

from the appropriate fields of interest and meet monthly, or bi-monthly, serving as invaluable advisors to the Advisory Council and the Sanctuary Superintendent.

The Advisory Council represents the coordination link between the Sanctuary and the State and Federal management agencies, user groups, researchers, educators, policy makers, and other various groups that help to focus efforts and attention on the central California coastal and marine ecosystems.

The Advisory Council functions in an advisory capacity to the Sanctuary Superintendent and is instrumental in helping develop policies, program goals, and identify education, outreach, research, long-term monitoring, resource protection, and revenue enhancement priorities. The Advisory Council works in concert with the Sanctuary Superintendent by keeping him or her informed about issues of concern throughout the Sanctuary, offering recommendations on specific issues, and aiding the Superintendent in achieving the goals of the Sanctuary program within the context of California's marine programs and policies.

(Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: February 12, 2004.

**Jamison S. Hawkins,**

*Deputy Assistant Administrator, Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.*

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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Request for Public Comments on Commercial Availability Request under the United States-Caribbean Basin Trade Partnership Act (CBTPA)

February 13, 2004.

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

**ACTION:** Request for public comments concerning a request for a determination that apparel made from 100 percent cotton woven flannel fabrics made from 21 through 36 NM single ring-spun yarns of different colors cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

**SUMMARY:** On February 13, 2004, the Chairman of CITA received a petition

from Oxford Industries, Inc ("Oxford") alleging that 100 percent cotton woven flannel fabrics made from 21 through 36 NM single ring-spun yarns of different colors, classified in subheading 5208.43.00 of the Harmonized Tariff Schedule of the United States (HTSUS) of 2 X 1 twill weave construction, weighing not more than 200 grams per square meter, for use in apparel articles, excluding gloves, cannot be supplied by the domestic industry in commercial quantities in a timely manner. It requests that apparel of such fabrics cut and sewn in one or more CBTPA beneficiary country be eligible for preferential treatment under the CBTPA. CITA hereby solicits public comments on this request, in particular with regard to whether such fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by March 5, 2004 to the Chairman, Committee for the Implementation of Textile Agreements, room 3001, United States Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230.

#### FOR FURTHER INFORMATION CONTACT:

Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act (CBERA), as added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001.

#### BACKGROUND:

The CBTPA provides for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns or fabrics formed in the United States or a beneficiary country. The CBTPA also authorizes quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more CBTPA beneficiary country from fabric or yarn that is not formed in the United States, if it has been determined that such fabric or yarns cannot be supplied by the domestic industry in commercial quantities in a timely manner. In Executive Order No. 13191 (66 FR 7271), the President delegated to CITA the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA and directed CITA to establish procedures to ensure appropriate public participation in any such determination.

On March 6, 2001, CITA published procedures in the **Federal Register** that it will follow in considering requests. (66 FR 13502).

On February 13, 2004, the Chairman of CITA received a petition from Oxford alleging that 100 percent cotton woven flannel fabrics, made from 21 through 36 NM single ring-spun yarns of different colors, classified in 5208.43.00 of the HTSUS, of 2 X 1 twill weave construction, weighing not more than 200 grams per square meters, for use in apparel articles, excluding gloves, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota- and duty-free treatment under the CBTPA for apparel articles that are both cut and sewn in one or more CBTPA beneficiary country from such fabrics.

CITA is soliciting public comments regarding this request, particularly with respect to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Also relevant is whether other fabrics that are supplied by the domestic industry in commercial quantities in a timely manner are substitutable for the fabrics for purposes of the intended use. Comments must be received no later than March 5, 2004. Interested persons are invited to submit six copies of such comments or information to the Chairman, Committee for the Implementation of Textile Agreements, room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, DC 20230.

If a comment alleges that these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner, CITA will closely review any supporting documentation, such as a signed statement by a manufacturer of the fabrics stating that it produces the fabrics that are the subject of the request, including the quantities that can be supplied and the time necessary to fill an order, as well as any relevant information regarding past production.

CITA will protect any business confidential information that is marked "business confidential" from disclosure to the full extent permitted by law. CITA will make available to the public non-confidential versions of the request and non-confidential versions of any public comments received with respect to a request in room 3100 in the Herbert Hoover Building, 14th and Constitution Avenue, N.W., Washington, DC 20230. Persons submitting comments on a request are encouraged to include a non-

confidential version and a non-confidential summary.

**D. Michael Hutchinson,**

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

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare an Environmental Impact Statement for a Marine Container Terminal at the Charleston Naval Complex in the City of North Charleston, Charleston County, SC

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

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers, Charleston District intends to prepare an Environmental Impact Statement (EIS) to assess the potential social, economic and environmental effects of the proposed construction of a marine container terminal by the South Carolina State Ports Authority (SCSPA), at the Charleston Naval Complex (CNC), on the Cooper River, in Charleston Harbor, the City of North Charleston, Charleston County, South Carolina. The EIS will assess potential effects of a range of alternatives, including the proposed alternative.

**DATES:** *General Public Scoping Meeting:* March 16, 2004, 6 p.m., Sterett Hall, Building #180, Charleston Naval Complex, North Charleston, SC (Located at the corner of Hobson Avenue and Calumet Road). *Federal and State Agency Scoping Meeting:* March 22, 2004, 1:30–4:30 p.m., Citadel Alumni Center, Renken Room, 69 Hagood Ave., Charleston, SC.

**FOR FURTHER INFORMATION CONTACT:** For further information and/or questions about the proposed project and EIS, please contact Ms. Tracy Hurst, Project Manager, by telephone: (843) 329-8032 or toll free 1-866-329-8187, or by mail: CESAC-RE-P, 69A Hagood Avenue, Charleston, SC 29403. For inquiries from the media, please contact the Corps, Charleston District Public Affairs Officer (PAO), Alicia Gregory by telephone: (843) 329-8123.

**SUPPLEMENTARY INFORMATION:** An application for a Department of the Army permit was submitted by the SCSPA pursuant to section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and section 404 of the Clean Water Act (33 U.S.C. 1344) on January

24, 2003, and was advertised in a local public notice, P/N #2003-1T-016-PC, on March 7, 2003. The SCSPA submitted revised drawings and clarification of information on impacts on January 29, 2004, which were advertised in a local public notice, P/N #2003-1T-016-PC (revised), on February 13, 2004. The March 7, 2003, public notice is available on Charleston District's public Web site at [http://www.sac.usace.army.mil/permits/pn/PNs20030307/20031T016PC\\_SCSPA\\_NewContainerTerminal.pdf](http://www.sac.usace.army.mil/permits/pn/PNs20030307/20031T016PC_SCSPA_NewContainerTerminal.pdf). The February 13, 2004, local public notice is also available on Charleston District's public Web site at <http://www.sac.usace.army.mil/newinternet/org/regulatory/index.htm#permit>. The SCSPA was advised that based on the significant potential social, economic and environmental effects associated with the construction of the proposed marine container terminal at the Charleston Naval Complex, an EIS would be prepared by the Charleston District, Corps of Engineers.

**1. Description of Proposed Project.** The project proposed by the South Carolina State Ports Authority (SCSPA) is to develop a marine container terminal at the south end of the CNC, on the Cooper River, in Charleston Harbor, the City of North Charleston, Charleston County, SC. The proposed terminal is designed to handle primarily containerized cargo and this Notice of Intent will refer to the proposed project as a marine container terminal. The marine container terminal development is approximately 288.1 acres and will support cargo marshalling areas, cargo processing areas, cargo-handling facilities, and related terminal operating facilities. Development of the site includes filling 13.9 acres of freshwater wetlands, and dredging and filling 53.5 acres of waters of the US, to include 7.2 acres of tidal marsh. Adjacent to the dredge and fill area, a 10.3-acre wharf structure measuring 3,000 feet long and 150 feet wide will be constructed. In addition to the container terminal development, the project includes dredging an 86.7-acre berthing area and turning basin adjacent to the wharf. Upland disposal of dredged material is proposed in existing dredged disposal sites located on the south end of Daniel Island, located in the City of Charleston, Charleston County, South Carolina.

**2. Alternatives.** The following alternatives have been identified as reasonable alternatives that will be fully evaluated in the EIS: No Action; the modification of existing SCSPA terminal facilities to meet the purpose and need of and for the proposed project; alternative locations within the

jurisdictional authority of the SCSPA where the proposed project might be developed; alternative facility layouts for the proposed marine container terminal project at the CNC; alternatives for surface transportation access associated with the proposed marine container terminal project, and mitigation measures. However, this list is not exclusive and additional alternatives may be considered for inclusion as reasonable alternatives.

**3. Scoping and Public Involvement Process.** Scoping meetings will be conducted to gather information on the scope of the project and the alternatives to be addressed in detail in the EIS. There will be two (2) sessions, one specifically for the Federal and State agencies with regulatory responsibilities and one for the general public (*see DATES*). Additional public and agency involvement will be gained through the implementation of a public outreach plan that will be developed from input received by the public.

**4. Significant Issues.** Issues associated with the proposed project to be given significant analysis in the EIS are likely to include, but may not be limited to, the potential impacts of the proposed dredging, placement of fill, construction and operation of the proposed terminal and development of associated surface transportation, and related developments on: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, air quality, energy needs, public health and safety, hazardous wastes and materials, food and fiber production, mineral needs, considerations of property ownership, environmental justice and, in general, the needs and welfare of the people.

**5. Cooperating Agencies.** The Federal Highway Administration has agreed to be a cooperating Federal agency due to the proposed facility's potential impact on the regional highway network including the Interstate system.

**6. Additional Review and Consultation.** Additional review and consultation which will be incorporated into the preparation of this EIS will include, but shall not be limited to: Section 401 of Clean Water Act, section 307(c) of the Coastal Zone Management Act; the Magnuson-Stevens Fishery Conservation and Management Act, the National Environmental Policy Act, the National Historic Preservation Act; the Endangered Species Act, and the Clean Air Act.