

and the CBTPA provide for duty-free and quota-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary countries from fabric or yarn that is not formed in the United States if it has been determined that such yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner and certain procedural requirements have been met. In Presidential Proclamations 7350 and 7351 of October 4, 2000 and Presidential Proclamation 7616 of October 31, 2002, the President proclaimed that this treatment would apply to such apparel articles from fabrics or yarns designated by the appropriate U.S. government authority in the Federal Register. In Sections 1 and 6 of Executive Order No. 13191 of January 17, 2001, Executive Order 13277 of November 19, 2002, and the United States Trade Representative's Notice of Further Assignment of Functions of November 25, 2002, the Committee was authorized to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, the CBTPA, or the ATPDEA.

On June 5, 2003, the Committee received a request alleging that certain ring spun micro modal/pima cotton yarn, described above, for use in women's and girls' knit blouses, shirts, lingerie and underwear, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, the ATPDEA and the CBTPA. It requested that such apparel articles from U.S. formed fabrics containing such yarns be eligible for preferential treatment under the AGOA, the ATPDEA, and the CBTPA. On June 12, 2003, the Committee requested public comment on the petition (68 FR 35202). On June 30, 2003, the Committee and the U.S. Trade Representative (USTR) sought the advice of the Industry Sector Advisory Committee for Wholesaling and Retailing and the Industry Sector Advisory Committee for Textiles and Apparel. On June 30, 2003, the Committee and USTR offered to hold consultations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (collectively, the Congressional Committees). On July 17, 2003, the U.S. International Trade Commission provided advice on the petition. Based on the information and advice received and its understanding of the industry, the Committee determined

that the yarn set forth in the request cannot be supplied by the domestic industry in commercial quantities in a timely manner. On August 4, 2003, the Committee and USTR submitted a report to the Congressional Committees that set forth the action proposed, the reasons for such action, and advice obtained. A period of 60 calendar days since this report was submitted has expired, as required by the AGOA, the ATPDEA, and the CBTPA.

The Committee hereby designates women's and girls' knit blouses, shirts, lingerie, and underwear that are both cut and sewn or otherwise assembled in one or more eligible beneficiary sub-Saharan African country or in one or more eligible CBTPA beneficiary country from U.S. formed fabrics containing ring spun single yarn of English yarn numbers 30 and 50, containing 50 percent or more, but less than 85 percent, by weight of 0.9 denier or finer micro modal fiber, mixed solely with U.S. origin extra long pima cotton, classified in HTSUS subheading 5510.30.0000 as eligible to enter free of quotas and duties under HTSUS subheading 9819.11.24 or 9820.11.27, provided all other yarns are U.S. formed and all other fabrics are U.S. formed from yarns wholly formed in the United States. The Committee also hereby designates such yarns as eligible under HTSUS subheading 9821.11.10, if used in women's and girls' knit blouses, shirts, lingerie, or underwear sewn or otherwise assembled in an eligible ATPDEA beneficiary country from U.S. formed fabric containing such yarns; such apparel containing such yarns shall be eligible to enter free of quotas and duties under this subheading, provided all other yarns are U.S. formed and all other fabrics are U.S. formed from yarns wholly formed in the United States.

An "eligible beneficiary sub-Saharan African country" means a country which the President has designated as a beneficiary sub-Saharan African country under section 506A of the Trade Act of 1974 (19 U.S.C. 2466a), and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 113 of the AGOA (19 U.S.C. 3722), resulting in the enumeration of such country in U.S. note 1 to subchapter XIX of chapter 98 of the HTSUS.

An "eligible ATPDEA beneficiary country" means a country which the President has designated as an ATPDEA beneficiary country under section 203(a)(1) of the Andean Trade Preference Act (ATPA) (19 U.S.C. 3202(a)(1)), and which has been the subject of a finding, published in the

Federal Register, that the country has satisfied the requirements of section 203(c) and (d) of the ATPA (19 U.S.C. 3202(c) and (d)), resulting in the enumeration of such country in U.S. note 1 to subchapter XXI of Chapter 98 of the HTSUS.

An "eligible CBTPA beneficiary country" means a country which the President has designated as a CBTPA beneficiary country under section 213(b)(5)(B) of the Caribbean Basin Recovery Act (CBERA) (19 U.S.C. 2703(b)(5)(B)), and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 213(b)(4)(A)(ii) of the CBERA (19 U.S.C. 2703(b)(4)(A)(ii)), resulting in the enumeration of such country in U.S. note 1 to subchapter XX of Chapter 98 of the HTSUS.

**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 the Floyd County, Kentucky (Levisa Fork Basin), Section 202 Project

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

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers, DoD, Huntington District will prepare an Environmental Impact Statement (EIS). The EIS will evaluate potential impacts to the natural, physical, and human environment as a result of the proposed flood damage reduction measure for the Levisa Fork basin in Floyd County, Kentucky.

The Corps of Engineers will conduct a public scoping meeting (see **DATES**) to gain input from interested agencies, organizations, and the general public concerning the content of the EIS, issues and impacts to be addressed in the EIS, and alternatives that should be analyzed.

**DATES:** A scoping meeting is scheduled for Nov. 13, 2003, 4:30-7:30 p.m. at Prestonsburg High School, 825 Blackcat Boulevard, Prestonsburg, KY 41649.

**ADDRESSES:** Send written comments and suggestions concerning this proposed

project to S. Michael Worley PM-PD, U.S. Army Corps of Engineers, Huntington District, 502 Eight Street, Huntington, WV 25701-2070. Telephone: (304) 399-5802. Electronic mail: *Stephen M.*

*Worley@Lrh01.usacre.army.mil.*

Requests to be placed on the mailing list should also be sent to this address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Tammy Conforti PM-PD-S, U.S. Army Corps of Engineers, Huntington District, 502 Eighth Street, Huntington, WV 25701-2070. Telephone (304) 399-5834. Electronic mail:

*Tammyr@Lrh.usacre.army.mil*

#### **SUPPLEMENTARY INFORMATION:**

1. *Authority:* The proposed project is authorized under section 202 of the Water Resources Development Act (WRDA) of 1996, which provides the Corps authority to “\* \* \* design and construct flood control measures relating to the Levisa and Tug Fork of the Big Sandy river and Cumberland River, West Virginia, Kentucky and Virginia”.

2. *Background:* Since the earliest Levisa Fork Basin settlements, the residents faced the problem of frequent and severe flooding. Many Floyd County communities within the floodplain of the Levisa and Russell Fork and tributaries were devastated by the April 1977 flood, which was the flood of record for much of the region. A significant flood again inundated the Levisa Fork communities in May of 1984. Congressional reaction to these flood events resulted in the inclusion of funds and language in various legislative directives that mandated expeditious implementation of flood damage reduction measures within the study area covered by the Huntington District's Section 202 General Plan.

The study area, primarily residential in nature, includes the incorporated areas of Prestonsburg and unincorporated areas in the county subject to flood damage from the potential of a reoccurrence of the April 1977 flood. The project requires providing flood protection measures to approximately 2,000 structures, 75 percent of which are residential.

Alternatives being initially considered include floodwall/levee systems protecting Prestonsburg, non-structural flood-proofing and several ring walls protecting individual structures. Alternatives to be evaluated in detail in the Draft EIS will be selected from those described above.

3. *Public Participation:* The Corps invites full public participation to promote open communication and better decision-making. All persons and

organizations that have an interest in the Levisa Fork Basin Flooding problems as they affect Floyd County and the environment are urged to participate in this NEPA environmental analysis process. Assistance will be provided upon request to anyone having difficulty with learning how to participate.

Public comments are welcomed anytime throughout the NEPA process. Formal opportunities for public participation include: (1) A public meeting in the community of Prestonsburg, KY (*see DATES*); (2) Anytime during the NEPA process via mail, telephone or e-mail; (3) During Review and Comment on the Draft EIS—approximately January of 2004; and (4) Review of the Final EIS—Fall 2004. Schedules and locations will be announced in local news media. Interested parties should submit contact information to be included on the mailing list for public distribution of meeting announcements and documents (*See ADDRESSES*).

**Luiz D. Ortiz,**

*Army Federal Register Liaison Officer.*

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## **DEPARTMENT OF DEFENSE**

### **Department of the Army; Corps of Engineers**

#### **Intent To Prepare a Draft Programmatic Environmental Impact Statement for the Lake Washington Ship Canal Ecosystem Restoration Project, King County, WA**

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

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the U.S. Army Corps of Engineers (Corps), Seattle District, as lead Federal agency, will prepare a programmatic environmental impact statement (PEIS) evaluating alternative fish and wildlife habitat and water quality restoration approaches for the Lake Washington Basin, King County, Washington. This environmental impact statement will be a combined Federal NEPA and Washington State Environmental Policy Act (SEPA) document. The lead agency for SEPA will be the King County Water and Land Resources Division. Five restoration approaches will be evaluated in the PEIS: (1) No action; (2) Habitat restoration that would benefit multiple species; (3) A program that principally

benefits fish species listed as “threatened” under the Endangered Species Act (ESA); (4) Restoration that focuses on geographic areas; and (5) Restoration that focuses on specific life history stages. If approved, implementation of the program would begin in 2006. Potential issues of concern for the PEIS include impacts to fish and their habitat, water quality, wetlands, riparian habitat, flood control, land use, and public safety.

**DATES:** Submit comments to the address below by December 1, 2003.

**ADDRESSES:** Mr. Jeffrey F. Dillon, Environmental Resources Section, U.S. Army Corps of Engineers, P.O. Box 3755, Seattle, Washington 98124-3755.

**FOR FURTHER INFORMATION CONTACT:** Questions regarding the scoping process or preparation of the PEIS may be directed to: Jeffrey F. Dillon (206) 764-6174.

#### **SUPPLEMENTARY INFORMATION:**

1. *Proposed Action.* The Corps of Engineers and the King County Water and Land Resources Division propose to evaluate alternative habitat restoration programs for the Lake Washington Basin in King and Snohomish Counties, Washington. For preparation of this PEIS, the Corps, Seattle District is the lead Federal agency under NEPA (42 USC 4321 et seq.) and the Council on Environmental Quality implementing guidelines (40 CFR 1500-1508). The King County Water and Land Resources Division is the lead state agency under the Washington SEPA (Chapter 43.21C RCW) and the SEPA guidelines (Chapter 197-10 WAC).

The Corps is authorized to implement habitat restoration programs under Section 209 of Public Law 87-874 (Puget Sound and Adjacent Waters Study) of the 1962 Flood Control Act, the Water Resources Development Act of 1990, and Corps ecosystem restoration guidance (Engineering Circular [EC] 1105-2-210). Corps of Engineers activities in ecosystem restoration will concentrate on bio-engineering solutions to water and related land resource problems.

The proposed action would restore aquatic ecosystem habitat and processes by reconnecting isolated habitat elements, increasing channel diversity, establishing areas of estuarine habitat, increasing floodplain habitat and connectivity, restoring small tributaries, increasing the amount of large woody debris in the river, replenishing river sediments, and improving the water temperature regime. If the proposed action were approved, initial construction would begin in 2006.