

responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This changed circumstances administrative review, partial revocation of the antidumping duty order and notice are in accordance with sections 751(b) and (d) and 782(h) of the Act and sections 351.216 and 351.222(g) of the Department's regulations.

Dated: January 26, 2001.

**Bernard T. Carreau,**

*fulfilling the duties of Assistant Secretary for Import Administration.*

[FR Doc. 01-2795 Filed 2-1-01; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 012601A]

#### Endangered Species; Permits

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

**ACTION:** Withdrawal of two incidental take permit applications (1151 and 1255) and a scientific research permit application (1160).

**SUMMARY:** Notice is hereby given of the following actions regarding permits for takes of endangered and threatened species for the purposes of scientific research and/or enhancement: NMFS has received notice from the Oregon Department of Fish and Wildlife at Roseburg, OR (ODFW) to withdraw its permit application for an incidental take of an ESA-listed anadromous fish species associated with non-listed fish hatchery operations in the Umpqua River Basin in OR. NMFS has received notice from ODFW at Portland, OR and the Washington Department of Fish and Wildlife at Vancouver, WA (WDFW) to withdraw their joint permit application for an incidental take of ESA-listed anadromous fish species associated with fisheries directed at non-listed species in the fall of 2000. NMFS has received notice from WDFW at Vancouver, WA to withdraw an application for a permit for a take of an ESA-listed species associated with scientific research.

**ADDRESSES:** For permit application 1255: Sustainable Fisheries Division, F/

NWR2, 7600 Sand Point Way NE, Seattle, WA 98115-0070 (ph: 206-526-4655, fax: 206-526-6736).

For permit applications 1151 and 1160: Protected Resources Division, F/ NWR3, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (ph: 503-230-5400, fax: 503-230-5435).

**FOR FURTHER INFORMATION CONTACT:** For permit application 1255: Enrique Patino, Seattle WA (206-526-4655, fax: 206-526-6736, e-mail: enrique.patino@noaa.gov).

For permit applications 1151 and 1160: Robert Koch, Portland, OR (503-230-5424, fax: 503-230-5435, e-mail: robert.koch@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Authority

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

##### Species Covered in This Notice

The following species and evolutionary significant units (ESUs) are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): threatened Snake River (SnR) fall, threatened lower Columbia River (LCR).

Steelhead (*O. mykiss*): threatened SnR, endangered naturally produced and artificially propagated upper Columbia River, threatened middle Columbia River, threatened LCR, threatened upper Willamette River.

Chum salmon (*O. keta*): threatened Columbia River.

##### Permit Applications Withdrawn

Notice was published on June 10, 1998 (63 FR 31739), that ODFW applied for an incidental take permit under section 10(a)(1)(B) of the ESA. The permit was requested for a take of adult and juvenile, endangered, Umpqua River cutthroat trout (*O. clarki clarki*) associated with non-listed fish hatchery operations in the Umpqua River Basin in OR. Subsequent to the submittal of ODFW's permit

application, and the conduct of a 30-day public comment period on the application, NMFS determined that the Umpqua River cutthroat trout, formerly identified as an Evolutionarily Significant Unit of the species, is part of a larger population segment that previously was determined to be neither endangered nor threatened as defined by the Endangered Species Act (see 65 FR 20915, April 19, 2000). Therefore, NMFS determined that the Umpqua River cutthroat trout should be removed from the Federal List of Endangered and Threatened species. As such, on September 14, 2000, ODFW notified NMFS to withdraw its section 10(a)(1)(B) permit application from consideration.

Notice was published on May 3, 2000 (65 FR 34442), that ODFW and WDFW jointly applied for an incidental take permit under section 10(a)(1)(B) of the ESA. The permit was requested for a take of ESA-listed adult and juvenile salmonids associated with otherwise lawful sport and commercial fisheries on non-listed species in the lower and middle Columbia River and its tributaries during the fall of 2000. Subsequent to the submittal of ODFW/WDFW's permit application, and the conduct of a 30-day public comment period on the application and a draft Environmental Assessment/Finding of No Significant Impact for the proposed permit, an incidental take of ESA-listed species was authorized on July 31, 2000 using the section 7 consultation process. As such, ODFW/WDFW jointly notified NMFS to withdraw the section 10(a)(1)(B) permit application from consideration.

Notice was published on June 26, 1998 (63 FR 34852), that WDFW applied for a scientific research permit under section 10(a)(1)(A) of the Endangered Species Act. The permit was requested for an annual take of adult and juvenile, threatened, LCR steelhead associated with research designed to monitor steelhead genetic and biological parameters in the Wind River Basin in WA. At the time that the permit was requested, protective regulations for threatened LCR steelhead under section 4(d) of the ESA had not been promulgated by NMFS. After the protective regulations for threatened LCR steelhead were established (see 65 FR 42422, July 10, 2000), NMFS determined that WDFW's annual take of LCR steelhead associated with the proposed scientific research in the Wind River Basin would best be handled using WDFW's scientific research take limit under the 4(d) rule for that species. As such, on January 5, 2001, WDFW

notified NMFS to withdraw its permit application from consideration.

Dated: January 26, 2001.

**Chris Mobley,**

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

[FR Doc. 01-2883 Filed 2-1-01; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### **Availability of the Finding of No Significant Impact for the Lease of 22 Recreation Areas at Lake Oahe, Lake Francis Case, and Lewis and Clark Lake to the State of South Dakota**

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act and implementing regulations, an Environmental Assessment (EA) has been prepared to evaluate the environmental impacts of a request by the State of South Dakota (State) to lease several recreation areas at Lake Oahe, Lake Francis Case, and Lewis and Clark Lake in South Dakota. The Omaha District, Corps of Engineers (Corps) proposes to issue a lease for 22 recreation areas to the State until they are transferred to the State pursuant to Section 225 of the Water Resources Development Act (WRDA) of 1999, Public Law 106-53 (Title VI), as amended by WRDA 2000.

**FOR FURTHER INFORMATION CONTACT:**

Questions regarding the EA can be addressed to Patsy Freeman, U.S. Army Corps of Engineers, 215 North 17th Street, Omaha, Nebraska 68102-4978, telephone at (402) 221-3803, or E-Mail [patricia.l.freeman@usace.army.mil](mailto:patricia.l.freeman@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** The State has requested that the Government enter into a lease in order for the State to provide for the repair, maintenance, management, and operation of the recreation areas that will be transferred to the State under Title VI of Public Law 106-53. This EA evaluates the lease action and respective activities that are proposed at the 22 recreation areas and their expected environmental impacts.

The alternatives evaluated consisted of either leasing the 22 recreation areas to the State or denying the lease request (No Federal Action). Improvements proposed for several of the recreation areas are evaluated in detail. Under the

no action alternative, the operation of the facilities would remain under the management of the Corps until the transfer occurred (January 2002), with the Corps responsible for all operations and maintenance.

The EA and comments received from the public and other agencies have been used to determine whether the proposed action requires the preparation of an Environmental Impact Statement (EIS). Adverse effects of this action were deemed not to be significant. No adverse effects to federally listed threatened and endangered species are expected as a result of the proposed project. Conditions have been agreed upon by the Corps, the U.S. Fish and Wildlife Service, and the State that will reduce any potential effects. No historic properties would be adversely affected. The South Dakota State Historic Preservation Officer concurred with this determination, and all Missouri River Indian Tribes with an interest in the proposed action were given an opportunity to provide input on the preliminary finding. No Tribes objected or refuted the conclusions. No known sites involving the Native American Graves Protection and Repatriation Act (NAGPRA) are located on the sites proposed to be leased where proposed activities are to occur. All other environmental effects identified would be temporary and not significant.

The majority of comments received by the public and Native American Tribes relate to perceived violation of treaties. Although Tribes are concerned that the lease of lands to the State would provide in essence an interest in the lands, the land would stay in Federal ownership throughout the short term of the lease, and activities thereon would be subject to Federal environmental and cultural protection laws.

The cumulative effects of reasonably foreseeable future actions without the leases were assessed, including proposed urban development, land transfers, habitat mitigation, bank stabilization, recreation development, and future development on Tribal lands. The with and without lease future conditions would be the same. Therefore, the incremental cumulative impact of the proposed activities under the lease is not significant.

It is my finding that the proposed action will not have a significant adverse effect on the environment and will not constitute a major Federal action significantly affecting the quality of the human environment. Therefore,

an Environmental Impact Statement will not be prepared.

**Gregory D. Showalter,**

*Army Federal Register Liaison Officer.*

[FR Doc. 01-2776 Filed 2-1-01; 8:45 am]

BILLING CODE 3710-62-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. Docket No. ER01-556-000, ER01-557-000, ER01-558-000, ER01-559-000, ER01-560-000]

#### **Constellation Power Source; Notice of Issuance of Order**

January 29, 2001.

Constellation Power Source (Constellation) submitted for filing a rate schedule under which Constellation will engage in wholesale electric power and energy transactions at market-based rates. Constellation also requested waiver of various Commission regulations. In particular, Constellation requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuance of securities and assumptions of liability by Constellation.

On January 19, 2001, pursuant to delegated authority, the Director, Division of Corporate Applications, Office of Markets, Tariffs and Rates, granted requests for blanket approval under part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by Constellation should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, Constellation is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued