

seals could pass through the area at any given hour (between zero and four seals have been sighted per hour at the northern East Span Bay Bridge project location). Pile driving is expected to last a maximum of two hours per day; therefore eight seals per day could be exposed to harassment level noise for approximately 4 months. Therefore, Caltrans is requesting the take, by Level B harassment only, 1,120 harbor seals.

Because there are no California sea lion haul-out sites in the South Bay, sea lions are expected to be incidental visitors to the area. Given the limited sightings in the South Bay and the distance to the nearest haul-out, Caltrans is requesting the take of 10 adult sea lions. Similarly, gray whales are rare in the southern portion of the Bay however they may be present resulting in Caltrans requesting authorization to harass two gray whales per year incidental to the proposed action.

#### Preliminary Determination

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the mitigation and monitoring measures, NMFS preliminarily finds that pile driving associated with the Dumbarton Bridge Seismic Retrofit Project will result in the incidental take of small numbers of marine mammals, by Level B harassment only, and that the total taking from will have a negligible impact on the affected species or stocks. No subsistence hunting of marine mammals occur in the region; therefore, no impact on the availability of a species or stock for subsistence use would occur.

#### Endangered Species Act (ESA)

On January 12, 2009, NMFS received a request from the Federal Highway Administration (FHWA) to initiate consultation under section 7 of the ESA on Caltrans' proposed Dumbarton Bridge Seismic Retrofit Project as ESA-listed fish are present within the action area. NMFS issued a Biological Opinion (BiOp) on Caltrans' Dumbarton Bridge Seismic Retrofit Project on August, 10, 2009. The BiOp concluded that the proposed activities were not likely to jeopardize the continued existence of Central California Coast steelhead Distinct Population Segment (DPS) or North American green sturgeon DPS and are not likely to adversely modify or destroy critical habitat for CCC steelhead DPS.

NMFS has determined that no ESA listed marine mammal species are likely

to be affected by the proposed action as none are present within the action area; therefore, ESA consultation on issuance of the proposed IHA is not warranted.

#### National Environmental Policy Act (NEPA)

NOAA Administrative Order Series 216-6, May 20, 1999 (NAO), identifies issuance of IHAs as a type of Federal action that may be categorically excluded from preparation of an environmental assessment or environmental impact statement. In determining whether a categorical exclusion (CE) is appropriate for a given IHA, NMFS must consider: (1) factors listed in Section 5.05b of the NAO regarding prior analysis for the "same" action; (2) context and intensity of impacts, as defined in 40 CFR 1508.27; and (3) factors listed in Section 5.05c of the NAO regarding exceptions to CEs. NMFS has prepared, supplemented, or adopted numerous EAs leading to Findings of No Significant Impact (FONSI) for pile driving activities similar to the proposed activity, including ones for Caltrans' projects which involved driving larger piles in the northern section of the Bay where pinniped and cetacean species are more abundant. Based on these previous NEPA analyses and the analysis contained within this notice, NMFS has determined that issuance of a one-year IHA to Caltrans for the taking, by Level B harassment only, incidental to the Dumbarton Bridge Seismic Retrofit project does not have the potential to result in any significant changes to the human environment. Therefore, the issuance of an IHA to Caltrans for the specified activity falls under the category of those actions which can be categorically excluded from the need to prepare an Environmental Assessment or Environmental Impact Statement.

Dated: November 19, 2009.

**James H. Lecky,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

#### 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 to the Procurement List a product and a service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** *Effective Date:* January 4, 2010.

**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 e-mail [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

#### SUPPLEMENTARY INFORMATION:

##### Additions

On 9/11/2009 (74 FR 46748-46749) and 10/9/2009 (74 FR 52186), 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 furnish a product and a service and impact of the additions on the current or most recent contractors, the Committee has determined that the product and service listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c 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 a product and a service to the Government.

2. The action will result in authorizing small entities to furnish a product and a service 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. 46-48c) in connection with a product and a service proposed for addition to the Procurement List.

#### End of Certification

Accordingly, the following product and service are added to the Procurement List:

#### Product

NSN: 3990-00-NSH-0076—Type E Pallet.

*NPA:* Goodwill Industries of South Texas, Inc., Corpus Christi, TX.  
*Contracting Activity:* DEPT OF THE ARMY, XR WOMU USA DEPOT, CORPUS CHRISTI, TX.  
*Coverage:* C-List for the requirements of the DEPT OF THE ARMY, XR WOMU USA DEPOT, CORPUS CHRISTI, TX.

#### Service

*Service Type/Location:* Custodial and Grounds Maintenance Services, Lewis R. Morgan FB-PO-CT, 18 Greenville Street, Newnan, GA.  
*NPA:* WORKTEC, Jonesboro, GA.  
*Contracting Activity:* GSA/Property Management Contracts, Public Buildings Service, Atlanta, GA.

#### Barry S. Lineback,

*Director, Business Operations.*

[FR Doc. E9-28941 Filed 12-3-09; 8:45 am]

BILLING CODE 6353-01-P

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

#### Procurement List; Proposed Additions

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

**ACTION:** Proposed additions to Procurement List.

**SUMMARY:** The Committee is proposing to add to the Procurement List products to be provided by the nonprofit agency employing persons who are blind or have other severe disabilities.

*Comments Must be Received on or Before:* 1/4/2010.

**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:

This notice is published pursuant to 41 U.S.C 47(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed action.

#### Addition

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice for the products will be required to procure the products listed below from the nonprofit agency employing persons who are blind or have other severe disabilities.

#### 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. If approved, the action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will provide the products to the Government.

2. If approved, the action will result in authorizing small entities to provide the products 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. 46-48c) in connection with the products proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

#### End of Certification

The following products are proposed for addition to Procurement List for production by the nonprofit agency listed:

#### Products:

NSN: 7220-00-NIB-0382—36"x72" Fingertip Mat, Heavy-duty, Black.

NSN: 7220-00-NIB-0372—4x6' Vinyl Loop Scraper Mat, Gray.

NSN: 7220-00-NIB-0377—3x5' Loop-twist Outdoor Scraper Mat, Gray.

NSN: 7220-00-NIB-0383—3x5' Wiper/Scraper Mat, Medium Duty, Recycled PET, Gray.

NSN: 7220-00-NIB-0391—3x5' Indoor Wiper Mat, Recycled PET, Gray.

NSN: 7220-00-NIB-0397—2x3' Ribbed Vinyl Anti-fatigue mat, Gray.

NSN: 7220-00-NIB-0399—2x3' Industrial deck-plate, Anti-fatigue Mat, Black.

*Coverage:* A-List for the total government requirement as aggregated by the General Administration Services Administration.

NSN: 7220-00-NIB-0398—3x5' Ribbed Vinyl Anti-fatigue mat, Gray.

NSN: 7220-00-NIB-0400—3x5' Industrial deck-plate, Anti-fatigue Mat, Black.

NSN: 7220-00-NIB-0402—2x3' Industrial deck-plate, Anti-fatigue Mat, Black.

NSN: 7220-00-NIB-0403—3x5' Industrial deck-plate, Anti-fatigue Mat, Black.

NSN: 7220-00-NIB-0411—2x3' Anti-fatigue Mat, Recycled content, Gray.

NSN: 7220-00-NIB-0412—3x5' Anti-fatigue Mat, Recycled content, Gray.

NSN: 7220-00-NIB-0384—4x6' Wiper/Scraper Mat, Medium Duty, Recycled PET, Gray.

NSN: 7220-00-NIB-0378—4x6' Loop-twist Outdoor Scraper Mat, Gray.

NSN: 7220-00-NIB-0392—4x6' Indoor Wiper Mat, Recycled PET, Gray.

NSN: 7220-00-NIB-0369—3x5' Vinyl Loop Scraper Mat, Black.

NSN: 7220-00-NIB-0370—4x6' Vinyl Loop Scraper Mat, Black.

NSN: 7220-00-NIB-0375—24"x32" Fingertip Mat, Medium-duty, Black.

NSN: 7220-00-NIB-0376—36"x72" Fingertip Mat, Medium-duty, Black.

NSN: 7220-00-NIB-0381—23"x32" Fingertip Mat, Heavy-duty, Black.

*Coverage:* B-List for the broad government requirement as aggregated by the General Administration Services Administration.  
*NPA:* Wiscraft Inc.—Wisconsin Enterprises for the Blind, Milwaukee, WI.

*Contracting Activity:* Federal Acquisition Service, GSA/FAS Southwest Supply Center (QSDAC), Fort Worth, TX.

#### Barry S. Lineback,

*Director, Business Operations.*

[FR Doc. E9-28942 Filed 12-3-09; 8:45 am]

BILLING CODE 6353-01-P

### DEPARTMENT OF DEFENSE

#### Office of the Secretary

[Docket ID: DOD-2009-OS-0177]

#### Privacy Act of 1974; Systems of Records

**AGENCY:** National Security Agency/Central Security Service, DoD.

**ACTION:** Notice to amend a systems of records.

**SUMMARY:** The National Security Agency (NSA) is proposing to amend a systems of records notices in its inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

**DATES:** This proposed action will be effective without further notice on January 4, 2010 unless comments are received which would result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, Washington, DC 20301-1160.

*Instructions:* All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.