

- (1) The number of anticipated mortalities;
- (2) The number and nature of anticipated injuries;
- (3) The number, nature, and intensity, and duration of Level B harassment; and
- (4) The context in which the takes occur.

As mentioned previously, NMFS estimates that four species of marine mammals could be potentially affected by Level B harassment over the course of the IHA. For each species, these numbers are small (each, less than one percent) relative to the population size.

No takes by Level A harassment, serious injury, or mortality are anticipated to occur as a result of the SGRLPS' proposed activities, and none are authorized. Only short-term behavioral disturbance is anticipated to occur due to the brief and sporadic duration of the proposed activities; the availability of alternate areas near NWSR for marine mammals to avoid the resultant acoustic disturbance; and limited access to NWSR during the pupping season. Due to the nature, degree, and context of the behavioral harassment anticipated, the activities are not expected to impact rates of recruitment or survival.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the mitigation and monitoring measures, NMFS preliminarily finds that the SGRLPS' planned helicopter operations and restoration/maintenance activities, will result in the incidental take of small numbers of marine mammals, by Level B harassment only, and that the total taking from the helicopter operations and restoration/maintenance activities will have a negligible impact on the affected species or stocks.

#### **Impact on Availability of Affected Species or Stock for Taking for Subsistence Uses**

There are no relevant subsistence uses of marine mammals implicated by this action.

#### **Endangered Species Act (ESA)**

The Steller sea lion, eastern Distinct Population Segment (DPS) is listed as threatened under the ESA and occurs in the planned action area. NMFS Headquarters' Office of Protected Resources, Permits, Conservation, and Education Division conducted a formal section 7 consultation under the ESA with the Southwest Region, NMFS. On January 27, 2010, the Southwest Region issued a BiOp and concluded that the issuance of IHAs are likely to adversely

affect, but not likely to jeopardize the continued existence of Steller sea lions. NMFS has designated critical habitat for the eastern Distinct Population Segment of Steller sea lions in California at Año Nuevo Island, Southeast Farallon Island, Sugarloaf Island and Cape Mendocino, California pursuant to section 4 of the ESA (see 50 CFR 226.202(b)). Northwest Seal Rock is neither within nor nearby these designated areas. Finally, the BiOp included an ITS for Steller sea lions. The ITS contains reasonable and prudent measures implemented by terms and conditions to minimize the effects of this take.

NMFS has reviewed the 2010 BiOp and determined that there is no new information regarding effects to Stellar sea lions; the action has not been modified in a manner which would cause adverse effects not previously evaluated; there has been no new listing of species or designation of critical habitat that could be affected by the action; and, the action will not exceed the extent or amount of incidental take authorized in the ITS. Therefore, the proposed IHA does not require the reinitiation of Section 7 consultation under the ESA.

#### **National Environmental Policy Act (NEPA)**

To meet NMFS' NEPA requirements for the issuance of an IHA to the SGRLPS, NMFS prepared an Environmental Assessment (EA) in 2010 that was specific to conducting aircraft operations and restoration and maintenance work on the St. George Reef Light Station. The EA, titled "Issuance of an Incidental Harassment Authorization to Take Marine Mammals by Harassment Incidental to Conducting Aircraft Operations, Lighthouse Restoration and Maintenance Activities on St. George Reef Lighthouse Station in Del Norte County, California," evaluated the impacts on the human environment of NMFS' authorization of incidental Level B harassment resulting from the specified activity in the specified geographic region. At that time, NMFS concluded that issuance of an IHA November 1 through April 30, annually would not significantly affect the quality of the human environment and issued a Finding of No Significant Impact (FONSI) for the 2010 EA regarding the SGRLPS' activities. In conjunction with the SGRLPS' 2012 application, NMFS has again reviewed the 2010 EA and determined that there are no new direct, indirect or cumulative impacts to the human and natural environment associated with the IHA requiring evaluation in a supplemental EA and NMFS, therefore,

intends to reaffirm the 2010 FONSI. An electronic copy of the EA and the FONSI for this activity is available upon request (see **ADDRESSES**).

Dated: December 16, 2011.

**James H. Lecky,**

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

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**BILLING CODE 3510-22-P**

## **COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

### **Determination Under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement ("CAFTA-DR Agreement")**

**AGENCY:** The Committee for the Implementation of Textile Agreements

**ACTION:** Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement.

**DATES:** *Effective Date:* December 21, 2011.

**SUMMARY:** The Committee for the Implementation of Textile Agreements ("CITA") has determined that certain cotton/nylon/spandex raschel knit open work crepe printed fabric, as specified below, is not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

**FOR FURTHER INFORMATION CONTACT:** Maria Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3651.

*For Further Information On-Line:*  
<http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf> under "Approved Requests," Reference number: 159.2011.11.10.Fabric.SS&AforHansoll Textile,Ltd

#### **SUPPLEMENTARY INFORMATION:**

**Authority:** The CAFTA-DR Agreement; Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act ("CAFTA-DR Implementation Act"), Pub. Law 109-53; the Statement of Administrative Action, accompanying the CAFTA-DR Implementation Act; and Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

**Background:** The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in

commercial quantities in a timely manner in the territory of any Party. The CAFTA-DR Agreement provides that this list may be modified pursuant to Article 3.25(4)–(5), when the President of the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25 of the CAFTA-DR Agreement; see also section 203(o)(4)(C) of the CAFTA-DR Implementation Act.

The CAFTA-DR Implementation Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA-DR Implementation Act for modifying the Annex 3.25 list. Pursuant to this authority, on September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list of products determined to be not commercially available in the territory of any Party to CAFTA-DR (*Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement*, 73 FR 53200) (“CITA’s procedures”).

On November 10, 2011, the Chairman of CITA received a request for a Commercial Availability determination (“Request”) from Sorini Samet & Associates on behalf of Hansoll Textile Ltd. for certain cotton/nylon/spandex raschel knit, open work crepe, printed fabric, as specified below. On November 15, 2011, in accordance with CITA’s procedures, CITA notified interested parties of the Request, which was posted on the dedicated Web site for CAFTA-DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply (“Response”) must be submitted by November 28, 2011, and any Rebuttal Comments to a Response (“Rebuttal”) must be submitted by December 2, 2011, in accordance with sections 6 and 7 of CITA’s procedures. No interested entity submitted a Response to the Request advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA-DR Implementation Act, and section 8(c)(2) of CITA’s procedures, as no interested entity submitted a Response objecting to the Request and demonstrating its

ability to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA-DR Agreement.

The subject product has been added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated Web site for CAFTA-DR Commercial Availability proceedings.

**SPECIFICATIONS:** Certain Cotton/Nylon/Spandex Raschel Knit Open Work Crepe Printed Fabric  
HTS: 6005.24.00.

**Fabric Type:** Raschel knit, open work crepe fabric, with a blistered surface with interstices covering 15% of the surface area, printed.

**Fiber content:** Cotton 61–65%; Nylon 32–34%; Spandex 3–5%.

**Yarn size:**

**Cotton:**

**Metric:** 28/2 to 32/2.

**English:** 16.5/2 to 19/2.

**Nylon:**

**Metric:** 150–160 denier/10 filament.

**English:** 56–60 denier/10 filament.

**Nylon (wrapping yarn for spandex core):**

**Metric:** 113–150 denier/36 filament.

**English:** 60–80 denier/36 filament.

**Spandex (wrapped in nylon):**

**Metric:** 40–45 denier.

**English:** 200–225 denier.

**Weight:**

**Metric:** 160–180 grams per sq. meter.

**English:** 4.7–5.3 ounces per sq. yard.

**Width:**

**Metric:** 137.2–147.4 centimeters, cuttable.

**English:** 54–58 inches, cuttable.

**Machine gauge:** 18.

**Bar:** 18.

**Coloration:** Pigment print.

**Performance criteria:**

1. Dimensional stability: –7%/+2%, AATCC 135/150.

2. Fabric skewing: 4%, AATCC 179.

3. Fabric weight: –8%/+8%.

**Kim Glas,**

*Chairman, Committee for the Implementation of Textile and Apparel.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Corps of Engineers

#### Notice for the Great Lakes and Mississippi River Interbasin Study (GLMRIS)

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE), Chicago District has posted on <http://glmr.is.anl.gov> the “Inventory of Available Controls for Aquatic Nuisance Species of Concern—Chicago Area Waterway System” (ANS Control Paper). An Aquatic Nuisance Species (ANS) Control is an option or technology that may be applied to prevent ANS transfer via aquatic pathways. The ANS Control Paper identifies the range of options or technologies available to target the ANS of Concern in the Chicago Area Waterway System (CAWS). These ANS of Concern—CAWS were previously identified as non-native species that are the initial focus of GLMRIS.

In a December 8, 2010 notice of intent, **Federal Register** Notice (75 FR 76447), USACE announced it will prepare a feasibility report and an environmental impact statement (EIS) for GLMRIS. GLMRIS is a feasibility study of the range of options and technologies that could be applied to prevent ANS transfer between the Great Lakes and Mississippi River basins through aquatic pathways. USACE is conducting GLMRIS in consultation with other federal agencies, Native American tribes, state agencies, local governments and non-governmental organizations. The ANS Control Paper is an interim product of GLMRIS. For additional information regarding GLMRIS, please refer to the project Web site <http://glmr.is.anl.gov>.

This notice announces a comment period during which USACE is asking the public to submit (i) information on ANS Controls that may be effective at preventing the transfer of ANS of Concern—CAWS but that are not included in the paper, or (ii) comments regarding ANS Controls identified in the paper. This notice also announces the dates and times of conference calls hosted by USACE for the purpose of providing the public an opportunity to ask questions regarding the ANS Control Paper.

**DATES:** USACE announces an ANS Control Comment Period from Wednesday, December 21, 2011, through Friday, February 17, 2012. Please refer to the “ANS Control Comment Period” section below for details on the information USACE is seeking during this comment period and instructions on comment submittal.

USACE will be hosting two (2) conference calls regarding the paper. These calls are open to the public. The first call is scheduled on Tuesday, January 10, 2012 from 2 p.m.–4 p.m. (CST). The second call is scheduled on