

Dated: May 14, 2007.

P. Michael Payne,

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

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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)

May 15, 2007.

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.

EFFECTIVE DATE: May 18, 2007.

SUMMARY: The Committee for the
Implementation of Textile Agreements
(CITA) has determined that certain two-
way stretch woven fabric of polyester/
rayon/spandex, as specified below, are
not available in commercial quantities
in a timely manner in the CAFTA-DR
region. The product will be added to the
list in Annex 3.25 of the CAFTA-DR
Agreement in unrestricted quantities.

FOR FURTHER INFORMATION CONTACT:
Richard Stetson, Office of Textiles and
Apparel, U.S. Department of Commerce,
(202) 482-2582.

**FOR FURTHER INFORMATION ON-
LINE:** [http://web.ita.doc.gov/tacgi/
CaftaReqTrack.nsf.Reference](http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf.Reference) number:
21.2007.04.18.Fabric.ST&RforChannel
Fabrics

SUPPLEMENTARY INFORMATION:

Authority: Section 203(o)(4) of the
Dominican Republic-Central America-United
States Free Trade Agreement Implementation
Act (CAFTA-DR Act); the Statement of
Administrative Action (SAA), accompanying
the CAFTA-DR Act; 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. Articles that otherwise meet the
rule of origin to qualify for preferential
treatment are not disqualified because
they contain one of the products on the
Annex 3.25 list.

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. The CAFTA-DR Act states
that the President will make a
determination on whether additional
fabrics, yarns, and fibers are available in
commercial quantities in a timely
manner in the territory of any Party.

The CAFTA-DR 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 the CAFTA-DR Act for
modifying the Annex 3.25 list. On
March 21, 2007, CITA published final
procedures it would follow in
considering requests to modify the
Annex 3.25 list (72 FR 13256).

On April 18, 2007, the Chairman of
CITA received a request from Sandler,
Travis & Rosenberg, P.A., on behalf of
Channel Fabrics, for certain polyester/
rayon/spandex two-way stretch woven
fabrics, of the specifications detailed
below. On April 20, 2007, CITA notified
interested parties of, and posted on its
website, the accepted petition and
requested that interested entities
provide, by May 2, 2007, a response
advising of its objection to the request
or its ability to supply the subject
product, and rebuttals to responses by
May 8, 2007.

No interested entity filed a response
advising of its objection to the request
or its ability to supply the subject
product.

In accordance with Section
203(o)(4)(C)(iii)(II) of the CAFTA-DR
Act, and its procedures, as no interested
entity submitted a response objecting to
the request or expressing an ability to
supply the subject product, CITA has
determined to add the specified fabrics
to the list in Annex 3.25 of the CAFTA-
DR Agreement.

The subject fabrics are added to the
list in Annex 3.25 of the CAFTA-DR
Agreement in unrestricted quantities. A
revised list has been published on-line.

Specifications:

HTS Subheading: 5407.92.20
5407.93.20

Fiber Content:	70%-75% polyester; 20%-25% viscose rayon; 3% - 6% spandex
Average Yarn Number:	Warp 40/2 to 85/2 met- ric, 60% to 75% pol- yester staple 20% to 35% viscose rayon staple wrapped around 225 to 126 metric span- dex (24/2 to 50/2 wrapped around 40 to 70 de- nier spandex)
Filling:	90 to 45 metric fila- ment polyester wrapped around 225 to 125 metric span- dex (100 to 200 denier wrapped around 40 to 70 denier span- dex)
Length of Staple in Warp: Thread Count:	1.75 to 2.75 inches 152 to 285 warp ends per centimeter x 101 to 209 filling picks per centimeter (60 to 112 warp ends per inch x 40 to 82 filling picks per inch)
Weave Type: Weight:	Various 200 to 302 grams per square meter (5.9 to 8.9 ounces per square yard)
Width:	129 to 152 centimeters (50 to 60 inches)
Finish:	Piece dyed; of yarns of different colors.

NOTE: The stated size
of the spandex yarns
is in the condition as
delivered to the yarn
spinner. Variance
may occur in the
final fabric.

R. Matthew Priest,
*Chairman, Committee for the Implementation
of Textile Agreements.*

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DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Public Hearing and Notice of Availability for the Draft Environmental Impact Statement for the Matagorda Ship Channel Improvement Project, Calhoun County and Matagorda County, TX

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

ACTION: Notice of a availability.

SUMMARY: The U.S. Army Corps of
Engineers, Galveston District announces
the release of the Draft Environmental
Impact Statement (DEIS), the public

comment period, and the date and location of the Public Hearing, for the Calhoun County Navigation District's (CCND) proposed Matagorda Ship Channel Improvement Project (MSCIP).

DATES: The USACE Galveston District will be accepting written public comments on the DEIS through July 2, 2007. All comments must be postmarked by July 2, 2007.

ADDRESSES: You may send written comments to the USACE, Galveston District, Attn: Denise Sloan, P.O. Box 1229, Galveston, TX 77553-1229.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and DEIS can be answered by Ms. Denise Sloan, (409) 766-3962.

SUPPLEMENTARY INFORMATION:

Authority: This Federal Action is not in consideration of a Department of the Army (DA) permit application for work under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. 1344), and Section 103 of the Marine Protection, Research, and Sanctuaries Act (MPRSA) (33 U.S.C. 1413).

Background: In January 2006, CCND submitted a DA permit application to widen and deepen the Matagorda Ship Channel (MSC) and to dredge a new turning basin and marine ship. It was determined that an Environmental Impact Statement would be required for the proposed project. Since the April 25, 2006, Scoping Meeting, the consulting firm of PBS&J, under the direction of the Galveston District, U.S. Army Corps of Engineers (USACE), prepared a DEIS for the proposed project. The DEIS is not available for public review and comment.

Project Description: The CCND proposes to deepen their berthing facilities at the Port of Port Lavaca-Port Comfort (Port), enlarge the approximately 26.6-mile-long MSC from the existing turning basin at the Port (Channel Station 117+223), through Lavaca Bay and Matagorda Bay, and ending offshore in the Gulf of Mexico (Channel Station -23+100). A proposed new turning basin at the intersection of the MSC and the Alcoa Channel would have a 1,650-foot turning circle, and both the existing CCND berthing facilities, the existing and proposed turning basins, and a proposed new CCND berthing area adjacent to the proposed new turning basin would be dredged to a depth of -44 feet Mean Low Tide (MLT). The authorized channel dimensions of the MSC, from the Port to the Matagorda Peninsula, are 200 feet wide (bottom width) by -36 feet MLT deep, and the CCND proposes

to enlarge this reach to 400 feet wide by -44 feet MLT deep (plus 2 feet of advanced maintenance depth and 2 feet of overdepth). The existing authorized channel dimensioned through the Matagorda Peninsula are 300 feet wide by -36 feet MLT deep, and the CCND proposes to enlarge this reach to 600 feet wide by -46 feet MLT deep (plus 3 feet of advanced maintenance and 2 feet of overdepth). In the Gulf of Mexico, the existing authorized channel dimensions are 300 feet wide by -38 feet MLT deep, and CCND proposes to enlarge the offshore reach to 600 feet wide by -46 feet MLT deep (plus 3 feet of advanced maintenance and 2 feet of overdepth). The CCND proposes to use both hydraulic and mechanical dredges, including hopper dredges, to perform new work and maintenance dredging of the proposed project. Approximately 46.5 million cubic yards of new work dredged material would be generated from the proposed widening and deepening project. Maintenance dredging of the proposed channel would generate approximately 257.5 million cubic yards of material during the 50-year planning period. Dredged material would be used to create or protect habitats, nourish beaches, and cap mercury-impacted sediments, and would be placed in confined dredged material placement areas (PAs) in bays and on land, and in unconfined PAs in Matagorda Bay and in unconfined ocean dredged material disposal sites (ODMDS) in the Gulf of Mexico. Additional dredging and placement of 400,000 cubic yards of dredged material would create a levee designed to protect habitat.

Section 103 of the Marine Protection, Research, and Sanctuaries Act (MPRSA): Section 103 of the MPRSA authorizes the USACE to permit the placement of dredged material within an ODMDS, subject to EPA concurrence and use of the EPA's dumping criteria. With concurrence from the EPA, the placement of approximately 11.9 million cubic yards of new work dredged material from construction of the proposed project into a new, one-time use ODMDS may be authorized by the USACE under Section 103 of MPRSA. Similarly, with EPA concurrence, the USACE may authorize continued use of the existing maintenance material ODMDS following construction of the proposed project under Section 103 of MPRSA. Information associated with the Section 103 authorizations is included in the DEIS (primarily in Appendix L).

National Register of Historic Places: The staff archaeologist has reviewed the latest published version of the National

Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic resources and the effects of the proposed project upon these properties: Remote sensing surveys have been completed for the majority of the project footprint in Matagorda and Lavaca bays and the Gulf of Mexico. Remote sensing surveys will be conducted for the following potentially affected areas that have not already surveyed: the proposed new-work ODMDS, three beach nourishment sites, and the remainder of two areas for proposed oyster bed creation. Additional close-order surveys will be conducted on 11 features within 164 ft of the proposed channel alignment. The close-order surveys will help identify features that need further investigation to determine significance. Close-order surveys will also be conducted on two features identified within, or within 164 ft of, a proposed in-bay PA that cannot be avoided. Archival research and terrestrial surveys will be conducted at the upland PA and along the three beach nourishment areas. In addition, limited terrestrial shoreline surveys will be conducted where one proposed PA would tie into the bluff. Coordination with the Texas Historical Commission (THC) is ongoing and will be continued to conduct additional surveys of impact areas, test potentially eligible sites, and manage data recovery or avoidance measures as necessary. Should the decision be made to issue a permit for the proposed MSCIP, it would be conditioned to require completion of historical and archeological surveys to meet National Historical Preservation Act Section 106 requirements. The CCND will obtain clearance from the THC and the USACE prior to performing construction activities in these areas.

Threatened and Endangered Species: Preliminary indications are that the proposed project may affect a few Federally listed endangered or threatened species. The project may affect and is likely to result in adverse effects to the following species: Loggerhead sea turtle, Kemp's ridley sea turtle, hawksbill sea turtle, and green sea turtle. The project, however, is unlikely to jeopardize/destroy or adversely modify critical habitat for any listed species. The piping plover may experience a beneficial effect from the proposed project resulting from habitat enhancement (i.e., shoreline nourishment) through beneficial use of dredged material. A draft Biological Assessment has been prepared and is

presented to the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) in the DEIS.

Essential Fish Habitat: Consultation for Essential Fish Habitat (EFH) of the Magnuson-Stevens Fishery Conservation and Management Act was initiated in April 2006 via the workshop prior to the public scoping meeting. Letters were also sent to the NMFS in May 2006. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Gulf of Mexico, but might result in a benefit to EFH species by increasing the productivity in the bay system. Our final determination relative to project impacts and the need for mitigation measures is subject to additional review by and coordination with the NMFS.

Other Agency Authorizations: Texas Coastal Zone consistency certification is required. The applicant has stated that the project is consistent with the Texas Coastal Management Program goals and policies and will be conducted in a manner consistent with said Program. Additional information can be found in Appendix P of the DEIS. The DEIS and Texas Coastal Consistency Determination have been submitted to the Coastal Coordination Council for review.

Availability of Draft Environmental Impact Statement (DEIS): Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended and as implemented by the Council on Environmental Quality (40 CFR Parts 1500–1508) a DEIS for the proposed Matagorda Ship Channel Improvement Project has been filed with the EPA and is being made available to Federal, State, and local agencies and all interested parties. The DEIS can be viewed at <http://www.swg.usace.army.mil/reg/pn.asp>. Copies of the DEIS are available by contacting Ms. Denise Sloan. In addition, copies of the DEIS are available for viewing at the following libraries:

- Calhoun County Public Library, Port O'Connor Branch, P.O. Box 424, Port O'Connor, TX 77982.
- Calhoun County Public Library, Point Comfort Branch, P.O. Box 382, Point Comfort, TX 77978.
- Victoria Public Library, 302 N. Main, Victoria, TX 77901.
- Jackson County Memorial Library, 411 N. Wells, Room 121, Edna, TX 77957.
- Palacios Library, 326 Main St., Palacios, TX 77465.
- Matagorda County Library, Bay City Branch, 1100 7th St., Bay City, TX 77414.

Public Comment and Public Hearing: If you wish to voice your comments, a Public Hearing on the proposed project is scheduled for June 5, 2007, at the Bauer Community Center, 2300 North Highway 35, Port Lavaca, TX 77979. Poster presentations will be available for viewing and project team members will be present to discuss the DEIS at a Workshop that will precede the hearing. The Workshop will be conducted from 5 p.m. to 6:45 p.m. and the formal Hearing will commence at 7 p.m.

Public Interest Review Factors: The application will be reviewed in accordance with 33 CFR 320–330, the Regulatory Programs of the USACE, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against reasonably foreseeable detriments associated with the proposal. All factors which may be relevant to the proposal will be considered. These include, but are not limited to: Dredged material management, air quality, shoreline erosion, economics, general environmental concerns, historic resources, protected species, navigation, recreation, water and sediment quality, energy needs, safety, hazardous materials, and, in general, the welfare of the people.

Solicitation of Comments: The USACE is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments will be considered in the evaluation of impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments will be used in the preparation of the Final Environmental Impact Statement pursuant to NEPA. Comments are also used to determine the overall public interest of the proposed activity.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 07–2339 Filed 5–17–07; 8:45 am]

BILLING CODE 3710–52–M

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The IC Clearance Official, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before June 18, 2007.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, Washington, DC 20503. Commenters are encouraged to submit responses electronically by email to oir_submission@omb.eop.gov or via fax to (202) 395–6974. Commenters should include the following subject line in their response “Comment: [insert OMB number], [insert abbreviated collection name, e.g., “Upward Bound Evaluation”]. Persons submitting comments electronically should not submit paper copies.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency’s ability to perform its statutory obligations. The IC Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.