

released. ESA-listed juvenile salmon indirect mortalities associated with the research are also requested.

KIER (P633) requests a five-year permit for takes of adult and juvenile, threatened, central California coast coho salmon (*Oncorhynchus kisutch*) associated with fish population and habitat studies throughout the Evolutionarily Significant Unit (ESU). The studies consist of three assessment tasks for which ESA-listed fish are proposed to be taken: 1) Presence/absence, 2) population estimates, and 3) habitat quality evaluation. ESA-listed fish are proposed to be observed or captured, anesthetized, handled, allowed to recover from the anesthetic, and released. ESA-listed juvenile salmon indirect mortalities associated with the research are also requested.

ENTRIX (P644) requests a five-year permit for takes of adult and juvenile, threatened, central California coast coho salmon (*Oncorhynchus kisutch*) associated with fish population and habitat studies throughout the ESU. The studies consist of three assessment tasks for which ESA-listed fish are proposed to be taken: 1) Presence/absence, 2) population estimates, and 3) habitat quality evaluation. ESA-listed fish are proposed to be observed or captured, anesthetized, handled, allowed to recover from the anesthetic, and released. ESA-listed salmon indirect mortalities associated with the research are also requested.

Those individuals requesting a hearing on any of the requests for a permit should set out the specific reasons why a hearing would be appropriate (see ADDRESSES). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the above application summaries are those of the applicants and do not necessarily reflect the views of NMFS.

Dated: April 15, 1997.

Robert C. Ziobro,

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

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DEPARTMENT OF DEFENSE

Department of the Navy

Record of Decision for Capital Improvements at the Naval Surface Warfare Center, Acoustic Research Detachment, Bayview, ID

Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality regulations implementing NEPA procedures (40 CFR 1500-1508), the Department of the Navy announces its decision to implement capital improvements at the Naval Surface Warfare Center (NSWC), Carderock Division (CD), Acoustic Research Detachment (ARD), Bayview, Idaho.

The Navy is selecting the preferred alternative suite of capital improvements presented in the Final Environmental Impact Statement (FEIS) for this action. Major components of the capital improvements include construction of: an extended pier Model Engineering Support Facility (MESF) and related improvements; a Model Support Platform (MSP) access pier; and Acoustical Testing and Analysis Center (ATAC) and related improvements; realignment of the main entry gate; and expansion of the main parking lot (without acquisition of the Bayview Public Park).

The selected capital improvements will meet four programmatic objectives of improving model operational support, program management support, site circulation and security, and environmental protection.

A Notice of Intent (NOI) to prepare an EIS was published in the **Federal Register** on January 25, 1996. A public scoping meeting was held at the Bayview Community Center in Bayview, Idaho on February 27, 1996. A Draft EIS (DEIS) was distributed in July 1996, followed by a public hearing to receive oral and written comment held at the Bayview Community Center on September 5, 1996. The public and agency comment period ended on September 23, 1996. The Environmental Protection Agency rated the DEIS "LO" (lack of objections). All comments were addressed in the FEIS which was distributed to the public on January 31, 1997. No comments were received from the public on the FEIS.

Major issues identified during public participation and review related to potential impacts to aesthetics, land use and land acquisition, and noise impacts on the surrounding community, as well as potential impacts to aquatic resources (e.g., fish and water quality) from

construction and operation associated with the selected capital improvements. Aesthetic concerns related primarily to the visibility and appearance of proposed new facilities as viewed from residential areas within Bayview.

Some commenters raised the issue of compliance with existing county ordinances, including fire regulations and zoning requirements. Specific issues raised regarding potential noise impacts to the community included pile driving and hours per day of construction.

Concerns about water quality and impacts to fish spawning habitat were related to dredging activities associated with construction of the Model Engineering Support Facility (MESF), and in-lake acoustical testing operations. Other issues such as parking, impacts to local recreation, utilities, water craft safety, and hazardous materials were also raised.

Background

The Acoustic Research Detachment (ARD) at Bayview, Idaho comprises 22 acres on the shoreline of Lake Pend Oreille, Kootenai County, Idaho. The mission of ARD is to provide: (1) Research, development, test and evaluation, fleet support, and in-service engineering for surface and undersea vehicle hull, mechanical, and electrical systems, and propulsors; (2) logistics research and development; and (3) support to the Maritime Administration and the maritime industry. To do this, ARD maintains shore support facilities in Bayview, Idaho, two remote support facilities on U.S. Forest Service property, and five test sites in Lake Pend Oreille.

Three types of operations are provided at ARD: (1) Waterborne Operations, (2) Project Operations, and (3) Base Administration. Waterborne Operations encompass all in-water operations, which include model testing, model storage and handling, boat and barge storage, fueling, cranes, and piers. Project Operations include all shoreside operations that directly support in-lake testing, such as industrial shops, project engineering and management, material storage, an computer system operations. Base Administration includes general operations support such as security, administration, parking, and recreation. Capital improvement projects for each type of operation are described below.

Proposed improvements supporting Waterborne Operations include the construction of a Model Engineering and Support Facility (MESF), construction of a new access pier to the Model Support Platform (MSP), re-

establishment of the spill containment boom, and other related improvements.

Two design options were identified in the EIS for construction of the MESF: (1) A near-shore MESF, and (2) an extended pier MESF. The near-shore MESF would be pile-supported and include dredging to provide sufficient water depth to accommodate the movement of the models in and out of the water. The selected design option is to locate the proposed MESF away from the shoreline at a depth sufficient to move large scale models to and from the water without the need for dredging. Access to the MESF will be by an extended pile-supported pier.

Other improvements supporting waterborne operations include construction of an access pier from the shoreline to the MSP, allowing direct transfer of heavy equipment and machinery between the MSP and shore; attachment pilings to allow for permanent deployment of floating spill containment booms; and bank and shoreline stabilization above the Lake Pend Oreille high water level to halt erosion.

Adequate access to the proposed MESF will require removal of the existing hazardous materials storage facility to be replaced with a new building of approximately 800 square feet. Upon completion of the MESF, an existing barge (Green Barge, PSP-4) will be removed.

Project Operations facilities provide support for in-lake testing. Typical activities include machine fabrication, project engineering and management, computer testing, and analysis. Currently, these operations are dispersed throughout ARD and there is a need to consolidate these operations. The EIS evaluated two options: the selected option of constructing an Acoustical Testing and Analysis Center (ATAC), and a second option of constructing a Research and Development Support Facility (RDSF) in combination with a new Shops Facility replacing Building 1.

Construction of the proposed ATAC, as selected, will consolidate all project operations facilities into one building. The ATAC will serve as the principal facility for fabrication, test data collection and analysis, and project management and engineering. Buildings 1 and 4 will be demolished along with construction of the proposed ATAC to allow vehicle maneuverability. A new storage facility will be constructed in the Remote Storage Area to make up for lost storage space. No longer needed for project operations, Buildings 1, 101, 102, and 103 will be demolished after construction of the ATAC. Concrete

pads will be constructed in place of Buildings 101, 102, and 103 to accommodate existing trailers pads that will be displaced as a result of the ATAC.

In association with the construction of the ATAC, a pedestrian path will be constructed around the rear (west) of the building to provide a more efficient pedestrian linkage between the upland and lower portions of the base. All significant vegetation, including a stand of Douglas-fir trees, will remain where feasible. A new stairway will be constructed just east of Building 60, between the main parking lot and Shore Road. This will replace the existing walkway west of Building 60, which is narrow and unsafe, especially during inclement weather.

Base Administration includes general operations support such as administration, security, and parking. The selected capital improvements will include realignment of the main entry gate and expansion of the main parking lot. The Navy proposes to expand the existing main parking lot by acquiring, as appropriate funding becomes available, only the privately-owned single-family residence adjacent to ARD. Because this will result in a smaller main parking lot that originally proposed, the existing overflow gravel parking lot will be paved and used for permanent parking. In response to several public comments on this matter, the Navy does not propose to acquire the Bayview Public Park parcel.

The selected road alignment will shift the entry gate north, providing enhanced visitor control, more efficient truck and heavy equipment access, and space for short-term visitor parking. The realignment will also provide a space for large trucks to park on ARD property rather than on State Route (SR) 54, as currently occurs during check-in. The existing security building (Building 100) will be either retained and remodeled or demolished and replaced to accommodate access from the new main gate control point.

Implementation of the selected capital improvements will occur over the next 10 to 15 years. The MESF is planned for construction beginning in Summer 1997. In addition, both the re-established spill containment boom and the shoreline stabilization project are planned to begin in 1997. The MSP access pier is planned for 1998. Both the ATAC and the new covered storage building in the Remote Storage Area are planned for execution in 2000. No other proposed projects are currently scheduled for execution in a specific year.

A No Action Alternative was also evaluated and would have resulted in continued operations at ARD using the existing facilities without any of the changes discussed in this decision. Movement of large scale models and other equipment to and from the water would have continued to occur from the three existing model support barges (LSV, MSP, and Green Barge), as well as from the shoreline. The administrative, office, and computer functions would have continued to operate from the existing facilities dispersed throughout ARD. Neither the MESF and ATAC, nor the RDSF would have been constructed.

Under the selected improvement program, some soils will be removed from ARD and some vegetation will be lost. However, the removed vegetation will be replaced with new vegetation once each capital improvement is completed. Depending on the disposal method of removed soils and excess materials from demolition and construction of buildings, additional landfill space will be consumed and unavailable for other uses. Additional truck traffic associated with construction of the selected improvements will increase the risk of vehicle and pedestrian conflicts on adjacent roadways in the short term. The natural visual character of Scenic Bay will be diminished slightly as a result of the improvements. However, given the amount of development that has already occurred, and the fact that the proposed improvements will occur in an area already characterized by industrial development, such visual impacts will not be significant.

Proposed construction, including pile driving, demolition, and material transport, will cause a short-term, localized increase in air pollutant emissions at the project site and along area roadways. However, implementation of individual projects will occur over a 10- to 15-year period, limiting the environmental effects at any one time. Noise from pile driving, demolition, and material transport and handling will be audible on site and in the vicinity, but will be short-term and occur only during daylight hours. The selected capital improvement program will cause fewer water quality and habitat impacts than other alternatives because no dredging will be required for the extended pier MESF design and related improvements.

In accordance with Section 10 of the Rivers and Harbors Act of 1899 and section 404 of the Clean Water Act, all required permits from the U.S. Army Corps of Engineers to perform work in navigable waters of the United States will be obtained prior to construction

and operation of the proposed improvements. In compliance with the National Historic Preservation Act, potential impacts to cultural resources have been evaluated at ARD. No sites listed in, or eligible for listing in, the National Register of Historic Places have been identified within the area of potential effects from the selected capital improvements. The Idaho State Historic Preservation Officer has concurred with this finding. To ensure compliance with the Endangered Species Act, a Biological Assessment was completed and the U.S. Fish and Wildlife Service has confirmed that the selected capital improvements will have no effect on any species under the jurisdiction of the Endangered Species Act.

Pursuant to Executive Order 12898, Environmental Justice, potential environmental and economic impacts on minority and low income populations and communities were assessed. No disproportionate concentrations of minority or low income populations were identified in the areas of potential impacts of the selected capital improvements. Additionally, the Navy has ensured that opportunities for community involvement (including minority and low income individuals and populations) in the NEPA process has been provided.

Cumulative impacts are caused by the incremental impact of the selected capital improvements when added to other past, present, and foreseeable future actions in the area. Navy operations have been occurring in the ARD vicinity over the past 50 years. The tempo of operations and maintenance has increased over time as a result of testing demands. While there have been some limited environmental impacts to the lake, they have been infrequent and minor, causing no significant environmental impact overall. Acoustic testing has not caused a significant impact to recreation and boating activity on Lake Pend Oreille, nor to aquatic resources. No additional plans, in addition to the selected capital improvements, are currently envisioned by ARD. Should additional future plans develop, these will be addressed in subsequent documentation in compliance with NEPA.

The Navy selection of capital improvements results in a balancing of impacts and achieves the needed improvements in operations at ARD, while still responding to the primary concerns of agencies and the public who commented on the DEIS: Minimize or eliminate dredging, minimize visual impacts and the height of structures,

and avoid the acquisition of the Bayview Public Park parcel. There are no significant impacts associated with the proposed capital improvements that cannot be mitigated through use of best management practices, proper scheduling, and continued coordination with the community. The selected improvements fulfill the purpose and need and represent the environmentally preferred alternative.

Questions regarding the Environmental Impact Statement prepared for this action may be directed to: Officer in Charge, Naval Surface Warfare Center, Acoustic Research Detachment, PO Box 129, Bayview, Idaho, 83803-0129 (Attention: Mr. Dave Gerzina), telephone (208) 683-2321, extension 4200.

Dated: April 11, 1997.

Duncan Holaday,

*Deputy Assistant Secretary of the Navy
(Installations and Facilities).*

[FR Doc. 97-10069 Filed 4-17-97; 8:45 am]

BILLING CODE 3810-FF-M

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Grant Exclusive License; U.S. Foam Corporation

SUMMARY: The Department of the Navy hereby gives notice of its intent to grant to U.S. Foam Corporation, a revocable, nonassignable, exclusive license in the United States to practice the Government owned inventions described in U.S. Patents Nos. 5,190,624, entitled "Electroheological Fluid Chemical Processing," "5,194,181, entitled "Process for Shaping Articles from Electrosetting Compositions," and 5,518,664, entitled "Programmable Electroset Materials and Processing." Anyone wishing to object to the grant of this license has 60 days from the date of this notice to file written objections along with supporting evidence, if any. Written objections are to be filed with the Carderock Division, NSWC, Code 004, 9500 MacArthur Blvd., West Bethesda, MD 20817-5700.

FOR FURTHER INFORMATION CONTACT: Mr. Dick Bloomquist, Director, Technology Transfer, Carderock Division, NSWC Code 0117, 9500 MacArthur Blvd., West Bethesda, MD 20817-5700, telephone number (301) 227-4299.

Dated: April 7, 1997.

D.E. Koenig, Jr.,

LCDR, JAGC, USN, Federal Register Liaison Officer.

[FR Doc. 97-10016 Filed 4-17-97; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF ENERGY

Advisory Committee for National Electric and Magnetic Fields

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given of a meeting of the National Electric and Magnetic Fields Advisory Committee.

DATES: Thursday, May 1, 1997: 9:00 a.m.-5:30 p.m.; Friday, May 2, 1997: 9:00 a.m.-12:30 p.m.

ADDRESSES: U.S. Department of Energy, 1000 Independence Avenue, S.W., Room 6E-083, Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Dr. Imre Gyuk, EMF Program Manager, EE-14, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 586-1482.

SUPPLEMENTARY INFORMATION:

Purpose of the Committee: The National Electric and Magnetic Fields Advisory Committee (NEMFAC) advises the Department of Energy and the National Institute of Environmental Health Sciences on the design and implementation of a five-year, national electric and magnetic fields (EMF) research and public information dissemination (RAPID) program. The Secretary of Energy, pursuant to Section 2118 of the Energy Policy Act of 1992, Public Law 102-486, has overall responsibility for establishing the national program which includes health effects research, development of technologies to assess and manage exposures, and dissemination of information.

Tentative Agenda:

Thursday, May 1, 1997

9:00 a.m. Welcome and opening remarks

9:15 a.m. Status of RAPID program extension

10:00 a.m. Summary of FY97 non-Federal contributions

10:15 a.m. Break

10:45 a.m. Status of RAPID engineering research

11:15 a.m. Status of RAPID communication activities

11:45 a.m. Lunch

1:30 p.m. Record of expenditures and budgets

2:00 p.m. Status of RAPID health effects research

2:20 p.m. Project reporting requirements

2:30 p.m. Science review symposium

3:30 p.m. Break

3:45 p.m. Science review symposium, discussion

5:30 p.m. Adjourn