

Federal experts in the field may be used in this process. The peer mail reviewers will be several individuals with expertise in the subjects addressed by particular proposals. Each mail reviewer will see only certain individual proposals within their area of expertise, and rank them individually on a scale of one to five, where scores represent respectively: Excellent, Very Good, Good, Fair, Poor.

The peer panel will be comprised of 8 to 10 individuals, with each individual having expertise in a separate area, so that the panel as a whole covers a range of scientific expertise. The panel will have access to all mail reviews of proposals, and will use the mail reviews in discussion and evaluation of the entire slate of proposals.

The program officer(s) will not vote as part of the independent peer panel. Those proposals receiving an average panel rank of Fair or Poor will not be given further consideration and proposers will be notified of non-selection. For the proposals rated by the panel as either Excellent, Very Good, or Good, the program managers will first select the proposals to be recommended for funding by applying the project funding priorities listed above and in each funding announcement; second, determine the total duration of funding for each proposal; and third, determine the amount of funds available for each proposal. Because of consideration of the project funding priorities, awards may not necessarily be made to the most highly-ranked proposals.

Investigators may be asked to modify objectives, work plans, or budgets and provide supplemental information required by the agency prior to the award. When a decision has been made (whether an award or declination), verbatim copies of reviews and summaries of review panel deliberations, if any, are available to the proposer.

(13) *Other Requirements:*

(a) **Federal Policies and Procedures:** Recipients and subrecipients are subject to all Federal laws and Federal and DOC policies, regulations and procedures applicable to Federal financial assistance awards.

(b) **Past Performance:** Unsatisfactory performance by a recipient under prior Federal awards may result in an application not being considered for funding.

(c) **Preaward Activities:** If applicants incur any costs prior to an award being made, they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal assurance that they may have

received, there is no obligation on the part of the Department of Commerce to cover pre-award costs unless approved by the Grants Officer as part of the terms when the award is made.

(d) **No Obligation for Future Funding:** If an application is selected for funding, DOC/NOAA has no obligation to provide any additional future funding in connection with that award. Amendment of an award to increase funding or, unless the award specifically provides to the contrary, to extend the period of performance is at the total discretion of DOC/NOAA.

(e) **Delinquent Federal Debts:** No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until:

(i) The delinquent account is paid in full,

(ii) A negotiated repayment schedule is established and at least one payment is received, or

(iii) Other arrangements satisfactory to the Department of Commerce are made.

(f) **Name Check Review:** All non-profit and for-profit applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of, or are presently facing criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management honesty or financial integrity.

(g) **Debarment, Suspension, Drug-Free Workplace, and Lobbying Provisions:** All applicants must comply with the requirements of 15 CFR part 26, "Government-wide Debarment and Suspension (nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)" and 15 CFR part 28, "New Restrictions on Lobbying," including the submission of required forms and obtaining certifications from lower tier applicants/bidders.

(h) **False Statements:** A false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

(i) **Intergovernmental Review:** Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

(j) This action was determined to be not significant for purposes of Executive Order 12866.

(k) This document involves collections of information subject to the Paperwork Reduction Act (PRA) which have been approved by the Office of Management and Budget (OMB) under

OMB control numbers 0348-0044, 0348-0040 and 0348-0046.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the PRA unless that collection displays a current valid OMB control number.

Dated: September 2, 1999.

Captain Ted I. Lillestolen,

Deputy Assistant Administrator National Ocean Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 082699A]

Gulf of Mexico Fishery Management Council; Public Meeting

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 will convene a public meeting of the Mississippi/Louisiana Habitat Protection Advisory Panel (AP).

DATES: The meeting will begin at 9:00 a.m. on Thursday, September 23, 1999 and conclude by 3:00 p.m.

ADDRESSES: The meeting will be held at the New Orleans Airport Hilton, 901 Airline Highway, New Orleans, LA 70062; telephone: 504-469-5000.

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

FOR FURTHER INFORMATION CONTACT: Jeff Rester, Gulf States Marine Fisheries Commission; telephone: 228-875-5912.

SUPPLEMENTARY INFORMATION: The Louisiana/Mississippi group is part of a three unit Habitat Protection Advisory Panel of the Gulf of Mexico Fishery Management Council. The principal role of the advisory panels is to assist the Council in attempting to maintain optimum conditions within the habitat and ecosystems supporting the marine resources of the Gulf of Mexico. Advisory panels serve as a first alert system to call to the Council's attention proposed projects being developed and other activities which may adversely impact the Gulf marine fisheries and their supporting ecosystems. The panels

may also provide advice to the Council on its policies and procedures for addressing environmental affairs.

At this meeting, the AP will discuss revision of the Council's Habitat Policy to include essential fish habitat (EFH) provisions, an update on EFH assessments in Council fishery management plan amendments, an update on the status of the EFH lawsuit, review of the Turkey Creek Development project in south Mississippi, and an update on the Broadwater Casino expansion project.

Although other issues not on the agenda may come before the AP for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. The AP's actions will be restricted to those issues specifically identified in the agenda listed as available by this notice.

Special Accommodations

This meeting is 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 September 16, 1999.

Dated: September 3, 1999.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 082799C]

Endangered Species; Permits

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

ACTION: Receipt of an application to modify an enhancement permit (895); issuance of modifications to an existing scientific research permit (1144).

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 an application for a modifications to an existing permit from the U.S. Army Corps of Engineers at Walla Walla, WA (Corps) (895); and NMFS has issued a modification to a scientific research permit to Mr. Bruce

D. Peery, Michael J. Bresette and Jonathan C. Gorham (1144).

DATES: Written comments or requests for public hearings on the new modification request must be received on or before October 12, 1999.

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

For permit 895: Protected Resources Division, F/NWO3, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

For permit 1144: Office of Protected Resources, Endangered Species Division, F/PR3, 1315 East-West Highway, Silver Spring, MD 20910 (301-713-1401).

FOR FURTHER INFORMATION CONTACT:

For permit 895: Robert Koch, Portland, OR (503-230-5424).

For permit 1144: Terri Jordan, Silver Spring, MD (301-713-1401).

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).

Those individuals requesting hearings on an application listed in this notice should set out the specific reasons why hearings on that application would be appropriate (see ADDRESSES). The holding of such hearings are at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

Species Covered in this Notice

The following species and evolutionarily significant units (ESU's) are covered in this notice:

Sea Turtles

Green turtle (*Chelonia mydas*), Kemp's ridley turtle (*Lepidochelys kempii*), Loggerhead turtle (*Caretta caretta*).

Fish

Chinook salmon (*Oncorhynchus tshawytscha*): Snake River (SnR) fall, SnR spring/summer, upper Columbia River (UCR) spring.

Sockeye salmon (*Oncorhynchus nerka*): SnR.

Steelhead trout (*Oncorhynchus mykiss*): UCR.

Modification Request Received

The Corps requests a modification to enhancement permit 895. For the modification, the Corps requests an increase in the take of juvenile, threatened, naturally produced, SR spring/summer chinook salmon associated with the juvenile fish transportation program. The increase in take is requested because an unusually large number of wild juvenile spring/summer chinook salmon smolts survived the winter, due to very favorable rearing conditions, and are migrating out of the Snake River and are being collected and transported at the Corps' projects in 1999. The 1998 supplement to the biological opinion prepared by NMFS for the operation of the Federal hydropower system requires the transportation of all juvenile fish at the Snake River projects with transportation facilities. ESA-listed juvenile fish are proposed to be collected at the dams, transported downriver past the dams in aerated barges and trucks, and released below the dams to aid their outmigration to the Pacific Ocean. The Corps is not requesting an increase in ESA-listed juvenile fish indirect mortalities. The permit modification is requested to be valid for the duration of the permit.

Status of Previous Modification Request

Notice was published on April 21, 1999 (64 FR 19515), that an application had been filed by the Corps for a modification to enhancement permit 895. Permit 895 authorizes the Corps annual takes of ESA-listed juvenile fish associated with the operation of the juvenile fish transportation program at four hydroelectric projects on the Snake and Columbia Rivers in the Pacific Northwest. Permit 895 also authorizes the Corps annual incidental takes of ESA-listed adult salmonids associated with fallbacks through the juvenile fish bypass systems at the four dams. The purpose of the modification request was to include takes of juvenile, endangered, naturally produced and artificially propagated, UCR spring chinook salmon in the permit. Since the effective date of the take prohibitions for this endangered species was May 24, 1999, and since the Corps' juvenile fish