

substantive comments regarding recovery plan implementation to appropriate Federal or other entities so that they can take these comments into account during the course of implementing recovery actions.

The purposes of the Plan are to: (1) delineate those aspects of white abalone biology, life history, and threats that are pertinent to its endangerment and recovery; (2) outline and justify a strategy to achieve recovery; (3) identify the site-specific management actions necessary to achieve recovery; (4) identify goals and criteria by which to measure the achievement of recovery; (5) serve as an outreach tool by articulating the reasons for white abalone's endangerment, and by explaining why the particular suite of recovery actions described is the most effective and efficient approach to achieving recovery; (6) help potential cooperators and partners understand the rationale behind the recovery actions identified, and assist them in identifying how they can facilitate recovery; (7) serve as a tool for monitoring recovery activities; and (8) be used to obtain funding for NMFS and its partners by identifying necessary recovery actions and their relative priority in the recovery process.

The objective of this Plan is to provide a framework for the recovery of white abalone so that protection under the ESA is no longer necessary. As recovery criteria are met, the status of the white abalone will be reviewed and considered for reclassification to threatened status or for removal from the Federal List of Endangered and Threatened Wildlife and Plants (50 CFR part 17). The white abalone will be considered for delisting when: (1) the density of emergent (detectable by human observation without substrate disturbance) animals (short term) is greater than 2,000 per hectare for 75 percent of the geographic localities; (2) a total of 380,000 animals are maintained in the wild, distributed among all geographic localities in the USA and Mexico; (3) the proportion of size of emergent animals in 75 percent of geographic localities includes at least 85 percent intermediate-size animals (90 to 130 mm); (4) proportion of size of emergent animals in 75 percent of geographic localities includes no more than 15 percent large animals ( $\leq 130$  mm); (5) there is a stable or increasing estimate of geometric population growth ( $\lambda \geq 1$ ) for  $>75$  percent of the geographic localities over a ten year period; and (6) there is reoccupation of white abalone over a spatial scale that encompasses their historic range such that 75 percent of the geographic

localities in the USA and Mexico are reoccupied and meet the recovery criteria.

Dated: October 14, 2008.

**Angela Somma,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Telecommunications and Information Administration

[Docket No. 0810141353-81354-01]

#### Public Telecommunications Facilities Program: Closing Date

**AGENCY:** National Telecommunications and Information Administration (NTIA), Commerce.

**ACTION:** Notice of Closing Date for Solicitation of Applications; Catalog of Federal Domestic Assistance

**SUMMARY:** Pursuant to the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, Public Law No. 110-329 (2008), the National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce, announces the solicitation of applications for planning and construction grants for public telecommunications facilities under the Public Telecommunications Facilities Program (PTFP). The PTFP assists, through matching grants, in the planning and construction of public telecommunications facilities in order to: (1) Extend delivery of services to as many citizens as possible by the most cost-effective means, including use of broadcast and non-broadcast technologies; (2) increase public telecommunications services and facilities available to, operated by, and controlled by minorities and women; and (3) strengthen the capability of existing public television and radio stations to provide public telecommunications services to the public.

**DATES:** Applications must be received prior to 5 p.m. Eastern Time (Closing Time), December 18, 2008 (Closing Date). Applications submitted by facsimile are not acceptable. If an application is received after the Closing Date due to (1) carrier error, when the carrier accepted the package with a guarantee for delivery by the Closing Date and Closing Time, (2) significant weather delays or natural disasters, or

(3) delays due to national security issues, NTIA will, upon receipt of proper documentation, consider the application as having been received by the deadline. NTIA will not accept applications posted on the Closing Date or later and received after this deadline.

**ADDRESSES:** To obtain a printed application package, submit completed applications, or send any other correspondence, write to PTFP at the following address (please note the new room number): NTIA/PTFP, Room H-4812, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230. Application materials may be obtained electronically via the Internet at <http://www.ntia.doc.gov/ptfp> or <http://www.grants.gov>.

**FOR FURTHER INFORMATION CONTACT:** William Cooperman, Director, Public Broadcasting Division, *telephone:* (202) 482-5802; *fax:* (202) 482-2156. Information about the PTFP can also be obtained electronically via the Internet at <http://www.ntia.doc.gov/ptfp>.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

The full funding opportunity announcement for the PTFP fiscal year (FY) 2009 grant cycle is available through <http://www.Grants.gov> or by contacting the PTFP office at the address noted above.

##### Funding Availability

Issuance of grants is subject to the availability of FY 2009 funds. At this time, the Congress has passed the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, Public Law No. 110-329 (2008), to fund operations of the PTFP through March 6, 2009. Further notice will be made in the **Federal Register** about the final status of funding for this program at the appropriate time. For FY 2008, NTIA awarded \$18.5 million in PTFP funds to 109 projects, including 61 radio awards, 45 television awards and 3 nonbroadcast awards. The radio awards ranged from \$8,800 to \$337,684. The television awards ranged from \$10,000 to \$801,345. The nonbroadcast awards ranged from \$89,853 to \$187,931.

##### Statutory and Regulatory Authority

The Public Telecommunications Facilities Program is authorized by the Communications Act of 1934, as amended, 47 U.S.C. 390-393, 397-399(b). The PTFP operates pursuant to rules (1996 Rules) which were published on November 8, 1996 (61 FR 57966). Copies of the 1996 Rules (15

CFR Part 2301) are posted on the NTIA Internet site at <http://www.ntia.doc.gov/Rules/currentrules.htm>, and NTIA will make printed copies available to applicants upon request.

#### Supplemental Policies

The following supplemental policies will also be in effect:

(A) Applicants may file emergency applications at any time.

(B) Applicants may file requests for Federal Communications Commission (FCC) authorizations with the FCC after the PTFP Closing Date. Grant applicants for Ku-band satellite uplinks may submit FCC applications after a PTFP award is made. NTIA may accept FCC authorizations that are in the name of an organization other than the PTFP applicant.

(C) PTFP applicants are not required to submit copies of their PTFP applications to the FCC, nor are they required to submit copies of the FCC transmittal cover letters as part of their PTFP applications. PTFP applicants for distance learning projects must notify the state telecommunications agencies in the states in which they are located, but they are not required to notify every state telecommunications agency in a potential service area.

(D) For digital television conversion projects, NTIA has created two new Subpriorities in the Broadcast Other category.

(E) For digital radio conversion projects, NTIA has created a new Subpriority in the Broadcast Other category.

#### Catalog of Domestic Federal Assistance

11.550, Public Telecommunications Facilities Program.

#### Eligibility

To apply for and receive a PTFP Construction Grant or Planning Grant, an applicant must be: (a) A public or noncommercial educational broadcast station; (b) a noncommercial telecommunications entity; (c) a system of public telecommunications entities; (d) a non-profit foundation, corporation, institution, or association organized primarily for educational or cultural purposes; or (e) a state, local, or Indian tribal government (or agency thereof), or a political or special purpose subdivision of a state.

#### Evaluation and Selection Process

See 15 CFR 2301.16 for a description of the Technical Evaluation and 15 CFR 2301.18 for the Selection Process.

#### Evaluation Criteria

See 15 CFR 2301.17 for a full description of the Evaluation Criteria.

The six evaluation criteria are (1) Applicant Qualifications, (2) Financial Qualifications, (3) Project Objectives, (4) Urgency, (5) Technical Qualifications (construction applicants only) or Planning Qualifications (planning applicants only), and (6) Special Consideration.

#### Funding Priorities and Selection Factors

See 15 CFR 2301.4 and the supplemental policies above for a description of the PTFP Priorities and 15 CFR 2301.18 for the Selection Factors.

#### Cost Sharing Requirements

PTFP requires cost sharing. By statute, PTFP cannot fund a construction project for more than 75 per cent of the eligible project costs. NTIA has established a policy of funding most new public broadcasting station activation projects at a 75 per cent federal share, and most other television, radio and nonbroadcast projects at a 50 per cent federal share. NTIA can fund planning applications up to 100 per cent of the eligible project costs, but has established a policy of funding planning applications at a 75 per cent federal share. Any applicant can request federal funding greater than PTFP's policy, up to the statutory maximum, and provide justification for the request.

#### Intergovernmental Review

PTFP applications are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs," if the state in which the applicant organization is located participates in the process. Usually submission to the State Single Point of Contact (SPOC) needs to be only the SF 424 and PTFP-2 pages of the application, but applicants should contact their own SPOC offices to find out about and comply with its requirements. The PTFP Internet site has a link to the Office of Management and Budget (OMB) home page which has the names and addresses of the SPOC offices. Applicants may directly access the OMB Internet site at <http://www.whitehouse.gov/omb/grants/spoc.html>. Printed copies of the SPOC list are available from PTFP.

#### Universal Identifier

All applicants (nonprofit, state, local government, universities, and tribal organizations) will be required to provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number during the application process. See the October 30, 2002 (67 FR 66177) and April 8, 2003 (68 FR 17000) **Federal**

**Register** notices for additional information. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line 1-866-705-5711 or via the Internet (<http://www.dunandbradstreet.com>).

#### The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements

The Department of Commerce Pre-Award Notification of Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of February 11, 2008, (73 FR 7696) is applicable to this solicitation.

#### Limitation of Liability

In no event will the Department of Commerce be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of other agency priorities. Publication of this announcement does not obligate the agency to award any specific project or to obligate any available funds.

#### Paperwork Reduction Act

Notwithstanding any other provision of the 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 requirements of the Paperwork Reduction Act (PRA), unless that collection displays a currently valid Office of Management and Budget (OMB) control number. The PTFP application form has been cleared under OMB Control No. 0660-0003.

#### Executive Order 13132

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

#### Administrative Procedure Act/Regulatory Flexibility Act

Prior notice and opportunity for public comment are not required by the Administrative Procedure Act or any other law for this rule concerning grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 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 has not been prepared.

#### Dr. Bernadette McGuire-Rivera,

Associate Administrator, Office of Telecommunications and Information Applications.

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