Glaucopsyche lygdamus*) in conjunction with surveys throughout the range of each species within the jurisdiction of the Carlsbad Fish and Wildlife Office, in California, for the purpose of enhancing its survival.

#### Permit No. TE-802450

*Applicant:* Arthur E. Davenport, Barstow, California.

The applicant requests an amendment to an existing permit (June 8, 1995, 60 FR 30314) to take (harass by survey) the southwestern willow flycatcher (*Empidonax trailli extimus*) in conjunction with surveys throughout