

### Summary of Request

On September 16, 2016, NMFS received an application from the MBNMS requesting authorization to take, by Level B harassment, two species of marine mammals incidental to commercial fireworks displays conducted under sanctuary authorization permits issued by the MBNMS. After addressing NMFS comments on the original application, the MBNMS submitted a revised application on October 18, 2016. NMFS found this application to be adequate and complete.

Marine mammals would be exposed to elevated levels of sound as a result of permitted fireworks displays, as well as increased human activity associated with those displays. Because the specified activities have the potential to take marine mammals present within the action area, the MBNMS requests authorization to take, by Level B harassment only, California sea lions (*Zalophus californianus*) and harbor seals (*Phoca vitulina*).

### Specified Activities

Since 1993, the MBNMS, a component of NOAA's Office of National Marine Sanctuaries, has processed requests for the professional display of fireworks that affect resources within the sanctuary. The MBNMS has determined that debris fallout (*i.e.*, spent pyrotechnic materials) from fireworks events may constitute a discharge into the sanctuary and thus violate sanctuary regulations, unless a permit is issued by the superintendent. Therefore, sponsors of fireworks displays conducted in the MBNMS are required to obtain sanctuary authorization prior to conducting such displays (see 15 CFR 922.132).

Since the MBNMS began issuing permits for fireworks discharge in 1993, it has received a total of 102 requests for professional fireworks displays, the majority of which have been associated with large community events such as Independence Day and municipal festivals. The number of fireworks displays within the Sanctuary remained relatively constant although there has been a slight decrease of the number of displays since the economic downturn of 2008. The MBNMS has permitted, on average, approximately five fireworks displays per year; however, only 2 to 4 displays were hosted annually between 2009 and 2015. Since 2005, the MBNMS has requested, and subsequently been authorized under section 101 (a)(5)(A or D) of the MMPA, to take marine mammals incidental to up to 20 fireworks events per year. However, for

this application, the MNBMS, at the request of NMFS, re-evaluated the possibility of 20 events occurring per year based on the trend in fireworks permit applications. As such, the MBNMS has modified the number of anticipated displays that would occur under the requested regulations to no more than ten events per year.

The location, mitigation, and monitoring measures contained within previous authorizations would remain in effect. Fireworks displays would be limited to the same four specific areas along 276 miles (444 kilometers) of coastline: Half Moon Bay, the Santa Cruz/Soquel area, the northeastern Monterey Peninsula, and Cambria (Santa Rosa Creek). This effectively limits permitted fireworks displays to approximately five percent of the MBNMS coastline. The MBNMS would also retain the March 1 through June 30 moratorium on fireworks which corresponds to the peak spring breeding season for marine wildlife. Each fireworks displays would not exceed 30 minutes in duration (with the exception of up to two displays per year, each not to exceed one hour) and would occur with an average frequency of less than or equal to once every two months within each of the four prescribed display areas.

A more detailed description of the fireworks displays permitted by MBNMS and anticipated behavioral reactions of marine mammals may be found in MBNMS' application, MBNMS' Assessment of Pyrotechnic Displays and Impacts within the MBNMS 1993–2001 (2001), Marine Mammal Acoustic and Behavioral Monitoring for the MBNMS Fireworks Display, 4 July 2007 (2007), and multiple monitoring reports which are available at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>.

### Information Sought

Interested persons may submit information, suggestions, and comments concerning MBNMS's request (see **ADDRESSES**). All information, suggestions, and comments related to MBNMS's request and NMFS' potential development and implementation of regulations governing the incidental taking of marine mammals by the MBNMS will be considered by NMFS in developing, if appropriate, regulations governing the issuance of letters of authorization.

Dated: November 4, 2016.

**Donna S. Wieting,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### New Policy and Procedures Documents Announcing a Change in the Calibration Base Line Program

**AGENCY:** National Geodetic Survey (NGS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice of Change in the Calibration Base Line Program; Notice of Public Comment.

**SUMMARY:** NOAA's National Geodetic Survey (NGS) conducts a Calibration Base Line (CBL) program for electronic distance measuring instrumentation, hereafter referred to as the CBL Program. The CBL Program provides the surveying and engineering community with a locally accessible standard for measuring length and a means for quantifying and correcting for errors associated with this type of instrumentation. Currently, the CBL Program requires use of NGS equipment and direct participation by NGS personnel when establishing and reestablishing CBLs. NGS is considering changes to the CBL Program which will enable our partners to establish and reestablish their local CBLs using their own instrumentation, with NGS providing a quality review function. NGS invites written comments on the CBL Program draft policy ([http://www.ngs.noaa.gov/CBLINES/For\\_review\\_CBL\\_Program\\_Policy.pdf](http://www.ngs.noaa.gov/CBLINES/For_review_CBL_Program_Policy.pdf)) and draft procedures ([http://www.ngs.noaa.gov/CBLINES/For\\_review\\_CBL\\_Program\\_Procedures.pdf](http://www.ngs.noaa.gov/CBLINES/For_review_CBL_Program_Procedures.pdf)) documents.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or comments should be directed to Mr. Kendall Fancher, Instrumentation and Methodologies Branch Chief, National Geodetic Survey, 15351 Office Drive, Woodford, VA 22580; phone: 540-373-1243, Email: [Kendall.Fancher@noaa.gov](mailto:Kendall.Fancher@noaa.gov) or [NGS.Feedback@noaa.gov](mailto:NGS.Feedback@noaa.gov).

You may submit your comments or concerns to NGS by Tuesday, January 17, 2017.

**SUPPLEMENTARY INFORMATION:** Since the CBL Program's inception in 1974, NGS

has established more than 400 CBLs throughout the United States in cooperation with various government agencies, universities, professional societies, and others. All data and products associated with this nationwide program are available at the CBL Program Web page: <http://www.geodesy.noaa.gov/CBLINES/calibration.html>.

Currently the establishment/reestablishment of a local CBL requires on-site supervision by NGS personnel and the use of NGS-owned instrumentation. NGS resource constraints can limit administration of the program and the number of CBLs that can be established and reestablished.

The Director of NOAA's National Geodetic Survey invites interested parties to submit comments to assist NGS as it decides how to maintain the CBL Program into the future. Comments may address any aspect of the CBL Program. Specifically, the Director seeks comments regarding:

1. CBLs located within your local area or state that are important to your organizational activities.
2. Whether proposed changes in the CBL Program policy and procedures impose a hardship on your organization.
3. Whether proposed changes in the CBL Program policy and procedures will be beneficial to your organization.

Dated: November 1, 2016.

**Juliana P. Blackwell,**

*Director, Office of National Geodetic Survey, National Ocean Service, National Oceanic and Atmospheric Administration.*

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

### Procurement List; Additions and Deletions

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

**ACTION:** Additions to and deletions from the Procurement List.

**SUMMARY:** This action adds product and services to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes products from the Procurement List previously furnished by such agencies.

**DATES:** Effective December 10, 2016.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely

Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia, 22202-4149.

**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:**

**Additions**

On 4/15/2016 (81 FR 22239) and 8/19/2016 (81 FR 55447-55448), 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 provide the product and services and impact of the additions on the current or most recent contractors, the Committee has determined that the products and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 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 the product and services to the Government.
2. The action will result in authorizing small entities to furnish the product and services 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. 8501-8506) in connection with the product and services proposed for addition to the Procurement List.

**End of Certification**

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

*Product:*

*Product Name(s)—NSN(s):* 8465-01-608-7507—Sack, Extreme Cold Weather Compression Stuff Sack, (ECW CSS) U.S. Marine Corps, One size fits all

*Mandatory Source(s) of Supply:* The Lighthouse for the Blind, Inc., Seattle, WA

*Mandatory Purchase For:* 50% of the requirement of the Department of Defense

*Contracting Activity:* Defense Logistics Agency Troop Support

*Distribution:* C-List

*Services:*

*Service Type:* Custodial Service

*Mandatory for:* DoDEA, DDESS, Fort Bragg Community Schools System: Bowley Elementary School, Fort Bragg, NC; Gary I Gordon Elementary School, Cameron, NC; Randall Shughart Elementary School, Cameron, NC, and; Randall Shughart Middle School, Cameron, NC.

*Mandatory Source(s) of Supply:* Brevard Achievement Center, Inc., Rockledge, FL  
*Contracting Activity:* Dept of Defense Education Activity (DODEA), DDESS Area Service Center

**Deletions**

On 9/30/2016 (81 FR 67327) and 10/7/2017 (81 FR 69789-69790), the Committee for Purchase From People Who Are Blind or Severely Disabled published notices of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 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 additional reporting, recordkeeping or other compliance requirements for small entities.
2. The action may result in authorizing small entities to furnish 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. 8501-8506) in connection with the products deleted from the Procurement List.

**End of Certification**

Accordingly, the following products are deleted from the Procurement List:

*Products:*

*NSN(s)—Product Name(s):*

- 1670-01-468-9178—Line, Multi-Loop, low altitude parachute extraction system, 140'
- 1670-01-062-6304—Line, Multi-Loop, low altitude parachute extraction system, 9'
- 1670-01-062-6305—Line, Multi-Loop, low altitude parachute extraction system, 9'
- 1670-01-062-6310—Line, Multi-Loop, low altitude parachute extraction system, 11'
- 1670-01-062-6307—Line, Multi-Loop, low altitude parachute