

Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Mr. John Hannon, Domestic Vessels Division, U.S. Coast Guard; telephone 202-372-1222, email [John.J.Hannon@uscg.mil](mailto:John.J.Hannon@uscg.mil). If you have questions on viewing material in the docket, call Docket Operations at 202-366-9826.

**SUPPLEMENTARY INFORMATION:**

*Viewing the NVIC and other documents:* To view NVIC 01-13 and related documents, go to <http://www.regulations.gov>, use "USCG-2011-1156" as your search term, and follow the instructions in the **ADDRESSES** section above.

**Background and Purpose**

Title VI of the Merchant Marine Act of 1936, as amended by the Maritime Security Act of 1996 (MSA) (Pub. L. 104-239), authorized the establishment of a Maritime Security Fleet under the Maritime Security Program (MSP). The MSP serves as a means for establishing a fleet of commercially viable and militarily useful vessels to meet national defense as well as other security requirements.

The U.S. Maritime Administration (MARAD) Office of Sealift Support is the lead governmental office responsible for administration of the MSP. MARAD, in coordination with the Department of Defense, established a program whereby certain categories of militarily useful commercial vessels may be designated for emergency service to carry military cargo in time of war, national emergency, or military contingency. Some vessels enrolled in the MSP may receive a payment as part of their enrollment. Alternatively, vessels may enroll in other voluntary sealift support programs established by MARAD.

Section 53102(e) of Title 46 U.S.C. established standards for issuance of a Coast Guard Certificate of Inspection (COI) to a previously foreign-flagged vessel transitioning to U.S.-flagged once eligibility for the MSP has been established by MARAD and the Coast Guard. The statute does not specify the scope or manner of the inspections to be carried out by the Coast Guard to verify that MSP vessels fulfill requirements necessary to receive and maintain a COI.

The purpose of NVIC 01-13 is to provide the marine industry and Coast Guard personnel with uniform guidance regarding the MSP. Vessels that meet MSP enrollment criteria may obtain a COI by following the processes outlined in NVIC 01-13.

On January 19, 2012, the Coast Guard published a notice in the **Federal Register** announcing the availability of a draft NVIC 01-13 and requesting public comments on the draft (*See* 77 FR 2741). The Coast Guard recognized the need to avoid the inconsistent application of inspection procedures under the MSP. Accordingly, draft NVIC 01-13 outlined the inspection process for vessels transitioning from foreign-flag to U.S.-flag to obtain initial and ongoing certification under the MSP. To promote consistency and standardization of Coast Guard policies and procedures, draft NVIC 01-13 set forth a comprehensive approach to the MSP inspection process through the establishment of two levels of MSP inspection and oversight: (1) MSP (Regular); and (2) MSP Select. This two-level approach would enable the Coast Guard to apply traditional inspection methods to newly reflagged vessels, while at the same time apply a less stringent level of oversight to vessels that have consistently demonstrated satisfactory performance and substantial compliance with applicable rules. Newly enrolled MSP vessels would continue to be inspected by the Coast Guard in a manner similar to traditional Coast Guard inspections. After a period of evaluation, MSP vessels would be eligible to seek enrollment under MSP Select. MSP Select vessel oversight would consist of risk-based vessel examinations, periodic oversight, and evaluations of Authorized Class Society (ACS) survey activities.

We received eight public comment letters in response to the January 19, 2012 **Federal Register** notice. These comment letters contained a total of approximately 60 specific recommendations, suggestions, and other comments. We have created a document that provides a summary of each comment and the corresponding Coast Guard response. A copy of this public comment matrix is available for viewing in the public docket for this notice. You may access the docket going to <http://www.regulations.gov>, using "USCG-2011-1156" as your search term, and following the instructions in the **ADDRESSES** section above.

The basic framework of draft NVIC 01-13 described above is retained in the final version. The Coast Guard has made some changes from the draft version of NVIC 01-13 to the final version based on the public comments. A brief discussion of the most important changes is provided below. For more detailed information, please consult the actual public comment letters and public comment matrix in the docket.

(1) One commenter requested that we relax the standards for enrollment into the MSP Select Program by evaluating the ship operating company's regulatory compliance record over the most recent 5-year period. The commenter suggested that if the operator is found to be fully compliant during that period, all of its vessels should be permitted to enroll in MSP Select. We disagree. We believe that a vessel-specific approach is more appropriate for sufficiently and effectively evaluating regulatory compliance. While we disagree with the commenter's approach, we have decided to reduce the performance verification period from 5 years to 3 years in order to lessen the burden on vessel operators.

(2) In response to a commenter's request, we provided more detail regarding Marine Inspector requirements, requisite qualifications, and duties associated with the MSP. We have added the requested language in Sections 2.2.1. and 2.2.2. of NVIC 01-13.

(3) We received a number of comments pertaining to engine automation, the applicability of Engine International Air Pollution Prevention (EIAPP) certificates, and the procedures for underwater survey in lieu of drydocking (UWILD). In response to these comments, we provided additional clarification regarding vessel automation approval, EIAPP certification, and UWILD procedures.

This notice is issued under authority of 5 U.S.C. 552(a), 46 U.S.C. 53102(e), and Department of Homeland Security Delegation No. 0170.1(1).

Dated: February 22, 2013.

**Paul F. Thomas,**

*Captain, U.S. Coast Guard, Director, Inspections and Compliance.*

[FR Doc. 2013-04732 Filed 2-27-13; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R4-R-2012-N154;  
FXRS1265040000S3-123-FF04R02000]

**Clarks River National Wildlife Refuge, KY; Final Comprehensive Conservation Plan/Land Protection Plan, and Finding of No Significant Impact for the Environmental Assessment**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the

availability of the final comprehensive conservation plan (CCP)/land protection plan (LPP), and finding of no significant impact for the environmental assessment for Clarks River National Wildlife Refuge (NWR) in Graves, Marshall, and McCracken Counties, Kentucky. In the final CCP/LPP, we describe how we will manage this refuge for the next 15 years.

**ADDRESSES:** You may obtain a copy of the final CCP/LPP by writing to: Mr. Michael Johnson, Clarks River NWR, P.O. Box 89, Benton, KY 42025. Alternatively, you may download the document from our Internet Site, <http://southeast.fws.gov/planning/>, under "Final Documents."

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael Johnson at 270/527-5770 (telephone); 270/703-2963 (fax); [michael\\_johnson@fws.gov](mailto:michael_johnson@fws.gov) (email).

**SUPPLEMENTARY INFORMATION:**

**Introduction**

With this notice, we finalize the CCP/LPP process for Clarks River NWR. We started the process through a notice in the **Federal Register** on August 29, 2008 (73 FR 50981). For more about the process, see that notice.

Clarks River NWR was established in 1997. The acquisition boundary currently approved by Congress is approximately 18,000 acres, of which 8,634 acres have been purchased. The lands are distributed among three counties as follows: Graves County (56 acres), Marshall County (5,970 acres), and McCracken County (2,608 acres). Lands are purchased on a willing-seller basis only.

Approximately 74 percent of the land associated with Clarks River NWR is forested, 22 percent is agricultural, and 2 percent is freshwater marsh/shrub swamp with managed impoundments, native warm-season grasses, and disturbed lands (roads, utility corridors, etc.), comprising less than 1 percent each. Refuge lands are managed for all plants and animals that occur in the area of western Kentucky, with a primary emphasis on migratory songbirds and waterfowl, game species, and listed species. Refuge goals and objectives are achieved through forest management, cooperative farming, habitat restoration, water management, and prescribed fire.

We announce our decision and the availability of the final CCP/LPP and FONSI for Clarks River NWR in accordance with the National Environmental Policy Act (NEPA) (40 CFR 1506.6(b)) requirements. We completed a thorough analysis of impacts on the human environment,

which we included in the draft comprehensive conservation plan and environmental assessment (Draft CCP/EA).

The final CCP/LPP will guide us in managing and administering Clarks River NWR for the next 15 years. The LPP will expand the current acquisition boundary of Clarks River NWR by 34,269 acres, bringing the total refuge acquisition boundary to approximately 53,874 acres. This acquisition will enable us to protect lands along the east and west fork of the Clarks River.

The compatibility determinations for (1) Hunting; (2) fishing; (3) wildlife observation and photography; (4) environmental education and interpretation; (5) nuisance animal control; (6) outdoor recreation including non-motorized boating, walking, hiking, jogging, and bicycling; (7) research and monitoring; (8) horseback riding; and (9) mobility-impaired all-terrain vehicle access are also available in the final CCP/LPP.

**Background**

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) (Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Administration Act.

**Comments**

Approximately 300 copies of the Draft CCP/EA were made available for a 30-day public review period as announced in the **Federal Register** on February 15, 2012 (77 FR 8890). More than 270 people attended and many submitted comments at three public meetings held to discuss the Draft CCP/EA. A total of 55 respondents submitted written comments on the Draft CCP/EA by mail or email. The Draft CCP/EA identified and evaluated three alternatives for

managing the refuge over the next 15 years.

**Selected Alternative**

After considering the comments we received and based on the professional judgment of the planning team, we selected Alternative B for implementation. Alternative B emphasizes management of the natural resources of Clarks River NWR based on maintaining and improving wetland habitats, monitoring targeted flora and fauna representative of the surrounding Clarks River watershed, and providing quality public use programs and wildlife-dependent recreational activities. Certain targeted species will be managed and monitored in addition to species of Federal responsibility. These species will be chosen based on the criteria that they are indicators of the health of important habitat. Information gaps in our knowledge of the refuge's aquatic species will be addressed.

Restoration efforts, habitat management, forest management, and the prescribed fire program will reflect best management practices determined after examination of historical regimes, soil types and elevation, and the current hydrological system. Management actions will be monitored for effectiveness and adapted to changing conditions and technology. We will develop a Habitat Management Plan to guide future habitat projects and evaluate previous actions.

Public use programs will be improved by offering more facilities and wildlife observation areas. We will monitor public use to determine if there are any negative impacts occurring due to overuse of the resources. Public use programs will be updated to support and teach reasons behind management actions, and to provide quality experiences to visitors. The refuge headquarters will be developed to provide more visitor services, and a new visitor center will be constructed. We will strive for a balanced program of wildlife-dependent recreational activities while protecting wildlife resources. Archaeological resources will be surveyed.

We currently have fee-title ownership of about 8,634 acres, with an approved acquisition boundary of 19,605 acres. Fee-title lands are distributed as follows: Graves County (56 acres), Marshall County (5,970 acres), and McCracken County (2,608 acres). Lands are purchased on a willing-seller basis only. Alternative B includes an acquisition boundary expansion of 34,269 acres, bringing the total refuge acquisition boundary to approximately

53,874 acres that would protect lands along the east and west fork of the Clarks River. Land acquisitions within the existing and expanded acquisition boundaries will be based on importance of the habitat for target management species. We will offer wildlife-dependent public use of refuge wildlife and habitats, as well as demonstrate habitat improvements.

Under Alternative B, our management decisions and actions will support wildlife species and habitats occurring on the refuge based on well-planned strategies and sound scientific judgment. Quality wildlife-dependent recreational uses and environmental education and interpretation programs will be offered to support and explain the natural resources of the refuge.

We will add six new positions to current staffing in order to continue to protect resources, provide visitor services, and attain goals of facilities and equipment maintenance in the future. The biological environment will improve as adaptive and best management practices are utilized. Socioeconomic values should increase as the refuge offers more wildlife-dependent recreational opportunities. The refuge is beneficial to local ecotourism trade and residents searching for natural landscapes and the associated benefits.

#### Authority

This notice is published under the authority of the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd et seq.).

Dated: July 27, 2012.

**Mark J. Musaus,**  
Acting Regional Director.

**Editorial Note:** This document was received at the Office of the Federal Register February 25, 2013.

[FR Doc. 2013-04639 Filed 2-27-13; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R9-IA-2011-0087; FF09A30000 FXIA16710900000 134]

#### Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Sixteenth Regular Meeting; Tentative U.S. Negotiating Positions for Agenda Items and Species Proposals Submitted by Foreign Governments and the CITES Secretariat

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice.

**SUMMARY:** We, the United States, as a Party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), will attend the sixteenth regular meeting of the Conference of the Parties to CITES (CoP16) in Bangkok, Thailand, during March 3–14, 2013. This notice announces the availability of tentative U.S. negotiating positions on amendments to the CITES Appendices (species proposals), draft resolutions and decisions, and agenda items submitted by other countries and the CITES Secretariat for consideration at CoP16.

**ADDRESSES:** Copies of tentative U.S. negotiating positions on amendments to the CITES Appendices (species proposals), draft resolutions and decisions, and agenda items submitted by other countries and the CITES Secretariat for consideration at CoP16 are available:

- *Electronically at:* <http://www.regulations.gov> at Docket No. FWS-R9-IA-2011-0087, or on our Web site at <http://www.fws.gov/international/cites/cop16/index.html>;

- *By email request to:* [managementauthority@fws.gov](mailto:managementauthority@fws.gov); or
- *By postal mail or in person, by appointment, at:* Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203.

**FOR FURTHER INFORMATION CONTACT:** For information pertaining to resolutions, decisions, and agenda items contact: Robert R. Gabel, Chief, Division of Management Authority; telephone, 703-358-2095; email, [managementauthority@fws.gov](mailto:managementauthority@fws.gov). For information pertaining to species proposals contact: Dr. Rosemarie Gnam, Chief, Division of Scientific Authority; telephone, 703-358-1708; email, [scientificauthority@fws.gov](mailto:scientificauthority@fws.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, referred to here as CITES or the Convention, is an international treaty designed to control and regulate international trade in certain animal and plant species that are now or potentially may become threatened with extinction. These species are listed in Appendices to CITES, which are available on the CITES Secretariat's Web site at <http://www.cites.org/eng/app/index.php>. Currently (as of January 29, 2013), 177 countries, including the United States,

are Parties to CITES. The Convention calls for a meeting of the Conference of the Parties at least once every 2 years to review its implementation, make provisions enabling the CITES Secretariat to carry out its functions, consider amendments to the lists of species in Appendices I and II, consider reports presented by the Secretariat, and make recommendations for the improved effectiveness of CITES. Any country that is a Party to CITES may propose amendments to Appendices I and II, and draft resolutions, decisions, and agenda items for consideration by all the Parties. Accredited nongovernmental organizations (NGOs) may participate in the meeting as approved observers and may speak during sessions when recognized by the meeting Chairman, but they may not vote or submit proposals.

This is our seventh in a series of **Federal Register** notices on the development of U.S. submissions and tentative negotiating positions for CoP16. In this notice, we announce the availability of tentative U.S. negotiating positions on species proposals, draft resolutions and decisions, and agenda items submitted by other Parties and the Secretariat for consideration at CoP16. The **ADDRESSES** section, above, explains how to obtain a copy of all of this information. We published our first CoP16-related **Federal Register** notice on June 14, 2011 (76 FR 34746), and with it we requested information and recommendations on species proposals for the United States to consider for submission to CoP16, and we also outlined our approach for the meeting. We published our second CoP16-related **Federal Register** notice on November 7, 2011 (76 FR 68778), and with it we requested information and recommendations on resolutions, decisions, and agenda items for the United States to consider submitting for consideration at CoP16. We published our third such **Federal Register** notice on April 11, 2012 (77 FR 21798), and with it we announced taxa that the United States was considering submitting for consideration at CoP16. In our fourth **Federal Register** notice, published on June 21, 2012 (77 FR 37433), we informed the public of proposed resolutions, decisions, and agenda items that we were considering for submission for CoP16. This notice took into account all public comments received in response to the **Federal Register** notice published on November 7, 2011. In our fifth **Federal Register** notice, published on November 9, 2012 (77 FR 67390), we announced the provisional agenda for CoP16, solicited