

proposer modify objectives or work plans and provide supplemental information required by the agency prior to award. NIST also reserves the right to reject a proposal where information is uncovered that raises a reasonable doubt as to the responsibility of the proposer. NIST may select part, some, all, or none of the proposals. The final approval of selected proposals and issuance of awards will be by the NIST Grants Officer. The award decisions of the NIST Grants Officer are final.

Unsuccessful proposers will be notified in writing. The Program will retain one copy of each unsuccessful proposal for three (3) years for record keeping purposes. The remaining copies will be destroyed. After three (3) years the remaining copy will be destroyed.

#### Administrative and National Policy Requirements

*The Department of Commerce Pre-Award Notification Requirements:* The DoC Pre-Award Notification Requirements for Grants and Cooperative Agreements, which are contained in the **Federal Register** notice of February 11, 2008 (73 FR 7696), are applicable to this competition and are available at <http://www.gpo.gov/fdsys/pkg/FR-2008-02-11/pdf/E8-2482.pdf>.

*Employer/Taxpayer Identification Number (EIN/TIN), Dun and Bradstreet Data Universal Numbering System (DUNS), and Central Contractor Registration (CCR):* All proposers for Federal financial assistance are required to obtain a universal identifier in the form of a DUNS number and maintain a current registration in the CCR database. On the form SF-424 items 8.b. and 8.c., the proposer's 9-digit EIN/TIN and 9-digit DUNS number must be consistent with the information on the CCR ([www.ccr.gov](http://www.ccr.gov)) and Automated Standard Application for Payment System (ASAP). For complex organizations with multiple EIN/TIN and DUNS numbers, the EIN/TIN and DUNS numbers MUST be the numbers for the applying organization. Organizations that provide incorrect/inconsistent EIN/TIN and DUNS numbers may experience significant delays in receiving funds if their proposal is selected for funding. Confirm that the EIN/TIN and DUNS numbers are consistent with the information on the CCR and ASAP.

Per the requirements of 2 CFR part 25, each proposer must:

1. Be registered in the CCR before submitting a proposal;
2. Maintain an active CCR registration with current information at all times during which it has an active Federal

award or a proposal under consideration by an agency; and

3. Provide its DUNS number in each application or proposal it submits to the agency.

See also the **Federal Register** notice published on September 14, 2010, at 75 FR 55671.

*Paperwork Reduction Act:* The standard forms in the application kit involve a collection of information subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, SF-LLL, and CD-346 have been approved by OMB under the respective Control Numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. MEP program-specific application requirements have been approved by OMB under Control Number 0693-0056.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

*Funding Availability and Limitation of Liability:* Funding for the program listed in this notice is contingent upon the availability of appropriations. In no event will NIST or DoC be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of agency priorities. Publication of this notice does not oblige NIST or DoC to award any specific project or to obligate any available funds.

*Executive Order 12866:* This funding notice was determined to be not significant for purposes of Executive Order 12866.

*Executive Order 13132 (Federalism):* It has been determined that this notice does not contain policies with federalism implications as that term is defined in Executive Order 13132.

*Executive Order 12372:* Proposals under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

*Administrative Procedure Act/Regulatory Flexibility Act:* Notice and comment are not required under the Administrative Procedure Act (5 U.S.C. 553) or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)). Because notice and comment are not required under 5 U.S.C. 553, or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and

has not been prepared for this notice, 5 U.S.C. 601 *et seq.*

Dated: June 15, 2012.

**Phillip Singerman,**

*Associate Director for Innovation & Industry Services.*

[FR Doc. 2012-15305 Filed 6-21-12; 8:45 am]

**BILLING CODE 3510-13-P**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**RIN 0648-XC011**

### Multi-Species Habitat Conservation Plan

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; Fish and Wildlife Service (FWS), Interior.

**ACTION:** Notice of availability of final environmental impact statement, multi-species habitat conservation plan, and implementing agreement.

**SUMMARY:** This document announces the availability of the Final Environmental Impact Statement (EIS) on the applications from the Fruit Growers Supply Company (FGS) for Incidental Take Permits (ITPs) and a multi-species Habitat Conservation Plan (HCP) for take of endangered and threatened species in accordance with the Endangered Species Act of 1973, as amended (ESA). The National Marine Fisheries Service and the Fish and Wildlife Service (Services) and FGS have also developed an Implementing Agreement (IA) which details how the Services and FGS will work together to implement the HCP. The applicant seeks the ITPs to authorize incidental take of the covered species during forest management and timber harvest in Siskiyou County, CA, where FGS owns lands, during the term of the proposed 50-year ITPs and HCP. This document is provided under National Environmental Policy Act regulations to inform the public that the Final EIS and multi-species HCP, and the Services' responses to public comments are available for review, and that we have filed the Final EIS with the U.S. Environmental Protection Agency (EPA) for public notice. The Services will not make a decision on issuing ITPs to FGS sooner than 45 days after publication of EPA's notice.

**DATES:** Written comments must be received by 5 p.m. Pacific Time, August 6, 2012.

**ADDRESSES:** Comments may be sent by any of the following methods:

- *Mail:* Address comments to: Lisa Roberts, NMFS, 1655 Heindon Road, Arcata, CA 95521.

- *Email:*

*SWR.NCO.FGSHCP@noaa.gov.* In the subject line of the email, include the document identifier: Final FGS HCP.

- *Facsimile:* (707) 825-4840. Please note: Attention: Lisa Roberts, NMFS.

**FOR FURTHER INFORMATION CONTACT:** For further information, or to receive a copy of the documents, please call Lisa Roberts, Fisheries Biologist, NMFS, at (707) 825-5178 or Brian Woodbridge, Wildlife Biologist, FWS, at (530) 841-3101.

#### **SUPPLEMENTARY INFORMATION:**

##### **Availability of Documents**

Copies of the Final EIS, HCP, applications for ITPs, and IA are available for public inspection during regular business hours at the Arcata National Marine Fisheries Office (see **FOR FURTHER INFORMATION CONTACT**) and at the Yreka Fish and Wildlife Office (1829 S. Oregon Street, Yreka, CA 96097).

The documents are also available electronically for review on the NMFS Southwest Region Web site at: <http://swr.nmfs.noaa.gov/nepa.html> or the FWS Yreka office Web site at: [www.fws.gov/yreka](http://www.fws.gov/yreka). Copies are also available for viewing in each of the following libraries:

1. Siskiyou County Library, 719 4th St., Yreka, CA 96097.
2. Humboldt County Library, 1313 3rd St., Eureka, CA 95501.
3. Del Norte County Library, 190 Price Mall, Crescent City, CA 95531.

##### **Background**

Section 9 of the ESA prohibits the “take” of wildlife species listed as endangered or threatened by either the FWS or NMFS (16 U.S.C. 1538). The ESA defines the term “take” as: Harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species, or attempt to engage in such conduct. “Harm” has been defined by FWS to include “significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering.” Consistent with FWS, NMFS has defined “harm” as an act which actually kills or injures fish or wildlife, and emphasized that such acts may include “significant

habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering”. Pursuant to section 10(a)(1)(B) of the ESA, FWS and NMFS may issue ITPs authorizing the take of listed species if, among other things, such taking is incidental to, and not the purpose of, otherwise lawful activities.

Take of listed plant species is not prohibited under the ESA, and cannot be authorized under a section 10 permit. However, the applicant proposes to include Yreka phlox (*Phlox hirsuta*) in the HCP to extend the HCP’s conservation benefits to this species. The applicant would receive assurances under the “No Surprises” regulations found in 50 CFR 17.22(b)(5), 17.32(b)(5), and 222.307(g) for all proposed covered species in the ITP.

To receive an ITP under the ESA, an applicant must first prepare an HCP that specifies the following: (1) The impact of the taking; (2) steps the applicant will take to minimize and mitigate the impact; (3) funding available to implement the steps; (4) what alternative actions to the taking the applicant considered and the reasons why these actions were not taken; and (5) any other measures NMFS or FWS may require as being necessary or appropriate for the purpose of the HCP (16 U.S.C. 1539(a)(2)(A)). To issue a permit, NMFS and FWS must find that: (1) The taking will be incidental; (2) the applicant will minimize and mitigate impacts of the take to the maximum extent practicable; (3) the applicant will ensure adequate funding for the HCP; (4) the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and (5) the applicant will meet other measures required by FWS and NMFS. Regulations governing issuance of FWS ITPs for endangered and threatened species are at 50 CFR 17.22 and 17.32, and for NMFS-issued permits at 50 CFR 222.301 through 307.

The applicant has requested coverage from FWS for northern spotted owl (*Strix occidentalis caurina*) and Yreka phlox (*Phlox hirsuta*), and from NMFS for the Southern Oregon/Northern California Coast coho salmon (*Oncorhynchus kisutch*) Evolutionarily Significant Unit (ESU). The applicant has also requested coverage under the ITP for the unlisted Klamath and Trinity Rivers Chinook salmon (*O. tshawytscha*) ESU and the Klamath Mountains Province steelhead (*O. mykiss*) ESU. Should these unlisted covered species become listed under the ESA during the

term of the permit, take authorization for those species would become effective upon listing as long as the HCP is being properly implemented. The Final FGS HCP describes the habitat-based conservation approach, with species-specific objectives for their long-term conservation. This includes an Aquatic Species Conservation Program for salmonids and Terrestrial Species Conservation Program for the northern spotted owl and Yreka phlox.

FGS activities proposed for coverage under the ITPs include mechanized timber harvest; forest product transportation; road and landing construction, use, maintenance, and abandonment; site preparation; tree planting; certain types of vegetation management; silvicultural thinning and other silvicultural activities; fire suppression; rock quarry and borrow pit operations; aquatic habitat restoration; minor forest management activities such as forest product collecting; and monitoring activities and scientific work in the HCP Plan Area.

The duration of the ITPs and HCP is 50 years, though many aspects of the plan’s conservation strategy are intended to benefit the covered species long after the expiration of the permit. The goals of this HCP are to: (1) Protect and improve habitats required by species covered by the HCP and (2) establish appropriate guidelines for continued timber harvest and other forest management activities.

NMFS and FWS formally initiated an environmental review of the project through publication of a Notice of Intent to prepare an Environmental Impact Statement in the **Federal Register** on February 22, 2008 (73 FR 9776). That document also announced a 30-day public scoping period during which interested parties were invited to provide written comments expressing their issues or concerns relating to the proposal and attend the public scoping meetings held in Yreka and Happy Camp, California.

On November 13, 2009, the Services published a Notice of Availability of the Draft Fruit Growers Supply Company Multi-Species Habitat Conservation Plan and Draft Environmental Impact Statement, Siskiyou County, California in the **Federal Register** (74 FR 58602). The public review period was scheduled for 90 days from November 13, 2009, to February 11, 2010. A total of 21 oral questions and comments were received from two speakers at a public meeting held in Yreka on December 2, 2009. Twenty-four comment letters were received, as well as two emails sent by 532 individuals. The oral comments, letters, and emails contained a total of

275 separate comments. A response to each of these comments is included in the Final EIS.

The Final EIS is intended to accomplish the following: Inform the public of the proposed action and alternatives; disclose the direct, indirect, and cumulative environmental effects of the proposed action and each of the alternatives; and indicate any irreversible commitment of resources that would result from implementation of the proposed action.

#### Alternatives

The Final EIS analyzes the FGS proposal and three alternatives. Under the proposed action, the Services would issue the ITPs and FGS would implement its proposed HCP on approximately 152,178 acres of the FGS commercial timberlands. The ownership consists of three management units: Klamath River (65,339 acres), Scott Valley (39,153 acres), and Grass Lake (47,686 acres). Under the No Action Alternative, the ITPs would not be issued, there would be no HCP, and FGS would remain subject to the prohibition on unauthorized taking of listed species. Under Alternative A, the ITPs would be issued by both agencies, and northern spotted owl conservation areas would be based on the Northwest Forest Plan (NWFP) system of late-successional reserves (LSRs), and the Aquatic Species Conservation Program would be based on concepts outlined in the NWFP for the protection of aquatic habitats. Under Alternative B, FWS would issue an ITP for northern spotted owl, with spotted owl conservation based on management of foraging and dispersal habitat across the Plan Area. Under Alternative B, no ITP would be issued by NMFS and there would be no Aquatic Species Conservation Program implemented.

#### National Environmental Policy Act

The proposed permit issuance triggers the need for compliance with the National Environmental Policy Act (NEPA) and accordingly the Services have prepared a joint NEPA document. The Services are Co-Leads and are responsible for compliance under NEPA. As NEPA Co-Lead agencies, the Services are providing notice of the availability of the Final EIS and are making available for public review the responses to comments on the Draft EIS.

#### Public Review

The Services invite the public to review the Final EIS, HCP and IA during a 45-day wait period from June 22, 2012 to August 6, 2012. Any comments received, including names and addresses, will become part of the

administrative record and may be made available to the public. You may submit your comments to the address listed in the **ADDRESSES** section of this document. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The Services will evaluate the applications, associated documents, and comments submitted in preparation of the two Records of Decisions that the Services must prepare in response to the ITP applications. Permit decisions will be made no sooner than 45 days after the publication of EPA's notice of the Final EIS and completion of the Records of Decisions.

Dated: June 18, 2012.

#### Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

Dated: June 18, 2012.

#### Alexandra Pitts,

Deputy Regional Director, Region 8, Pacific Southwest Region, U.S. Fish and Wildlife Service.

[FR Doc. 2012-15353 Filed 6-21-12; 8:45 am]

**BILLING CODE 4310-55-P; 3510-22-P**

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

#### Procurement List; Additions

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

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

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

**DATES:** *Effective Date:* 7/23/2012.

**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:**

#### Revision

On 5/25/2012 (77 FR 31335-31336), the Committee for Purchase From People Who Are Blind or Severely Disabled proposed the addition of two Containerized Unitized Bulk Equipment (CUBE) Lifeliners, NSNs 1670-01-598-5067 and 1670-01-598-5071 to its Procurement List.

The Coverage statement associated with this proposed addition should have read as follows:

Coverage: C-List for 100% of the requirement of the Department of the Army, as aggregated by the Army Contracting Command—Aberdeen Proving Ground, Natick Contracting Division, Natick, MA.

As previously announced, comments on the proposed addition must be received on or before June 25, 2012.

#### Additions

On 4/13/2012 (77 FR 22289-22290) and 4/20/2012 (77 FR 23665-23666), 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 products and services and impact of the additions on the current or most recent contractors, the Committee has determined that the products and 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 furnish the products and services to the Government.

2. The action will 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 proposed for addition to the Procurement List.