

from: Joseph A. Uravitch, Chief, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, tel. (301) 713-3155, x195.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: October 28, 1997.

**Nancy Foster,**

*Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.*

**Robert H. Wayland, III,**

*Director, Office of Wetlands, Oceans and Watersheds, Environmental Protection Agency.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### ENVIRONMENTAL PROTECTION AGENCY

#### Coastal Nonpoint Pollution Control Program: Conditional Approvals, Findings Documents, Responses to Comments, and Records of Decision

**AGENCY:** National Oceanic and Atmospheric Administration, U.S. Department of Commerce and the U.S. Environmental Protection Agency.

**ACTION:** Notice of conditional approval of Coastal Nonpoint Pollution Control Programs and availability of Findings Documents, Responses to Comments, and Records of Decision for American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Delaware, Maryland, and Pennsylvania.

**SUMMARY:** Notice is hereby given of the conditional approval of the Coastal Nonpoint Pollution Control Programs (coastal nonpoint programs) and of the availability of the Findings Documents, Responses to Comments, and Records of Decision for American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Delaware, Maryland, and Pennsylvania. Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA), 16 U.S.C. section 1455b, requires states and territories with coastal zone management programs that have received approval under section 306 of the Coastal Zone Management Act to develop and implement coastal nonpoint programs. Coastal states and territories were required to submit their coastal nonpoint programs to the National Oceanic and Atmospheric

Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) for approval in July 1995.

NOAA and EPA have approved, with conditions, the coastal nonpoint programs submitted by American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Delaware, Maryland, and Pennsylvania.

NOAA and EPA have prepared a Findings Document for each 6217 program submitted for approval. The Findings Documents were prepared by NOAA and EPA to provide the rationale for the agencies' decision to approve each state and territory coastal nonpoint program. Proposed Findings Documents, Environmental Assessments, and Findings of No Significant Impact prepared for the coastal nonpoint programs submitted by American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Delaware, Maryland, and Pennsylvania were made available for public comment in the **Federal Register**. Public comments were received and responses prepared on the programs submitted by Delaware, Maryland, and Pennsylvania. No public comments were received on the programs submitted by American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam.

In accordance with the National Environmental Policy Act (NEPA), NOAA has also prepared a Record of Decision on each program. The requirements of 40 CFR Parts 1500-1508 (Council on Environmental Quality (CEQ) regulations to implement the National Environmental Policy Act) apply to the preparation of a Record of Decision. Specifically, 40 CFR section 1505.2 requires an agency to prepare a concise public record of decision at the time of its decision on the action proposed in an environmental impact statement. The Record of Decision shall: (1) State what the decision was; (2) identify all alternatives considered, specifying the alternative considered to be environmentally preferable; and (3) state whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted.

In March 1996, NOAA published a programmatic environmental impact statement (PEIS) that assessed the environmental impacts associated with the approval of state and territory coastal nonpoint programs. The PEIS forms the basis for the environmental assessment NOAA has prepared for each state and territorial coastal nonpoint program submitted to NOAA and EPA for approval. In the PEIS, NOAA determined that the approval and conditional approval of coastal

nonpoint programs will not result in any significant adverse environmental impacts and that these actions will have an overall beneficial effect on the environment. Because the PEIS served only as a "framework for decision" on individual state and territorial coastal nonpoint programs, and no actual decision was made following its publication, NOAA has prepared a NEPA Record of Decision on each individual state and territorial program submitted for review.

Copies of the Findings Documents, Responses to Comments, and Records of Decision may be obtained upon request from: Joseph A. Uravitch, Chief, Coastal Programs Division (N/ORM3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, tel. (301) 713-3155, x195.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: October 28, 1997.

**Nancy Foster,**

*Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.*

**Robert H. Wayland, III,**

*Director, Office of Wetlands, Oceans and Watersheds, Environmental Protection Agency.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 102297B]

#### Pacific Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The Pacific Fishery Management Council's Coastal Pelagic Species Plan Development Team will hold a series of public meetings.

**DATES:** The meetings will be held Thursday, November 13, 1997; Thursday, December 11, 1997; Friday, January 16, 1998; Thursday, February 19, 1998. All sessions will begin at 10 a.m. and may go into the evening until business for the day is completed. See **SUPPLEMENTARY INFORMATION** for the schedule of meetings.

**ADDRESSES:** Meetings in La Jolla will be in the large conference room at NMFS Southwest Fisheries Science Center,

8604 La Jolla Shores Drive, La Jolla, CA. The meeting in Monterey will be held at the California Department of Fish and Game office, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA.

*Council address:* Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

**FOR FURTHER INFORMATION CONTACT:** Dr. Larry Jacobson; telephone: (619) 546-7117; or Dr. Doyle Hanan; telephone: (619) 546-7170.

**SUPPLEMENTARY INFORMATION:** The exact schedule is as follows:

*Group Location Time Date*

Team La Jolla 10:00 a.m. November 13

Team La Jolla 10:00 a.m. December 11

Team La Jolla 10:00 a.m. January 16

Team Monterey 10:00 a.m. February 19

The primary purpose of the meetings is to revise and update the proposed fishery management plan for resubmission. Current work is focused on options for limited entry (squid and finfish), control dates, framework management, establishing maximum sustainable yield control rules, and identifying essential fish habitat.

Although other issues not contained in this agenda may come before this Team for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal Team action during these meetings. Team action will be restricted to those issues specifically identified in the agenda listed in this notice.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Eric Greene at (503) 326-6352 at least 5 days prior to the meeting date.

Dated: October 27, 1997.

**Bruce C. Morehead,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 102197A]

### Endangered Species; Permits

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

**ACTION:** Receipt of an application for a scientific research permit (1102).

**SUMMARY:** Notice is hereby given that the Washington Department of Fish and Wildlife at White Salmon, WA (WDFW) has applied in due form for a permit that would provide authorization for takes of endangered and threatened anadromous fish species for the purpose of scientific research.

**DATES:** Written comments or requests for a public hearing on this application must be received on or before December 1, 1997.

**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 Resources Division, F/NWO3, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

Written comments or requests for a public hearing should be submitted to the Chief, Protected Resources Division in Portland, OR.

**FOR FURTHER INFORMATION CONTACT:** Robert Koch, Protected Resources Division, 503-230-5400.

**SUPPLEMENTARY INFORMATION:** WDFW requests a permit 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 217-227).

WDFW (1102) requests a 3-year permit for an annual take of adult, endangered, naturally-produced and artificially-propagated, upper Columbia River steelhead trout (*Oncorhynchus mykiss*); adult, threatened, Snake River steelhead trout (*Oncorhynchus mykiss*); adult, threatened, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*); and adult, threatened, Snake River fall chinook salmon (*Oncorhynchus tshawytscha*) associated with scientific research to determine the number and timing of wild and hatchery steelhead trout that pass Bonneville Dam on the Columbia River in the Pacific Northwest and to determine the number and timing of wild and hatchery steelhead trout in the treaty fishery conducted by Native Americans on the river. Data will be used to determine the fishery impacts to ESA-listed stocks and if possible, to shape fisheries to reduce impacts to ESA-listed or depressed stocks while focusing harvest on healthy stocks. Tissue analysis by starch-gel electrophoresis will be the genetic stock identification tool used to differentiate

steelhead trout groups by Evolutionarily Significant Unit (ESU). Current steelhead trout accounting methods (date or fork length) are insufficient to differentiate the passage, timing, and harvest impacts on specific ESUs, stocks, or genetic groups. ESA-listed adult fish are proposed to be captured at Bonneville Dam, anesthetized, measured and sampled for tissues and scales, allowed to recover from the anesthetic, and released. ESA-listed adult fish carcasses are also proposed to be sampled for tissues and scales.

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

Dated: October 27, 1997.

**Nancy Chu,**

*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. 102497A]

### Marine Mammals, Endangered or Threatened Species, Scientific Research Permit (File No. 473-1433)

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

**ACTION:** Receipt of application.

**SUMMARY:** Notice is hereby given that Ms. Janice M. Straley, P.O. Box 273, Sitka, Alaska 99835, has applied in due form for a Scientific Research permit to take several species of cetaceans for purposes of scientific research.

**DATES:** Written comments must be received on or before December 1, 1997.

**ADDRESSES:** The application 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, Room 13705, Silver Spring, MD 20910 (301/713-2289); and

Regional Administrator, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221).