

the affected species or stocks. Marine mammals will have sufficient notice of a vessel approaching with operating seismic airguns, thereby giving them an opportunity to avoid the approaching array; if ramp-up is required, two marine mammal observers will be required to monitor the safety radii using shipboard lighting or NVDs for at least 30 minutes before ramp-up begins and verify that no marine mammals are in or approaching the safety radii; ramp-up may not begin unless the entire safety radii are visible. Therefore as mentioned earlier, it is likely that the 3 GI-airgun array will not be ramped-up from a shut-down at night when in waters shallower than 100 m (328 ft).

#### Reporting

L-DEO will submit a report to NMFS within 90 days after the end of the cruise, which is currently predicted to occur during November and December, 2004. The report will describe the operations that were conducted and the marine mammals that were detected. The report must provide full documentation of methods, results, and interpretation pertaining to all monitoring tasks. The report will summarize the dates and locations of seismic operations, marine mammal sightings (dates, times, locations, activities, associated seismic survey activities), and estimates of the amount and nature of potential take of marine mammals by harassment or in other ways.

#### Endangered Species Act (ESA)

Under section 7 of the ESA, the National Science Foundation (NSF), the agency funding L-DEO, has begun consultation on the proposed seismic survey. NMFS will also consult on the issuance of an IHA under section 101(a)(5)(D) of the MMPA for this activity. Consultation will be concluded prior to a determination on the issuance of an IHA.

#### National Environmental Policy Act (NEPA)

The NSF has prepared an EA for the ETPO oceanographic surveys. NMFS is reviewing this EA and will either adopt it or prepare its own NEPA document before making a determination on the issuance of an IHA. A copy of the NSF EA for this activity is available upon request (see **ADDRESSES**).

#### Preliminary Conclusions

NMFS has preliminarily determined that the impact of conducting the seismic survey in the ETPO off Central America may result, at worst, in a temporary modification in behavior by

certain species of marine mammals. This activity is expected to result in no more than a negligible impact on the affected species or stocks.

For reasons stated previously in this document, this preliminary determination is supported by (1) the likelihood that, given sufficient notice through slow ship speed and ramp-up, marine mammals are expected to move away from a noise source that it is annoying prior to its becoming potentially injurious; (2) recent research that indicates that TTS is unlikely (at least in delphinids) until levels closer to 200–205 dB re 1 microPa are reached rather than 180 dB re 1 microPa; (3) the fact that 200–205 dB isopleths would be well within 100 m (328 ft) of the vessel even in shallow water; and (4) the likelihood that marine mammal detection ability by trained observers is close to 100 percent during daytime and remains high at night to that distance from the seismic vessel. As a result, no take by injury or death is anticipated, and the potential for temporary or permanent hearing impairment is very low and will be avoided through the incorporation of the proposed mitigation measures mentioned in this document.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the vicinity of the survey activity, the number of potential harassment takings is estimated to be small. In addition, the proposed seismic program will not interfere with any legal subsistence hunts, since seismic operations will not take place in subsistence whaling and sealing areas and will not affect marine mammals used for subsistence purposes.

#### Proposed Authorization

NMFS proposes to issue an IHA to L-DEO for conducting an oceanographic seismic survey in the ETPO off Central America, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. NMFS has preliminarily determined that the proposed activity would result in the harassment of small numbers of marine mammals; would have no more than a negligible impact on the affected marine mammal stocks; and would not have an unmitigable adverse impact on the availability of species or stocks for subsistence uses.

#### Information Sought

NMFS requests interested persons to submit comments and information concerning this request (see **ADDRESSES**).

Dated: September 24, 2004.

**Laurie K. Allen,**

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

[FR Doc. 04–21973 Filed 9–29–04; 8:45 am]

**BILLING CODE 3510–22–S**

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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Adjustment of an Import Sublimit for Certain Man-Made Fiber Textile Products Produced or Manufactured in Belarus

September 28, 2004.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner, Bureau of Customs and Border Protection adjusting a sublimit.

**EFFECTIVE DATE:** September 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** Naomi Freeman, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of this sublimit, refer to the Quota Status Reports posted on the bulletin boards of each Customs port, call (202) 927–5850, or refer to the Bureau of Customs and Border Protection website at <http://www.cbp.gov>. For information on embargoes and quota re-openings, refer to the Office of Textiles and Apparel website at <http://otexa.ita.doc.gov>.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The current sublimit for Category 622-N is being adjusted for carryforward. The limit and sublimit for 622 and 622-L remain unchanged.

A description of the textile and apparel categories in terms of HTS numbers is available in the **CORRELATION:** Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 69 FR 4926, published on February 2, 2004). Also see 68 FR 70494, published on

December 18, 2003; and 69 FR 10429, published on March 5, 2004.

**D. Michael Hutchinson,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

**Committee for the Implementation of Textile Agreements**

September 28, 2004.

Commissioner,  
*Bureau of Customs and Border Protection,  
Washington, DC 20229.*

Dear Commissioner: This directive amends, but does not cancel, the directives issued to you on December 12, 2003 and March 1, 2004, by the Chairman, Committee for the Implementation of Textile Agreements. These directives concern imports of certain wool and man-made fiber textile products, produced or manufactured in Belarus and exported during the twelve-month period which began on January 1, 2004 and extends through December 31, 2004.

Effective on September 30, 2004, you are directed to adjust the sublimit for Category 622-N, as provided for under the agreement between the Governments of the United States and Belarus dated January 10, 2003:

Category	Twelve-month restraint limit <sup>1</sup>
622 .....	9,494,193 square meters of which not more than 1,590,000 square meters shall be in Category 622-L <sup>2</sup> , and not more than 648,006 square meters shall be in Category 622-N <sup>3</sup> .

<sup>1</sup> The limits have not been adjusted to account for any imports exported after December 31, 2003.

<sup>2</sup> Category 622-L: only HTS numbers 7019.51.9010, 7019.52.4010, 7019.52.9010, 7019.59.4010, and 7019.59.9010.

<sup>3</sup> Category 622-N: only HTS numbers 7019.52.40.21, 7019.52.90.21, 7019.59.40.21, 7019.59.90.21.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C.553(a)(1).

Sincerely,  
D. Michael Hutchinson,  
*Acting Chairman, Committee for the Implementation of Textile Agreements.*  
[FR Doc. 04-22098 Filed 9-29-04; 8:45 am]  
BILLING CODE 3510-DR-S

**COMMODITY FUTURES TRADING COMMISSION**

**Technology Advisory Committee Meeting**

This is to give notice, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, Section 10(a), that the Commodity Futures

Trading Commission's Technology Advisory Committee will conduct a public meeting on Wednesday, October 13, 2004. The meeting will take place in the first floor hearing room of the Commission's Washington, DC headquarters, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. The meeting will begin at 1 p.m. and last until 4 p.m. The purpose of the meeting is to discuss technology-related issues involving the financial services and commodity markets.

The agenda will consist of the following:

- (1) Surveillance of electronic trading.
- (2) How exchanges deal with disruptions to market operations.
- (3) Report on Industry-wide Disaster Recovery Test.

The meeting is open to the public. The Chairman of the Advisory Committee, Acting Commission Chairman Sharon Brown-Hruska, is empowered to conduct the meeting in a fashion that will, in her judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Advisory Committee should mail a copy of the statement to the attention of: Technology Advisory Committee, c/o Acting Chairman Sharon Brown-Hruska, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581, before the meeting. Members of the public who wish to make oral statements should inform Acting Chairman Brown-Hruska in writing at the foregoing address at least three business days before the meeting. Reasonable provision will be made, if time permits, for oral presentations of no more than five minutes each in duration. For further information concerning this meeting, please contact Ananda Radhakrishnan, Counsel to Acting Chairman Brown-Hruska, (202) 418-5188.

Issued by the Commission in Washington, DC, on September 27, 2004.

**Jean A. Webb,**  
*Secretary of the Commission.*  
[FR Doc. 04-21995 Filed 9-28-04; 8:45 am]  
BILLING CODE 6351-01-M

**DEPARTMENT OF DEFENSE**

**Department of the Army**

**Performance Review Board Membership**

**AGENCY:** Department of the Army, DoD.  
**ACTION:** Notice.

**SUMMARY:** Notice is given of the names of members of a Performance Review Board for the Department of the Army.  
**DATES:** September 21, 2004.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Ervin, U.S. Army Senior Executive Service Office, Assistant Secretary of the Army, Manpower & Reserve Affairs, 111 Army, Washington, DC 20310-0111.

**SUPPLEMENTARY INFORMATION:** Section 4314(c)(1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations, one or more Senior Executive Service performance review boards. The boards shall review and evaluate the initial appraisal of senior executives' performance by supervisors and make recommendations to the appointing authority or rating official relative to the performance of these executives.

The members of the Performance Review Board for the North Atlantic Treaty Organization, Army element are:

1. Mr. Alfred G. Volkman, Director, International Cooperations, Office of the Under Secretary of Defense, Acquisition, Technology and Logistics.
2. Mr. Barry Pavel, Principal Director for Strategy, Office of the Secretary of Defense.
3. Mr. James J. Townsend, Principal Director for European and North Atlantic Treaty Organization Policy.

**Brenda Bowen,**  
*Army Federal Register Liaison Officer.*  
[FR Doc. 04-21992 Filed 9-29-04; 8:45 am]  
BILLING CODE 3710-08-M

**DEPARTMENT OF DEFENSE**

**Department of the Army; Corps of Engineers**

**Intent To Prepare a Draft Integrated Feasibility Report/Environmental Impact Statement for the Chatfield Reservoir, CO, Storage Reallocation Project**

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

**SUMMARY:** The U.S. Army Corps of Engineers, Omaha District (Corps) is conducting a feasibility study to "reassign a portion of the storage space in the Chatfield Lake project to joint flood control-conservation purposes, including storage for municipal and industrial water supply, agriculture, and recreation and fishery habitat protection and enhancement," as authorized under Section 808 of the Water Resources Development Act of 1986. The