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Dated: December 14, 2009.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E9-30156 Filed 12-17-09; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 57-2009]

Foreign-Trade Zone 202—Los Angeles, CA, Area Application for Reorganization/Expansion

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Board of Harbor Commissioners of the City of Los Angeles, grantee of FTZ 202, requesting authority to reorganize and expand its zone in the Los Angeles area within and adjacent to the Los Angeles-Long Beach Customs and Border Protection port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on December 11, 2009.

FTZ 202 was approved on July 14, 1994 (Board Order 693, 59 FR 37464, 7/22/94), expanded on August 26, 1996 (Board Order 842, 61 FR 46763, 9/5/96) and on July 9, 1999 (Board Order 1043, 64 FR 38887, 7/20/99), and expanded/reorganized on April 30, 2004 (Board Order 1331, 69 FR 26065, 5/11/04) and on April 24, 2009 (Board Order 1616, 74 FR 21623, 5/8/09).

The zone project currently consists of 16 permanent and temporary sites located at port facilities, industrial parks and warehouse facilities in Los Angeles, San Bernardino, Kern and Riverside Counties as described below:

- *Site 1* (2,783 acres total)—consists of the Port of Los Angeles Harbor Complex in San Pedro;
- *Site 2* (3 acres total) located: At 1 World Way within the Los Angeles International Airport (Parcel 1—1 acre); at 5330 W. 102nd Street, Los Angeles (Parcel 2—1.5 acres); and, at 1111 Watson Center Road, Unit 2-A, B-C, Carson (Parcel 3—22,705 sq. ft.);
- *Site 3* (564 acres)—within the International Trade & Technology Center, Santa Fe Highway at 7th Standard Road, Kern County;
- *Site 4* (353.6 acres)—within the 438-acre Carson Dominguez Technology

Center south of the Artesia Freeway, between the Harbor Freeway and I-710 in the City of Carson and the Rancho Dominguez area of Los Angeles County;

- *Site 5* (8.51 acres total, sunset 4/30/2014)—warehouse facilities of 3Plus Logistics located at 20250 South Alameda Street in Rancho Dominguez (6.13 acres) and at 2730 El Presidio Street in Carson (2.38 acres);
- *Site 6* (23 acres)—located at 20002 E. Business Parkway, Walnut;
- *Site 7* (93 acres)—within the 140-acre Pacific Gateway Center, at the southwest corner of the San Diego Freeway Interchange, Los Angeles;
- *Site 9* (22.87 acres total): Parcel A (5.61 acres)—19700 Van Ness Avenue, Torrance; and, Parcel C (7.26 acres)—1451 Knox Street, Torrance;
- *Site 10* (325 acres)—Watson Industrial Center South, 22010 South Wilmington Avenue, Carson;
- *Site 11* (153.79 acres)—Watson Corporate Center located at 22010 South Wilmington Avenue and at 2417 East Carson Street in Carson;
- *Site 12* (8 acres, expires 7/31/2011)—Schafer Brothers Distribution Center, Inc., 1981 East 213th Street, Carson;
- *Site 14* (33 acres, expires 7/31/2011)—Nippon Express USA, Inc., located adjacent to Site 1, at 300 Westmont Street, San Pedro;
- *Site 15* (4 acres)—located at 1020 McFarland Avenue, Wilmington;
- *Site 20* (21 acres, expires 7/31/2011)—Kwikset Corporation facilities located within the Park Mira Loma West, southeast side of the Intersection of Highway 60 (the Pomona Freeway) and Interstate 15 (the Ontario Freeway), Mira Loma;
- *Site 23* (177 acres, sunset 3/31/2013)—within the 1,450-acre Tejon Industrial Complex located directly off Interstate 5 at the Highway 99 junction, Lebec; and,
- *Temporary Site 2* (2.4 acres, expires 6/30/2010)—a warehouse located at 2200 and 2250 Technology Place, Long Beach.

There is an application pending for a proposed new zone project in the Bakersfield, California, area (Doc. 18-2009). That application is requesting a transfer of FTZ 202—Site 23 (Tejon Industrial Complex) to the Bakersfield zone project as proposed Site 2.

The applicant is now requesting authority for a reorganization and expansion of the zone which would result in an overall net increase of zone sites and space. As described below, the proposal includes a request for new authority for expired sites/parcels, to delete an existing site, for permanent

status for temporary sites, and to add a new site.

- Expand *Site 1* by requesting new authority for the Howard Hartry parcel (0.39 acres, 10,833 sq. ft.) (which expired on 7/1/09) (new total acreage—2,783 acres);
- Delete *Site 6* in its entirety due to changed circumstances;
- Expand *Site 9* by requesting new authority for Parcel B (7 acres) (which expired on 7/1/09) (new total acreage—29.87 acres);
- Modify *Site 12* by requesting permanent status;
- Modify and expand *Site 14* by requesting permanent status for the current 33 acres and requesting new authority for 55 acres (which expired on 7/1/09) (new total acreage—88 acres);
- Requesting new authority for 4.16 acres at *Site 16* (which had previously consisted of 153.20 acres that expired on 7/1/09);
- Requesting new authority for 18.5 acres at *Site 19* (which had previously consisted of 83.16 acres that expired on 7/1/09);
- Modify *Site 20* by requesting permanent status for the current 21 acres and to expand the site to include an additional 120.79 acres (113.37 acres that expired on 7/1/09 and a new 7.42-acre parcel) (new total acreage—141.79 acres);
- Requesting new authority for 84 acres at *Site 22* (which had previously consisted of 227 acres that expired on 7/1/09); and,
- Add *Proposed Site 24* (5 acres)—RPM Transport warehouse facility located at 2200 and 2250 Technology Place, Long Beach (this site will include Temporary Site 2 (2.4 acres) on a permanent basis and add an additional 2.6 acres).

The sites will provide warehousing and distribution services to area businesses. No specific manufacturing authority is being requested at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, Christopher Kemp of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is February 16, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the

subsequent 15-day period to March 3, 2010.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Christopher Kemp at Christopher.Kemp@trade.gov or (202) 482-0862.

Dated: December 11, 2009.

Andrew McGilvray,
Executive Secretary.

[FR Doc. E9-30196 Filed 12-17-09; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XT22

Habitat Conservation Plan for the Santa Clara Valley Water District's Operations and Maintenance Activities in the Coyote Creek, Guadalupe River, and Stevens Creek Watersheds, Santa Clara County, California

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

ACTION: Revised notice of intent (NOI) to prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR).

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), NMFS is issuing a revised notice to advise the public of our intent, in coordination with the Santa Clara Valley Water District (District), to conduct public scoping necessary to gather information to prepare a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The EIS/EIR will analyze the environmental effects of the proposed issuance of 50-year incidental take permits under the Federal Endangered Species Act of 1973, as amended, (ESA), for a Habitat Conservation Plan (HCP) within a portion of the Coyote Creek, Guadalupe River, and Stevens Creek watersheds (Three Creeks) and proposed modifications of the District's appropriative water rights by the State Water Resources Control Board (SWRCB) to settle litigation against the District concerning alleged impacts of

its operations on fish, wildlife, water quality and other beneficial uses. The first NOI to prepare an EIS/EIR was published in the **Federal Register** on August 4, 2005, but since that time changes to the scope of the proposed action have occurred. NMFS provides this notice to (1) describe revisions to the proposed action; (2) describe Federal lead and cooperating agency roles; (3) update other Federal and State agencies and the public of the revised scope of the environmental review for this EIS/EIR; and (4) obtain suggestions and information on the scope of issues and alternatives to be included in the EIS/EIR.

DATES: Written comments concerning the revised scope of the HCP and its associated environmental analysis should be received on or before January 19, 2010.

ADDRESSES: Send written comments to Gary Stern, San Francisco Bay Region Supervisor, National Marine Fisheries Service, Santa Rosa Area Office, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95404, facsimile (707) 578-3435; or via e-mail to ThreeCreeks.HCPSWR@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Gary Stern, National Marine Fisheries Service at the address shown above or at (707) 575-6060.

SUPPLEMENTARY INFORMATION:

Background

As the primary water management agency for Santa Clara County, California, the District has constructed and currently operates and maintains a system of local reservoirs, flood control channels, groundwater recharge facilities, and water conveyance facilities in the Santa Clara Valley, and serves an area of approximately 1,300 sq mi (3,367 sq km) with a population of 1.8 million. It acts as the county's water wholesaler and flood protection agency, serving as the steward for the streams and creeks, underground aquifers and District-built reservoirs within the County.

On July 11, 1996, a complaint was filed against the District alleging that its operations on the Three Creeks were adversely affecting fish and their habitat. In an effort to settle the complaint the District initiated the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE). The FAHCE process culminated successfully in the Draft Settlement Agreement (DSA). In order to adopt and implement the DSA and pursue regulatory certainty of its existing and future water supplies, the District seeks an incidental take permit that would provide long-term

assurances for the reliability of water supplies.

On August 4, 2005, the NMFS issued an NOI to prepare an EIS/EIR for the environmental effects of NMFS' issuance of an incidental take permit under the ESA to the District for the Three Creeks HCP. A public scoping meeting was held on August 9, 2005, in San Jose, California. Public and agency comments were received during the scoping meeting and written comments were received through September 15, 2005.

In 2005, activities covered by the proposed HCP were limited to on-going operations and maintenance of eight existing dams and reservoirs in the Guadalupe River, Coyote Creek, and Stevens Creek watershed. As described in the original NOI, the DSA is proposed to occur in three 10-year phases to achieve the overall goal of restoring and maintaining healthy steelhead and salmon populations as appropriate to each of the three watersheds. As set forth in more detail in the original NOI, DSA Phase 1 activities include, but are not limited to: (1) Re-operation of reservoirs in accordance with specified criteria for flood releases, fish passage, fish rearing, and other non-emergency operations and maintenance; (2) removal or remediation of Priority 1 District-owned barriers to fish passage and up to 50 percent cost sharing to remove or remediate Priority 1 barriers owned by others; (3) construction of fish habitat enhancement structures and other restoration actions in the three watersheds; (4) implementation actions to restore geomorphic functions as necessary for channel maintenance or formation in the three watersheds; and (5) development and adoption of general guidelines, applying environmentally sensitive techniques, to maintain or enhance geomorphic functions, riparian conditions and bank stabilization projects undertaken by other persons.

DSA Phase 2 activities include: (1) Extension of the distribution of suitable habitat for salmon and steelhead in Coyote Creek and Guadalupe River watersheds, as feasible; (2) relocation of the Coyote Percolation Facility to a site off-stream; (3) removal or remediation of Priority 2 barriers owned by the District; (4) use of recycled or other urban water to augment flows in Coyote Creek and Guadalupe River, as feasible; (5) implementation of a trap and truck operation to relocate adult steelhead above existing dams in the Three Creeks watersheds and to assist in smolt out-migration; (6) construction of a bypass channel or other modification necessary to isolate Alamitos Creek and Guadalupe River from Lake Almaden;