

C. Funding

The source of funding for the Council's actions is a \$21 million restoration fund, established as a result of settlements between the Federal government, the Commonwealth of Massachusetts, and the companies responsible for releasing PCBs into New Bedford Harbor. A separate account funds the Harbor cleanup. By law and under the terms of the settlement agreements, the Council must finalize a restoration plan for the New Bedford Harbor Environment before funding restoration projects, although necessary plans and studies may be funded before completion of the plan.

D. Development of the Draft RP/EIS

The Trustees determined that an EIS was the most appropriate means to ensure public participation in the development of restoration alternatives, and to analyze the environmental impact of those alternatives. A Notice of Intent to prepare the RP/EIS was published in the **Federal Register** (60 FR 10835, February 28, 1995) and initial scoping meetings were held in February and March 1995. Restoration priorities were determined from the list of resources identified as having a high probability of injury within the New Bedford Harbor environment and which would be likely candidates for restoration. The restoration priorities are: (1) Marshes or wetlands; (2) recreation areas; (3) water column; (4) habitats; (5) living resources; and (6) endangered species.

E. Request for Ideas

A request for restoration ideas was published in the **Federal Register** (60 FR 52164-52169, October 5, 1995). As a result, 56 restoration ideas were received from citizens, non-profit organizations, municipalities, academic institutions, state and Federal agencies, and private businesses. The ideas received are the alternatives analyzed in the RP/EIS. The ideas were reviewed by the Council's community and technical advisory committees and legal counsel. The Committees provided recommendations on which ideas should be preferred alternatives to the Council. The public was invited to comment and a public hearing was held on April 30, 1996. The Council then selected 12 preferred alternatives after considering the public comment and its committees' recommendation.

F. Alternatives Analyzed in the Draft RP/EIS

The Council is proposing a combination of near-term, future and emergency actions, and plans and

studies, as appropriate, that together would form the basis of an estuary-wide plan to restore the affected environment. This plan evaluates general restoration alternatives as well as specific restoration actions, and establishes a process for the evaluation, selection, and implementation of future restoration actions.

G. Preferred Alternatives

From among the 56 ideas, the Council selected 12 preferred alternatives for near-term implementation. These ideas, by restoration priority, are as follows:

- Marshes or Wetlands*
 - Hydrologic restoration of Padanaram Salt Marsh, Dartmouth
 - Hydrologic restoration of Nonquitt Marsh, Dartmouth
- Recreation Areas*
 - Recreation and habitat improvements to Fort Taber Park, New Bedford
 - Riverside/Belleville Avenue Marine Recreational Park, New Bedford
- Water Column*
 - Hurricane Barrier Box Culvert, New Bedford/Fairhaven
- Habitats*
 - Eelgrass habitat restoration, New Bedford Harbor and Clarks Cove
 - Land acquisition, Sconticut Neck, Fairhaven
- Living Resources*
 - Restoration and management of the New Bedford area shellfishery
 - Restoration of the Acushnet River herring run
- Endangered Species*
 - Buzzards Bay tern restoration and habitat stabilization
- Plans and Studies*
 - Wetlands restoration planning and implementation
 - New Bedford/Fairhaven Harbor Master Plan (aspects related to natural resources)

On finalization of this plan, the Council will begin implementation of selected near-term alternatives.

H. Coordination with Ongoing Cleanup Actions

Since the Harbor cleanup is ongoing, restoration actions must be coordinated with that process to maximize environmental benefits while ensuring that neither process negates or interferes with the other. As cleanup of the Harbor proceeds, more restoration options will become practicable. The Council proposes an event-based process of idea solicitation and selection to choose future restoration actions, periodically selecting restoration actions that are practicable, effective, and appropriate in the context of the ongoing cleanup. Full public involvement in Council

decisionmaking will be maintained in all aspects of the process.

Authority: 42 U.S.C. 4321 *et seq.* and 9601 *et seq.*

Dated: April 10, 1997.

Rolland A. Schmittin,

Assistant Administrator for Fisheries, National Marine Fisheries Services.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041197A]

Gulf of Mexico Fishery Management Council; Public Meetings

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

ACTION: Notice of public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene public meetings.

DATES: The meetings will be held on May 12-15, 1997.

ADDRESSES: These meetings will be held at the Holiday Inn Crowne Plaza, 333 Poydras Street, New Orleans, LA; telephone: (504) 525-9444.

Council address: Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

FOR FURTHER INFORMATION CONTACT: Wayne E. Swingle, Executive Director; telephone: (813) 228-2815.

SUPPLEMENTARY INFORMATION:

Council

May 14

8:30 a.m.—Convene.

8:45 a.m. - 12:00 noon—Receive public testimony on Mackerel Total Allocable Catch and Reef Fish Amendment 15, published on April 11, 1997, 62 FR 17776.

1:30 p.m. - 3:00 p.m.—Continue public testimony on Reef Fish Amendment 15.

3:00 p.m. - 5:30 p.m.—Receive a report of the Reef Fish Management Committee.

May 15

8:30 a.m. - 11:15 a.m.—Receive a report of the Mackerel Management Committee.

11:15 a.m. - 11:30 a.m.—Receive a report of the Shrimp Management Committee.

11:30 a.m. - 11:45 a.m.—Receive a report of the Data Collection Committee.

11:45 a.m. - 12:00 a.m.—Receive a report of the Law Enforcement Committee.

12:00 noon - 12:15 p.m.—Receive a report on the South Atlantic Fishery Management Council Liaison.

12:15 p.m. - 12:30 p.m.—Receive a report of the International Commission for the Conservation of Atlantic Tunas Advisory Committee.

12:30 p.m. - 1:00 p.m.—Receive Enforcement Reports.

1:00 p.m. - 1:15 p.m.—Receive Director's Reports.

1:15 p.m. - 1:30 p.m.—Other business to be discussed.

Committees

May 12

1:00 p.m. - 2:30 p.m.—Convene the Data Collection Committee to review the procedures that will be used by NMFS in monitoring recreational red snapper landings and closing that fishery when the quota is taken.

2:30 p.m. - 4:00 p.m.—Convene the Shrimp Management Committee to review restoration scenarios for the red snapper stock provided that several additional types of bycatch reduction devices are allowed in shrimp trawls and the prognosis for the upcoming brown shrimp season in Louisiana.

4:00 p.m. - 5:00 p.m.—Convene the Law Enforcement Committee to review the NOAA Penalty Schedule Meeting Discussion and the Law Enforcement Advisory Panel (AP) comments.

May 13

8:00 a.m. - 12:00 p.m.—Convene the Reef Fish Management Committee (Committee) to review recommendations on Draft Amendment 15 by the public from hearings and letters, the Red Snapper AP, the Reef Fish AP, the Law Enforcement AP, the Scientific and Statistical Committee (SSC) and by NMFS. Following its review, the Committee will develop its recommendations to the Council. The Committee will also review a stock assessment panel report on vermilion snapper and public comments on a scoping document for amberjacks.

1:00 p.m. - 5:30 p.m.—Convene the Mackerel Management Committee to review the Stock Assessment Panel report, the Socioeconomic Panel report, and the recommendations of the Mackerel AP and SSC before developing its recommendations to the Council. It will also review a preliminary options paper for the next amendment to the fishery management plan for the mackerel fishery and reporting of landings.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see ADDRESSES) by May 5, 1997.

Dated: April 11, 1997.

Gary C. Matlock,

Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.

[FR Doc. 97-9923 Filed 4-16-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041497B]

Endangered Species; Permits

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

ACTION: Issuance of modification 1 to permit 991 (P599).

SUMMARY: Notice is hereby given that NMFS has issued a modification to a permit that authorizes takes of an Endangered Species Act-listed species for the purpose of scientific research, subject to certain conditions set forth therein, to the California Department of Water Resources in Sacramento, CA (CDWR).

ADDRESSES: The application and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR3, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Protected Species Division, NMFS, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95404-6528 (707-575-6066).

SUPPLEMENTARY INFORMATION: The modification to a permit was issued under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-222).

Notice was published on December 30, 1996 (61 FR 68721) that an application had been filed by CDWR (P599) for modification 1 to permit 991. Modification 1 to permit 991 was issued to CDWR on March 24, 1997. Permit 991 authorizes CDWR takes of juvenile, endangered, Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*) associated with scientific

research. For modification 1 to permit 991, CDWR is authorized an annual take of juvenile, ESA-listed fish associated with a fisheries study of the Yolo Bypass, a floodplain adjacent to the Sacramento River where large numbers of salmon are trapped when high flows recede. Study results will be used to provide recommendations for ecosystem restoration options, to identify actions to minimize adverse effects to juvenile salmon, and to make habitat restoration efforts as harmless to fish as possible. Modification 1 is valid for the duration of the permit. Permit 991 expires on June 30, 1999.

Issuance of the permit modification, as required by the ESA, was based on a finding that such action: (1) Was requested in good faith, (2) will not operate to the disadvantage of the ESA-listed species that is the subject of the permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing ESA-listed species permits.

Dated: April 14, 1997.

Robert C. Ziobro,

Acting Chief, Endangered Species Division,
Office of Protected Resources, National
Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 040297B]

Marine Mammals; Permit No. 838 (P535)

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

ACTION: Scientific research permit amendment.

SUMMARY: Notice is hereby given that a request for amendment of scientific research permit no. 838 submitted by Dr. Stephen Insley, Smithsonian Institution, National Zoological Park, Dept. Zoological Research, Washington, DC 20008, has been granted.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Suite 13130, Silver Spring, MD 20910 (301/712-2289); and