

species be listed in the future. In accordance with the Act, the City will prepare a Plan for, among other things, minimizing and mitigating any such take that could occur incidental to the proposed Permit activities.

The Services are furnishing this notice to: advise other agencies and the public of our intentions; and to obtain suggestions and information on the scope of issues to include in the environmental document.

**DATES:** Written comments from all interested parties must be received on or before July 1, 2002. A public scoping meeting will be held June 6, 2002, 6:30–9 p.m.

**ADDRESSES:** The scoping meeting will be held at the City of Bellingham Public Works Building (Training Room Facility), 2221 Pacific Street, Bellingham, WA. Comments and requests for information should be sent to Mark Ostwald, Project Manager, U.S. Fish and Wildlife Service, 510 Desmond Drive, S.E., Suite 102, Lacey, Washington 98503–1273, facsimile (360) 753–9518; or Tom Sibley, Project Manager, National Marine Fisheries Service, 7600 Sand Point Way, N.E., Seattle, Washington, 98115, facsimile (206) 526–4746. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Mark Ostwald, telephone (360) 753–9564; or Tom Sibley, telephone (206) 526–4656.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Endangered Species Act and Federal regulations prohibit the “taking” of a species listed as endangered or threatened. The term take is defined under the Act to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Harm is defined by the U.S. Fish and Wildlife Service 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 (50 CFR 17.3). The National Marine Fisheries Service’s definition of harm includes significant habitat modification or degradation where it actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, feeding, and sheltering (64 FR 60727, November 8, 1999).

The Services may issue permits, under limited circumstances; to take listed species incidental to, and not the purpose of, otherwise lawful activities. U.S. Fish and Wildlife Service

regulations governing permits for endangered species are promulgated in 50 CFR 17.22; and, regulations governing permits for threatened species are promulgated in 50 CFR 17.32. National Marine Fisheries Service regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

#### Background

The City of Bellingham owns and operates a diversion dam on the Middle Fork Nooksack River, a water withdrawal facility on Lake Whatcom, and a water treatment facility near Lake Whatcom. These facilities are located in and adjacent to the City of Bellingham, which is located in Whatcom County, WA. Water is diverted from the Middle Fork Nooksack River at the City’s diversion dam, transported via underground pipeline and an above ground canal to the upper end of Lake Whatcom where the water is stored. Withdrawal of water for treatment and ultimate municipal and industrial use occurs near the lower end of Lake Whatcom.

Some of these water withdrawal and related activities have the potential to impact species subject to protection under section 9 of the Act, as described above. Section 10 of the Act contains provisions for the issuance of permits to non-federal landowners for the take of endangered and threatened species, provided the take is incidental to otherwise lawful activities, and will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. In addition, the applicant must prepare and submit to the Services for approval, a Plan containing a strategy for minimizing and mitigating all take associated with the proposed activities to the maximum extent practicable. The applicant must also ensure that adequate funding for the Plan will be provided.

The City of Bellingham has initiated discussions with the Services regarding the possibility of developing a Plan and securing a Permit for their water withdrawal from the Middle Fork Nooksack and Lake Whatcom and related activities. Activities proposed for coverage under the Permit include the following:

(1) Diversion of water from the Middle Fork Nooksack River to Lake Whatcom, storage of water in Lake Whatcom, withdrawal of water from Lake Whatcom, and transport of water to the City of Bellingham’s water treatment plant.

(2) Maintenance and operation of the City of Bellingham’s Middle Fork Diversion Dam, including dam repairs,

screens (as appropriate), and a fish ladder (as appropriate).

(3) Maintenance and operation of the City of Bellingham’s Lake Whatcom withdrawal system from the water intake to, but not including, the water treatment plant; and regulation of discharge to Whatcom Creek.

(4) Maintenance of water supply capacity and operational flexibility necessary for efficient water supply operations that minimize and/or avoid operational disruptions.

The Services will conduct an environmental review of the proposed Plan and prepare a Statement. The environmental review will analyze the proposal, as well as a full range of reasonable alternatives and the associated impacts of each. The Services are currently in the process of developing alternatives for analysis.

Comments and suggestions are invited from all interested parties to ensure that the full range of alternatives related to this proposed action and all significant issues are identified. Comments or questions concerning this proposed action and the environmental review should be directed to the Fish and Wildlife Service or National Marine Fisheries Service [see **ADDRESSES**]. All comments and materials received, including names and addresses, will become part of the administrative record and may be released to the public.

The environmental review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), National Environmental Policy Act Regulations (40 CFR parts 1500–1508), other appropriate Federal laws and regulations, and policies and procedures of the Services for compliance with those regulations.

Dated: May 23, 2002.

**Anne Badgley,**

*Regional Director, Fish and Wildlife Service, Region 1, Portland, Oregon.*

Dated: May 23, 2002.

**Phil Williams,**

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

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**BILLING CODE 3510–22–S, 4310–55–S**

## DEPARTMENT OF COMMERCE

### National Technical Information Service

### National Technical Information Service Advisory Board

**AGENCY:** National Technical Information Service, (NTIS) Commerce.

**ACTION:** Notice; solicitation of applications for NTIS Advisory Board.

**SUMMARY:** The National Technical Information Service (NTIS) is seeking qualified Candidates to serve as members of its Advisory Board (Board). The Board will meet semiannually to advise the Secretary of Commerce, the Under Secretary for Technology, and the Director of NTIS on NTIS's mission, general policies and fee structure.

**DATES:** Applications must be received no later than August 28, 2002.

**ADDRESSES:** Applications should be submitted to Ronald E. Lawson, Director, NTIS, 5285 Port Royal Road, Springfield, Virginia 22161.

**FOR FURTHER INFORMATION CONTACT:** Walter L. Finch, (703) 605-6507 or via e-mail at [wfinch@ntis.gov](mailto:wfinch@ntis.gov).

**SUPPLEMENTARY INFORMATION:** The National Technical Information Service (NTIS) is seeking five qualified candidates to serve as members of its Advisory Board, one of whom will also be designated chairperson. The Board was established pursuant to Section 3704b(c) of Title 15, United States Code. It will meet semiannually to advise the Secretary of Commerce, the Under Secretary for Technology, and the Director of NTIS on NTIS's mission, general policies and fee structure. Members will be appointed by the Secretary and will serve for three-year terms. They will receive no compensation but will be authorized travel and per diem expenses. NTIS is seeking candidates who can provide guidance on trends in the information industry and changes in the way NTIS's customers acquire and use its products and services. Interested candidates should submit a resume and a statement explaining their interest in serving on the Board.

Dated: April 25, 2002.

**Ronald E. Lawson,**  
*Director.*

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**BILLING CODE 3510-04-M**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Announcement of the Paperless ELVIS (Electronic Visa Information System) Requirement for Certain Cotton, Wool, Man-Made Fiber, and Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in Hong Kong

May 23, 2002.

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

**ACTION:** Issuing a directive to the Commissioner of Customs eliminating the paper visa requirement.

**EFFECTIVE DATE:** June 15, 2002.

**FOR FURTHER INFORMATION CONTACT:** Anna Flaaten, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

#### 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.

On May 16, 2002, the Governments of the United States and the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) signed the Electronic Visa Information System (ELVIS) Arrangement. This arrangement provides for electronic transmission of visa information to the U.S. Customs Service by the Government of Hong Kong for textiles and textile products exported to the United States which describes the shipment and includes the visa number assigned to the shipment. A paper visa will no longer be required. The transmission certifies the country of origin and authorizes the shipment to be charged against any applicable quota.

Effective on June 15, 2002 for entry into the United States, the paper visa requirement is eliminated for textiles and textile products, produced or manufactured in Hong Kong and exported on or after June 15, 2002. The Government of the HKSAR must issue an ELVIS transmission for each shipment of textiles and textile products, as defined in the Arrangement, for textiles and textile products exported on or after June 15, 2002.

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to eliminate the paper visa requirement and to require an ELVIS transmission for shipments of certain textiles and textile products, produced or manufactured in

Hong Kong and exported to the United States on or after June 15, 2002. 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 66 FR 65178, published on December 18, 2001. Also see 58 FR 2400, published on January 19, 1993; 51 FR 27235, published on July 30, 1986, and 63 FR 71621, published on December 29, 1998.

Interested persons are advised to take all necessary steps to ensure that textile products that are entered into the United States for consumption, or withdrawn from warehouse for consumption, will meet the visa requirements set forth in the letter published below to the Commissioner of Customs.

**James C. Leonard III,**  
*Chairman, Committee for the Implementation of Textile Agreements.*

#### Committee for the Implementation of Textile Agreements

May 23, 2002.

Commissioner of Customs,  
*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on January 14, 1983, as amended, by the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit entry of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Hong Kong for which the Government of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) has not issued an appropriate export visa and Electronic Visa Information System (ELVIS) transmission.

Effective on June 15, 2002, the paper visa will no longer be required for the entry of shipments of textiles and textile products, produced or manufactured in Hong Kong and exported to the United States on or after June 15, 2002.

Under the terms of 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 Uruguay Round Agreement on Textiles and Clothing (ATC); and pursuant to the Electronic Visa Information System (ELVIS) Arrangement dated May 16, 2002 between the Governments of the United States and the HKSAR, you are directed to prohibit, effective on June 15, 2002, entry into the Customs territory of the United States (i.e., the 50 states, the District of Columbia and the Commonwealth of Puerto Rico) for consumption and withdrawal from warehouse for consumption of cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products in Categories 200-239, 300-369, 400-469, 600-