

Dated: October 12, 2011.

**Alan D. Bersin,**

*Commissioner, U.S. Customs and Border Protection.*

[FR Doc. 2011-27088 Filed 10-18-11; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

#### Re-Accreditation and Re-Approval of Intertek Caleb Brett as a Commercial Gauger

**AGENCY:** Bureau of Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of re-approval of Intertek Caleb Brett, Ponce, Puerto Rico, as a commercial gauger.

**SUMMARY:** Notice is hereby given that, pursuant to 19 CFR 151.13, Intertek Caleb Brett, Ponce, Puerto Rico 00717-2235, has been re-approved to gauge petroleum and petroleum products, organic chemicals and vegetable oils, for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 151.13. Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is accredited or approved by the Bureau of Customs and Border Protection to conduct the gauger service requested. Alternatively, inquiries regarding the gauger services this entity is accredited or approved to perform may be directed to the Bureau of Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [http://www.cbp.gov/xp/cgov/import/operations\\_support/labs\\_scientific\\_svcs/org\\_and\\_operations.xml](http://www.cbp.gov/xp/cgov/import/operations_support/labs_scientific_svcs/org_and_operations.xml).

**DATES:** The re-approval of Intertek Caleb Brett as a commercial gauger became effective on March 10, 2010. The next triennial inspection date will be scheduled for March 2013.

**FOR FURTHER INFORMATION CONTACT:** Donald Cousins, Director, Scientific Services, Laboratories and Scientific Services, Bureau of Customs and Border Protection, 1331 Pennsylvania Avenue, NW., Suite 1500N, Washington, DC 20229, 202-344-1295.

Dated: August 16, 2011.

**Ira S. Reese,**

*Executive Director, Laboratories and Scientific Services.*

[FR Doc. 2011-26976 Filed 10-18-11; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R5-ES-2011-N174; 50120-1112-0000-F2]

#### Notice of Availability of a Draft Environmental Assessment and Receipt of an Application for an Incidental Take Permit for Karner Blue Butterfly and Frosted Elfin From National Grid

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability of draft environmental assessment, receipt of application, and habitat conservation plan.

**SUMMARY:** Pursuant to section 10(a)(1)(B) of the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act (NEPA) (42 U.S.C. 4321, *et seq.*) the U.S. Fish and Wildlife Service (Service or “we”) announce the availability of an application for an incidental take permit and the associated habitat conservation plan (HCP) from National Grid (NG), Syracuse, New York, and draft environmental assessment (EA) for public review and comment. We received the permit application from NG for incidental take of federally listed Karner blue butterfly (*Lycaeides melissa samuelis*) and unlisted frosted elfin (*Callophrys irus*) (should this species become listed in the future) over the next 50 years during operations, maintenance, and construction activities associated with electric and natural gas facilities within portions of Albany, Oneida, Schenectady, Saratoga, and Warren Counties, New York. We prepared a draft EA that describes the proposed action and possible alternatives and analyzes the effects of alternatives on the human environment.

We provide this notice to: (1) Seek public comments on the proposed HCP; (2) seek public comments on the scope of issues and alternatives considered in the draft EA and our consideration as to whether the draft EA supports a Finding of No Significant Impact under NEPA; and (3) advise other Federal and State agencies, affected Tribes, and the public of our intent to prepare a final EA.

The proposed HCP and EA are being made available during a 60-day comment period. To ensure consideration, we must receive your written comments by December 19, 2011.

**ADDRESSES:** Send comments by U.S. mail to Robyn Niver, U.S. Fish and Wildlife Service, New York Field Office, 3817 Luker Road, Cortland, New York

13045; by facsimile at 607-753-9699; or by electronic mail at [robyn\\_niver@fws.gov](mailto:robyn_niver@fws.gov). In the subject line of your letter, facsimile or electronic mail, include the document identifier: NG HCP.

**SUPPLEMENTARY INFORMATION:** We received a permit application from NG for incidental take of federally listed Karner blue butterfly (*Lycaeides melissa samuelis*) and unlisted frosted elfin (*Callophrys irus*) (should this species become listed in the future) over the next 50 years during operations, maintenance, and construction activities associated with electric and natural gas facilities. A conservation program to minimize and mitigate for the incidental take would be implemented by NG as described in the draft NG HCP.

We prepared a draft EA to comply with the NEPA. The Service will evaluate whether the proposed action, issuance of an incidental take permit to NG, and other alternatives in this draft EA are adequate to support a Finding of No Significant Impact.

This notice is provided pursuant to section 10(c) of the ESA and NEPA regulations (40 CFR 1506.6).

We are requesting comments on the proposed HCP and our consideration as to whether the draft EA supports a Finding of No Significant Impact under NEPA.

#### Availability of Documents

The proposed HCP and draft EA are available on the New York Field Office’s (NYFO) Web site at: <http://www.fws.gov/northeast/nyfo/es/kbb.htm>. Copies of the proposed HCP and draft EA will be available for public review during regular business hours at the NYFO (see **ADDRESSES**). Those who do not have access to the Web site or cannot visit our office can request copies by telephone at 607-753-9334 or by letter to the NYFO (see **ADDRESSES**).

#### Background

Section 9 of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations prohibit the “take” of animal species listed as endangered or threatened. Take is defined under the ESA as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or to attempt to engage in such conduct” (16 U.S.C. 1538). However, under section 10(a) of the ESA, we may issue permits to authorize incidental take of listed species. “Incidental take” is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species,