

marine mammal will be in a zone where injury and/or mortality could occur as a result of time-delayed detonation. Furthermore, the estimated exposures are based on the probability of the animals occurring in the area when a training event is occurring, and this probability does not change based on the use of TDFDs or implementation of mitigation measures (i.e., the exposure model does not account for how the charge is initiated and assumes no mitigation is being implemented). The potential effects to marine mammal species and stocks as a result of the proposed mine neutralization training activities are the same as those analyzed in the final rule governing the incidental takes for these activities. Consequently, NMFS believes that the take estimates analyzed in the existing final rule do not change as a result of the modified LOA which includes mine neutralization training activities using TDFDs.

#### Analysis and Negligible Impact Determination

Pursuant to NMFS' regulations implementing the MMPA, an applicant is required to estimate the number of animals that would be "taken" by the specified activities (for example, takes by harassment or injury). This estimate informs the analysis that NMFS must perform to determine whether the activity would have a "negligible impact" on the species or stock. Level B (behavioral) harassment occurs at the level of the individual(s) and does not assume any resulting population-level consequences, though there are known avenues through which behavioral disturbance of individuals can result in population-level effects. A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (population-level effects). An estimate of the number of Level B harassment takes, alone, is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be "taken" through behavioral harassment, NMFS must consider other factors, such as the likely nature of any responses (their intensity, duration, etc.), the context of any responses (critical reproductive time or location, migration, etc.), or any other variables (if known), as well as the number and nature of estimated Level A takes, the number of estimated mortalities, and effects on habitat.

Based on the analysis of the potential impacts from the proposed mine neutralization training exercises conducted within the HRC, which includes the modification of marine

mammal monitoring and mitigation measures intended to minimize the risk of exposure to explosive detonations during the use of TDFDs, NMFS has determined that the modification of the Navy's LOA to include taking of marine mammals incidental to mine neutralization training using TDFDs will have a negligible impact on the marine mammal species and stocks present in the action area, provided that the additional mitigation and monitoring measures described above are implemented.

#### Endangered Species Act (ESA)

There are seven marine mammal species listed as threatened or endangered under the ESA with confirmed or possible occurrence in the HRC: blue whale (*Balaenoptera musculus*), north Pacific right whale (*Eubalaena japonica*), humpback whale (*Megaptera novaeangliae*), sei whale (*Balaenoptera borealis*), fin whale (*Balaenoptera physalus*), sperm whale (*Physeter macrocephalus*), and Hawaiian monk seal (*Monachus schauinslandi*). Pursuant to section 7 of the ESA, NMFS has consulted internally on the issuance of the modified LOA under section 101(a)(5)(A) of the MMPA for these activities. Consultation was concluded on January 10, 2012.

#### National Environmental Policy Act (NEPA)

NMFS participated as a cooperating agency on the Navy's Final Environmental Impact Statement (FEIS) for the HRC. NMFS subsequently adopted the Navy's FEIS for the purpose of complying with the MMPA. NMFS has determined that there are no changes in the potential effects to marine mammal species and stocks as a result of the mine neutralization training events using TDFDs. Therefore, no additional NEPA analysis is required and the information in the existing FEIS remains sufficient.

#### Authorization

NMFS has determined that the marine mammal takes resulting from the 2011 military readiness training and research activities falls within the levels previously anticipated, analyzed, and authorized. Further, the level of taking authorized in 2012 and 2013 for the Navy's HRC training and research activities is consistent with our previous findings made for the total taking allowed under the HRC regulations. Finally, the record supports NMFS' conclusion that the total number of marine mammals taken by the 2012 and 2013 HRC activities will have no more than a negligible impact on the affected

species or stock of marine mammals and will not have an unmitigable adverse impact on the availability of these species or stocks for taking for subsistence uses. Accordingly, NMFS has issued a 2-year LOA for Navy training and research activities conducted in the HRC from January 15, 2012, through January 5, 2014.

Dated: February 17, 2012.

**James H. Lecky,**

Director, Office of Protected Resources,  
National Marine Fisheries Service.

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### COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

#### Procurement List; Additions and Deletions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to and Deletions from the Procurement List.

**SUMMARY:** This action adds services to the Procurement List that will be provided by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes products and services from the Procurement List previously furnished by such agencies.

**DATES:** Effective Date: 3/26/2012.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

**FOR FURTHER INFORMATION CONTACT:** Barry S. Lineback, Telephone: (703) 603-7740, Fax: (703) 603-0655, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

#### SUPPLEMENTARY INFORMATION:

##### Additions

On 12/23/2011 (76 FR 80346); 12/30/2011 (76 FR 82282-82283); and 1/6/2012 (77 FR 780), the Committee for Purchase From People Who Are Blind or Severely Disabled published notices of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the services and impact of the additions on the current or most recent contractors, the Committee has determined that the services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 and 41 CFR 51-2.4.

**Regulatory Flexibility Act Certification**

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will provide the services to the Government.

2. The action will result in authorizing small entities to provide the services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the services proposed for addition to the Procurement List.

**End of Certification**

Accordingly, the following services are added to the Procurement List:

*Services*

*Service Type/Location:* Custodial Service, Eastern ARNG Aviation Training Site, Capital City Airport Hanger 2, 240 Airport Road, New Cumberland, PA.

*NPA:* Opportunity Center, Incorporated, Wilmington, DE.

*Contracting Activity:* Dept of the Army, W7NX USFPO Activity PA ARNG, Annville, PA.

*Service Type/Location:* Grounds Maintenance, National Weather Service, 5655 Hollywood Ave., Shreveport, LA.

*NPA:* Goodwill Industries of North Louisiana, Inc., Shreveport, LA.

*Contracting Activity:* Dept of Commerce, National Oceanic and Atmospheric Administration, Boulder, CO.

*Service Type/Location:* Janitorial, FAA Mike Monroney Aeronautical Center, 6500 S. MacArthur Blvd., Oklahoma City, OK.

*NPA:* Dale Rogers Training Center, Inc., Oklahoma City, OK.

*Contracting Activity:* Dept of Transportation, Federal Aviation Administration, Oklahoma City, OK.

*Service Type/Location:* Custodial Service and Grounds Maintenance, Salmon Airbase, 8 Industrial Lane, US Forest Service, Salmon, ID.

*NPA:* Development Workshop, Inc., Idaho Falls, ID.

*Contracting Activity:* US Forest Service, Caribou-Targhee National Forest, Idaho Falls, ID.

*Service Type/Location:* Custodial and Grounds Maintenance, US Border Station, 160 Garrison Street, Eagle Pass, TX, US Border Station, 500 Adams Street, Eagle Pass, TX, VACIS Border Station, 500 Adams Street, Eagle Pass, TX.

*NPA:* Endeavors Unlimited, Inc., San Antonio, TX.

*Contracting Activity:* General Services Administration, Public Buildings

Service, ACQ MGT SVC BR, Fort Worth, TX.

*Service Type/Location:* Mail Services, National Finance Center, (Offsite: 2762 Rand Rd., Indianapolis, IN), 13800 Old Gentilly Road, New Orleans, LA.

*NPA:* Anthony Wayne Rehabilitation Ctr for Handicapped and Blind, Inc., Fort Wayne, IN.

*Contracting Activity:* Dept of Agriculture, USDA, Office of the Chief Financial Officer, Washington, DC.

**Deletions**

On 10/14/2011 (76 FR 63905–63906); 10/21/2011 (76 FR 65501–65502); 10/28/2011 (76 FR 66913–66914); and 12/30/2011 (76 FR 82282–82283), the Committee for Purchase From People Who Are Blind or Severely Disabled published notices of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products and services listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

**Regulatory Flexibility Act Certification**

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the products and services deleted from the Procurement List.

**End of Certification**

Accordingly, the following products and services are deleted from the Procurement List:

*Products***Pad, Cooling, Chemical**

NSN: 6530–00–133–4299.

*NPA:* Employ+Ability, Inc., Braintree, MA.

*Contracting Activity:* Defense Logistics Agency Troop Support, Philadelphia, PA.

NSN: 7490–01–483–8984—Paper Shredder, Cross Cut.

NSN: 7490–01–483–8985—Paper Shredder, Strip Cut.

NSN: 7490–01–483–8990—Paper Shredder, Strip Cut.

NSN: 7490–01–483–8991—Paper Shredder,

Cross Cut.

*NPA:* L.C. Industries for the Blind, Inc., Durham, NC.

*Contracting Activity:* General Services Administration, New York, NY.

*Services*

*Service Type/Location:* Removal of Tool Identification Numbers, Tinker Air Force Base, OK.

*NPA:* Work Activity Center, Inc., Moore, OK.

*Contracting Activity:* Dept of the Air Force, FA8101 OC ALC PKO, Tinker AFB, OK.

*Service Type/Location:* Janitorial/Custodial, FAA NAVAIDS Communication, Building 1300, Spokane International Airport, Spokane, WA.

*NPA:* Career Connections, Spokane, WA.

*Contracting Activity:* Department of Transportation, Massena, NY.

*Service Type/Location:* Janitorial/Custodial, Naval & Marine Corps Reserve Center, 4087 West Harvard, Boise, ID.

*NPA:* Western Idaho Training Company, Caldwell, ID.

*Contracting Activity:* Dept of the Navy, Navy Region Northwest Reserve, Everett, WA.

**Barry S. Lineback,**

*Director, Business Operations.*

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## **COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

**Procurement List; Proposed Additions**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed Additions to the Procurement List.

**SUMMARY:** The Committee is proposing to add a product and service to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

*Comments Must Be Received on or Before: 3/26/2012.*

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

**FOR FURTHER INFORMATION OR TO SUBMIT COMMENTS CONTACT:** Barry S. Lineback, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.