

control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001.

Notwithstanding any other provisions of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.

*Executive Order 12866:* This notice has been determined to be not significant for purposes of E.O. 12866.

*Administrative Procedure Act/Regulatory Flexibility Act:* Prior notice for an opportunity for public comment are not required by the Administrative Procedure Act for rules concerning public property, loans, grant, benefits and contracts (5 U.S.C. 533(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 533 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

Dated: August 31, 2006.

**Ronald N. Langston,**  
National Director, Minority Business  
Development Agency.

[FR Doc. E6-14758 Filed 9-5-06; 8:45 am]

BILLING CODE 3510-21-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 083006A]

#### Endangered Species; File No. 1580

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

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

**SUMMARY:** Notice is hereby given that Dynergy Northeast Generation, Inc. (Dynergy), 992-994 River Road, Newburgh, NY 12550, has applied in due form for a permit to take shortnose sturgeon (*Acipenser brevirostrum*) for purposes of scientific research.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before October 6, 2006.

**ADDRESSES:** The application and related documents are available for review 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; and

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978) 281-9300; fax (978) 281-9394.

Written comments or requests for a public hearing on this application should be mailed 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 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. 1580.

#### FOR FURTHER INFORMATION CONTACT:

Malcolm Mohead or Shane Guan. (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested 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).

Dynergy seeks a two (2) year scientific research permit on shortnose sturgeon in its efforts to study the abundance of all of sampled species in the Hudson River estuary from Battery Park (Manhattan) to River Mile 152. Based on previous permitted sampling efforts, Dynergy requests to lethally take up to 40 shortnose sturgeon larvae and to capture, handle, collect, measure, externally tag and release up to 82 juvenile and adult sturgeon obtained by various sampling methods. Dynergy sampling programs will include a Longitudinal River Ichthyoplankton Survey, a Beach Seine Survey, a Fall Juvenile Survey and an Adult Striped Bass Mark/Recapture Survey. Gear associated with the plankton survey are a 1.0-m<sup>2</sup> epibenthic sled, and a 1.0-m<sup>2</sup> Tucker Trawl to be towed by boat against the prevailing current for 5 minutes intervals on a weekly or bi-weekly basis (depending on the season) beginning March 6 and ending on December 1 of each year of the permit. An average of 133 sample trawls will be done per week. The Beach Seine Survey will utilize a 30.5-m total length beach

seine with bag deployed by boat in 450 m<sup>2</sup> semi-circular sweeps to collect YOY fish in the shore zone. The sampling period is bi-weekly from June 12 to October 16 each year of the permit with an average of 100 samples per week. Gear associated with the Fall Juvenile Survey is a 3-m Beam Trawl and Tucker Trawl to be towed by boat on alternating weeks in three separate sampling periods from July 1 to December 1 in each year of the permit with an average of 180 trawls per week. The Adult Striped Bass Mark/Recapture Survey will utilize a 9-m otter trawl with tow duration of typically 10 minutes and with approximately 500 trawls occurring between January and April and then between October and December.

Dated: August 30, 2006.

**P. Michael Payne,**

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E6-14713 Filed 9-5-06; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 083006E]

#### Western Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold a meeting of the Hawaii members of the Council's Bottomfish Plan Team (BPT).

**DATES:** The meeting of the BPT will be held on September 27, 2006, from 9 a.m. to 4 p.m.

**ADDRESSES:** The meeting of the Hawaii BPT will be held at the Western Pacific Fishery Management Council conference room, 1164 Bishop Street, Suite 1400, Honolulu, HI.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

**SUPPLEMENTARY INFORMATION:** The BPT will meet on September 27, 2006, to discuss the following agenda items:

1. Introductions, approval of draft agenda and assignment of rapporteurs
2. Report on Fishery Independent Research Workshop

3. Report on Bottomfish Stock Assessment
4. Status of the Stock Report
5. Separation of Guam Bottomfish Management Unit Species (BMUS) catch per unit effort (CPUE) data into deep, shallow and combined
6. Plan Team Recommendations
7. Other Business

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

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

Dated: August 31, 2006.

**Tracey L. Thompson,**

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

[FR Doc. E6-14679 Filed 9-5-06; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 082206A]

#### Endangered Species; File No. 1563

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

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

**SUMMARY:** Notice is hereby given that North Carolina Division of Marine Fisheries (NCDMF; Mr. Blake Price, Principal Investigator), P.O. Box 769, Morehead City, North Carolina 28557, has been issued a permit to take threatened and endangered sea turtles for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review 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; and Southeast Region, NMFS, 263 13th Ave South, St. Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309.

#### FOR FURTHER INFORMATION CONTACT:

Carrie Hubbard or Patrick Opay, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On March 17, 2006, notice was published in the **Federal Register** (71 FR 13816) that a request for a scientific research permit to take loggerhead (*Caretta caretta*), green (*Chelonia mydas*), Kemp's ridley (*Lepidochelys kempii*), hawksbill (*Eretmochelys imbricata*), and leatherback (*Dermochelys coriacea*) sea turtles had been submitted by the above-named organization. The requested permit has been issued 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 parts 222-226).

The NCDMF will be testing two types of large mesh gillnets to ascertain which type of net will reduce sea turtle interactions while maintaining targeted catch rates for southern flounder (*Paralichthys lethostigma*). Both nets will be constructed of 0.52 mm diameter monofilament with 6-inch (15.2 cm) mesh webbing, but the control net is 25 meshes deep while the low profile net is twelve meshes deep. Control nets have additional floatation every six feet (1.8 m) and tie downs every 30 feet (9.1 m); experimental nets have neither. NCDMF plans to conduct 150 paired net deployments (one of each type of net). To follow fishing protocols, nets will be set at dusk and retrieved in the early morning. Captured sea turtles will be examined for any possible injuries and held for approximately two hours to ensure they are healthy before being transported away from the fishing area and released. Turtles will be identified to species, measured, photographed, and flipper and PIT tagged. Any comatose or debilitated turtles will be transported to a rehabilitation center. During the life of the permit, the applicant is authorized to capture 23 Kemp's ridley, 23 loggerhead, 22 green, 2 hawksbill, and 2 leatherback sea turtles. Of the captured turtles, 11 Kemp's, 11 loggerhead, 11 green, 1 hawksbill, and 1 leatherback may be mortalities. Research will be conducted in Pamlico Sound, North Carolina and the permit expires in December 2007.

Issuance of this permit, 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 any endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: August 29, 2006.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E6-14661 Filed 9-5-06; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Science Board

**AGENCY:** Department of Defense, DoD.

**ACTION:** Notice of closed advisory committee meetings.

**SUMMARY:** The Defense Science Board Task Force on VTOL/STOL will meet in closed session on September 12-13, 2006; at Strategic Analysis Inc., 3601 Wilson Boulevard, Arlington, VA. This meeting is a classified executive session to begin the review of gathered data and to begin formulating the report's contents.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology & Logistics on scientific and technical matters as they affect the perceived needs of the Department of Defense. At these meetings, the Defense Science Board Task Force will: Assess the features and capabilities VTOL/STOL aircraft should have in order to support the nation's defense needs through at least the first half of the 21st century.

In accordance with Section 10(d) of the Federal Advisory Committee Act, Pub. L. 92-463, as amended (5 U.S.C. App. II), it has been determined that these Defense Science Board Task Force meetings concern matters listed in 5 U.S.C. 552b(c)(1) and that, accordingly, the meeting will be closed to the public.

#### FOR FURTHER INFORMATION CONTACT:

LCDR Clifton Phillips, USN, Defense Science Board, 3140 Defense Pentagon, Room 3C553, Washington, DC 20301-3140, via e-mail at [clifton.phillips@osd.mil](mailto:clifton.phillips@osd.mil), or via phone at (703) 571-0083.

Due to scheduling difficulties, there is insufficient time to provide timely notice required by Section 10(a) of the Federal Advisory Committee Act and subsection 102-3.150(b) of the GSA Final Rule on Federal Advisory Committee Management, 41 CFR part