

Laboratory Accreditation Program (NVLAP) is establishing a program for laboratories that test voting systems. This notice is issued in accordance with the NVLAP procedures and general requirements, found in title 15 part 285 of the Code of Federal Regulations.

Technical Requirements for the Accreditation Process

Laboratories conducting this testing will be required to meet ISO/IEC International Standard 17025, *General requirements for the competence of testing and calibration laboratories*, the 2002 Voting System Standards, and any other criteria deemed necessary by the EAC.

Accreditation criteria are established in accordance with the Code of Federal Regulations (15 CFR part 285), NVLAP Procedures and General Requirements. NVLAP is in full conformance with the standards of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC), including ISO/IEC 17025 and ISO/IEC Guide 58.

Accreditation is granted to a laboratory following successful completion of a process which includes submission of an application and payment of fees by the laboratory, an on-site assessment by technical experts, resolution of any deficiencies identified during the on-site assessment, and participation in proficiency testing. The accreditation is formalized through issuance of a Certificate of Accreditation and Scope of Accreditation.

NVLAP provides an unbiased, third-party evaluation and recognition of competence. NVLAP accreditation signifies that a laboratory has demonstrated that it operates in accordance with NVLAP management and technical requirements pertaining to quality systems; personnel; accommodation and environment; test and calibration methods; equipment; measurement traceability; sampling; handling of test and calibration items; and test and calibration reports.

NVLAP accreditation does not imply any guarantee (certification) of laboratory performance or test/calibration data; it is a finding of laboratory competence.

Those laboratories receiving accreditation by NVLAP must still be formally recognized by the EAC prior to conducting testing of voting systems under HAVA.

PRA Clearance

This action contains collection of information requirements subject to review and approval by the Office of Management and Budget (OMB) under

the Paperwork Reduction Act of 1995. Collection activities for the National Voluntary Laboratory Accreditation Program are currently approved by the Office of Management and Budget under control number 0693-0003. 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 unless it displays a currently valid OMB Control Number.

Executive Order 12866

This action has been determined to be not significant under Executive Order 12866.

Dated: June 17, 2004.

Hratch G. Semerjian,
Acting Director.

[FR Doc. 04-14137 Filed 6-22-04; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Evaluation of State Coastal Management Programs and National Estuarine Research Reserves

AGENCY: Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), DOC.

ACTION: Notice of intent to evaluate and notice of availability of final findings.

SUMMARY: The NOAA Office of Ocean and Coastal Resource Management (OCRM) announces its intent to evaluate the performance of the South Carolina Coastal Management Program.

The Coastal Zone Management Program evaluation will be conducted pursuant to section 312 of the Coastal Zone Management Act of 1972, as amended, (CZMA) and regulations at 15 CFR part 923, subpart L.

The CZMA requires continuing review of the performance of states with respect to coastal program implementation. Evaluation of Coastal Zone Management Programs requires findings concerning the extent to which a state has met the national objectives, adhered to its Coastal Management Program document approved by the Secretary of Commerce, and adhered to the terms of financial assistance awards funded under the CZMA.

The evaluation will include a site visit, consideration of public comments, and consultations with interested Federal, State and local agencies and

members of the public. A public meeting will be held as part of the site visit.

Notice is hereby given of the dates of the site visit for the listed evaluation, and the date, local time, and location of the public meeting during the site visit.

The South Carolina Coastal Management Program evaluation site visit will be held July 19-23, 2004. One public meeting will be held during the week. The public meeting will be on Monday, July 19, 2004, at 5 p.m., South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management, 1362 McMillan Avenue (site of the old Charleston Navy Base), 3rd floor conference room, Charleston, South Carolina.

Copies of a State's most recent performance reports, as well as OCRM's notifications and supplemental request letters to the State, are available upon request from OCRM. Written comments from interested parties regarding this Program are encouraged and will be accepted until 15 days after the public meeting. Please direct written comments to Ralph Cantral, Chief, National Policy and Evaluation Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, 10th Floor, Silver Spring, Maryland 20910. When the evaluation is completed, OCRM will place a notice in the **Federal Register** announcing the availability of the final evaluation findings.

Notice is hereby given of the availability of the final evaluation findings for the Oregon and New Hampshire Coastal Management Programs (CMPs); and the Chesapeake Bay-Maryland and Chesapeake Bay-Virginia National Estuarine Research Reserves (NERRs). Sections 312 and 315 of the Coastal Zone Management Act of 1972 (CZMA), as amended, require a continuing review of the performance of coastal States with respect to approval of CMPs and the operation and management of NERRs.

The States of Oregon and New Hampshire were found to be implementing and enforcing their federally approved coastal management programs, addressing the national coastal management objectives identified in CZMA section 303(2)(A)-(K), and adhering to the programmatic terms of their financial assistance awards. Chesapeake Bay-Maryland and Chesapeake Bay-Virginia NERRs were found to be adhering to programmatic requirements of the NERR System.

Copies of these final evaluation findings may be obtained upon written request from: Ralph Cantral, Chief,

National Policy and Evaluation Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, 10th Floor, Silver Spring, Maryland 20910, or Ralph.Cantral@noaa.gov, (301) 713-3155, extension 118.

FOR FURTHER INFORMATION CONTACT: Ralph Cantral, Chief, National Policy and Evaluation Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, 10th Floor, Silver Spring, Maryland 20910, (301) 713-3155, extension 118.

Federal Domestic Assistance Catalog 11.419; Coastal Zone Management Program Administration.

Dated: June 14, 2004.

Alan Neuschatz,

Associate Assistant Administrator for Management, Ocean Services and Coastal Zone Management.

[FR Doc. 04-14212 Filed 6-22-04; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 040610181-4181-01; I.D. 060204C]

Listing Endangered and Threatened Wildlife and Plants and Designating Critical Habitat; 90-Day Finding on a Petition to List Elkhorn Coral, Staghorn Coral, and Fused-staghorn Coral

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of petition finding; request for information.

SUMMARY: NMFS announces the 90-day finding for a petition to list elkhorn coral (*Acropora palmata*), staghorn coral (*A. cervicornis*), and fused-staghorn coral (*A. prolifera*) as endangered or threatened, and to designate critical habitat under the Endangered Species Act (ESA). NMFS finds that the petition presents substantial scientific information indicating the petitioned action may be warranted. NMFS will conduct a status review of the three acroporids to determine if the petitioned action is warranted. To ensure that the review is comprehensive, NMFS is soliciting information pertaining to these species and potential critical habitat from any interested party. NMFS also seeks suggestions from the public for peer reviewers to take part in the

peer review process for the forthcoming status review.

DATES: Information related to this petition finding must be received no later than August 23, 2004.

ADDRESSES: You may submit comments by any of the following methods:

- E-mail: Acropora.Info@noaa.gov. Include docket number in the subject line of the message.
- Fax: 727-570-5517, Attention Jennifer Moore.
- Mail: Information on paper, disk, or CD-ROM should be addressed to the Assistant Regional Administrator for Protected Resources, NMFS Southeast Regional Office, 9721 Executive Center Drive North, Suite 102, St. Petersburg, FL 33702.

FOR FURTHER INFORMATION CONTACT: Jennifer Moore or Dr. Stephania Bolden, NMFS, Southeast Regional Office, (727) 570-5312, or Marta Nammack, NMFS, Office of Protected Resources, (301) 713-1401, ext. 180.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the ESA (16 U.S.C. 1533(b)(3)(A)) requires NMFS to make a finding as to whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating the petitioned action may be warranted. NMFS' ESA implementing regulations define "substantial information" as the amount of information that would lead a reasonable person to believe the measure proposed in the petition may be warranted (50 CFR 424.14(b)(1)). In determining whether substantial information exists for a petition to list a species, NMFS takes into account several factors, including information submitted with, and referenced in, the petition and all other information readily available in NMFS' files. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition (16 U.S.C. 1533(b)(3)(A)), and the finding is to be published promptly in the **Federal Register**. If NMFS finds that a petition presents substantial information indicating that the requested action may be warranted, section 4(b)(3)(A) of the ESA requires the Secretary of Commerce (Secretary) to conduct a status review of the species. ESA section 4(b)(3)(B) requires the Secretary to make a finding as to whether or not the petitioned action is warranted within 1 year of the receipt of the petition. The Secretary has delegated the authority for these actions to the NOAA Assistant Administrator for Fisheries.

In 1991, NMFS identified elkhorn coral and staghorn coral as candidate species under the ESA, but removed them from the candidate species list in 1997 because the available information indicated decline in certain populations, but not throughout the species' range (62 FR 37560; July 14, 1997). Subsequently, in 1999, elkhorn coral and staghorn coral were added again to the candidate species list because of the availability of reliable information which met the criteria for inclusion at that time. Elkhorn coral and staghorn coral were transferred to the species of concern list when this list was established in 2004 (69 FR 19976; April 15, 2004).

Analysis of Petition

On March 4, 2004, NMFS received a petition from the Center for Biological Diversity requesting NMFS list three Caribbean acroporids (elkhorn coral, staghorn coral, and fused-staghorn coral) as endangered or threatened, and to designate critical habitat under the ESA. The petition contained a detailed description of each species, including the present legal status; taxonomy and physical appearance; ecological and economic importance; distribution; physical and biological characteristics of its habitat and ecosystem relationships; population status and trends; and factors contributing to the population's decline. The petition also discussed how the species would benefit from being listed under the ESA and cited references in support of the petition.

Under the ESA, a listing determination can address a species, subspecies, or a distinct population segment (DPS) of a vertebrate species (16 U.S.C. 1532 (16)). Because corals are invertebrates, they cannot be listed by DPSs. Therefore, the petition requested that NMFS list the three acroporid species throughout their entire range. These species are found in warm waters throughout the Gulf of Mexico, Caribbean Sea, and tropical portions of the Atlantic Ocean. All three acroporids are fast growing branching corals, found predominantly in shallow reefs from subtidal to 30 m depth.

The petition asserts that the three acroporids warrant listing based on all five of the factors for listing specified in the ESA, 16 U.S.C. 1533(a)(1). According to the petition, of over 100 studies performed on the status of the three Acroporids throughout the Caribbean, virtually all documented rapid declines in coral cover with no significant recovery. The petition states the predominant causes of the decline in the 1980s and 1990s were coral