establishing minimum stock size thresholds for groundfish. Public listening sites have been established as follows:

Seattle, WA: Room 2079, Bldg. 4, at the Alaska Fisheries Science Center, 7600 Sand Point Way NE.,

Juneau, AK: NMFS Main Conference Room, #445C, 4th Floor Federal Building, 709 W. 9th Street

Kodiak, AK: Fishermen's Hall, 503 Marine Way

Anchorage, AK: NPFMC Offices, 605 W. 4th Avenue, 3rd Floor

2. A meeting of the Council/Alaska Board of Fisheries Joint Committee will meet September 15–16, 1999, at the Hilton Hotel, 500 W. 3rd Avenue, Anchorage, AK. The agenda will include:

(a) Alternatives for resolving the fair-start issue.

(b) Review the Joint Protocol.

(c) Examination of the range of cross jurisdictional issues of mutual interest.

3. The Council's Ecosystem Committee will meet September 20, 1999, beginning at 8:30 a.m. at the Alaska Fisheries Science Center, Building 4, room 2079. The agenda includes discussion of following topics:

(a) Analysis of Habitat Areas of Particular Concern

(b) Evaluation of current management with National Research Council Recommendations for Sustainable Fisheries

(c) The Ecosystem-based Fisheries Report

(d) The 1999 Ecosystem Chapter for the Stock Assessment and Fishery Evaluation documents.

4. The Council's Crab Fishery Management Plan Team will meet September 27–28, 1999, at the Hilton Hotel, 500 W. 3rd Avenue, Anchorage, AK. The meeting will begin at 1:00 p.m. on September 27th.

Agenda subjects will include:

(a) Review Tanner Crab Rebuilding Plan, survey information, and guideline harvest levels.

(b) Prepare and review the annual Stock Assessment and Fishery Evaluation Report.

(c) Review Category 2 and 3 proposals and any amendment proposals received.

(d) Review and discuss management of the Aleutian Islands red king crab fishery.

Although other issues not contained in this agenda may come before these groups for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically identified 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 Helen Allen, 907–271–2809, at least 5 working days prior to the meeting date.

Dated: August 11, 1999.

Bruce C. Morehead,

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

[FR Doc. 99–21195 Filed 8–13–99; 8:45 am]

BILLING CODE 3510–22–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 990730207–9207–01; I.D. 072899B]

RIN 0648–ZA68

New Bedford Harbor Trustee Council

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

ACTION: Notice; request for restoration ideas for New Bedford Harbor.

SUMMARY: On behalf of the New Bedford Harbor Trustee Council (Council), NMFS, serving as the Administrative Trustee, announces this request for ideas for projects that will restore natural resources that were injured by the release of hazardous substances, including polychlorinated biphenyls (PCBs), in the New Bedford Harbor environment. The Council will evaluate ideas in three major areas: the restoration criteria established by the Council as described in section V.A.2 of this document, the legal requirements for eligibility, and the technical feasibility. The Council will also seek public comment on the ideas received. After receiving public comments, technical, public and other recommendations will be provided to the Council for its consideration in deciding which ideas, if any, be adapted into measures to be implemented.

DATES: The Council will accept project ideas through September 7, 1999.

ADDRESSES: The Council will accept project ideas at the following location: New Bedford Harbor Trustee Council, c/o National Marine Fisheries Service, 1 Blackburn Drive, Gloucester, MA 01930, Attn: Jack Terrill, or New Bedford Harbor Trustee Council, 37 N. Second Street, New Bedford, MA 02740. Comments on the collection-of-information-requirement under the Paperwork Reduction Act can be submitted to the Office of Management and Budget (OMB) at: Office of Information and Regulatory Affairs, OMB, Washington, DC 20503, Attention: NOAA Desk Officer.

FOR FURTHER INFORMATION CONTACT: Jack Terrill, Coordinator, 978–281–9136, or Jack.Terrill@NOAA.GOV.

SUPPLEMENTARY INFORMATION:

I. Background

New Bedford Harbor is located in Southeastern Massachusetts at the mouth of the Acushnet River on Buzzards Bay. The communities of Acushnet, Dartmouth, Fairhaven, and New Bedford are adjacent to the harbor. The harbor and river are contaminated with high levels of hazardous materials, including PCBs, and as a consequence are on the U.S. Environmental Protection Agency's (EPA) Superfund National Priorities List. This site is also listed by the Massachusetts Department of Environmental Protection as a priority Tier 1 disposal site. The contamination resulted both directly from discharges into the Acushnet River estuary and Buzzards Bay and indirectly via the municipal wastewater treatment system into the same bodies of water.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or ''Superfund,'' 42 U.S.C. 9601 *et seq.*) provides a mechanism for addressing the Nation's hazardous waste sites, allowing states and the Federal Government to sue polluters for the clean-up and restoration of designated sites. CERCLA provides for the designation of ''natural resource trustees:'' Federal, state, or tribal authorities who represent the public interest in natural resources. Natural resource trustees may seek monetary damages (i.e., compensation) from polluters for injury, destruction, or loss of natural resources resulting from releases of specified hazardous substances. These damages, which are distinct from clean-up costs, must be used by the trustees to ''restore, replace, or acquire the equivalent of'' (CERCLA) the natural resources that have been injured, after the trustees have approved a restoration plan.

The parties responsible for the New Bedford Harbor discharges were electronics manufacturers who were major users of PCBs from the time their operations commenced in the late 1940s until 1977, when EPA banned the use and manufacture of PCBs. PCBs are human carcinogens that can be introduced to humans through eating contaminated fish and shellfish. PCBs also have adverse effects on such

natural resources as shellfish, birds, and higher mammals.

Executive Order 12580 and the National Contingency Plan, which is the implementing regulation for CERCLA, designate the Secretaries of Agriculture, Commerce, Defense, Energy, and Interior to be Federal trustees for natural resources. Federal trustees are designated because of their statutory responsibilities for protection and/or management of natural resources or management of federally owned land. In addition, the governor of each state is required to designate a state trustee.

Trustee responsibilities include assessing damages resulting from the release of hazardous substances, pursuing recovery of both damages and costs from the responsible party or parties, and using recovered funds to restore, replace or acquire the equivalent of natural resources that were injured by the release. For the New Bedford Harbor Superfund Site, there are three natural resource trustees on the Council: Department of Commerce (DOC), the Department of the Interior, and the Commonwealth of Massachusetts. The Secretary of Commerce has delegated DOC trustee responsibility to NOAA; within NOAA, NMFS has responsibility for natural resource restoration. The Secretary of the Interior has delegated trustee responsibility to the U.S. Fish and Wildlife Service. The Governor of Massachusetts has delegated trustee responsibility to the Secretary of Environmental Affairs.

In 1983, the Federal and state trustees filed complaints against the electronic manufacturers in Federal District Court in Boston alleging causes of action under CERCLA for injuries to natural resources under their trusteeship that had resulted from releases of hazardous substances, including PCBs. The complaints were resolved as of 1992 through settlement agreements with the electronic manufacturers who paid $109 million for (1) cleanup of the harbor, (2) restoration of injured natural resources, and (3) reimbursement of funds already expended. The Council was created as a result of the settlements.

CERCLA defines natural resources to include land, fish, wildlife, biota, air, water, groundwater, drinking water supplies or other resources under the control or management of the Federal or state government. Natural resources within the New Bedford Harbor environment showing documented injury or having a high probability of injury include fish, shellfish, other marine organisms, birds, marine sediment and the water column. The fish species include winter flounder, tautog, scup, mackerel, silverside, mummichog, and American eels and herring. Shellfish injured by the release of PCBs include mussels, clams, quahogs, oysters, various species of crabs and lobster. PCB contamination also affected other organisms such as amphipods, diatoms and copepods that are part of the food chain and are a means for further transmission of PCBs.

The Council issued an initial ''Request for Restoration Ideas'' in October 1995 (60 FR 52164, October 5, 1995)(the first round). Fifty-six ideas were received from the local communities, members of the public, academia, and state and Federal agencies. The ideas were the basis for the alternatives listed in the Council's ''Restoration Plan for the New Bedford Harbor Environment'' (Restoration Plan) that was developed to guide the Council's restoration efforts. An environmental impact statement was prepared in conjunction with the Restoration Plan to fulfill requirements of the National Environmental Policy Act. A record of decision was issued on September 22, 1998, for both the Restoration Plan and the environmental impact statement. The issuance of the record of decision allowed the implementation of 11 preferred restoration projects analyzed in the Restoration Plan.

The Restoration Plan also identifies an ''event based'' process that allows the Council to proceed with additional restoration activities as more information on EPA's remediation becomes available or as portions of the harbor remediation are completed. Because EPA has issued the ''Record of Decision for the Upper and Lower Harbor Operable Unit'' (September 25, 1998), which describes the methods and actions EPA will undertake to clean up the site, the Council now believes it is appropriate to issue another request for restoration ideas (the second round).

II. Guidance For Development of Natural Resource Project Proposals

Following the conclusion of the first round of funding for restoration projects, members of the public requested further information regarding potential project proposals to be submitted to the Council for consideration in the second round, particularly potential water quality projects such as sewer and septic related construction projects. At its May 7, 1999 meeting, the Council provided the following legal guidelines to be considered during development of restoration project proposals to be submitted to the Council for funding from the New Bedford Harbor Natural Resource Damages Restoration Trust Fund. In addition to these legal guidelines, the Council must also consider restoration requirements (see V.A.2 of this document). Please understand that this summary cannot provide a complete explanation of everything that the Council may consider in evaluating proposed projects and that the following summary does not constitute an official rule, regulation, or law.

Further, it is important to note that a project's consistency with these legal guidelines does not guarantee that it will be funded, but merely establishes that the Council will/may consider the project for possible funding. Conversely, rejection of a proposed project based upon the legal guidelines means that the Council will not use natural resource damage settlement funds for that project, even though the proposed project may yield a restoration benefit to an injured natural resource.

(1) The Council may fund a restoration project only if the primary purpose of the project is to, in a manner consistent with the Restoration Plan, restore, replace, or acquire the equivalent of a natural resource that was injured by the release of PCBs into the New Bedford Harbor environment.

The primary purpose of a project must be the restoration of an injured natural resource or the services that the resource provided to a condition comparable to that which would have existed in the absence of the release of PCBs into the harbor environment.[1] The Council will not select a proposed project for funding if the restoration benefit to the injured natural resource or to its related services is only incidental to the objective of the project. For example, although a proposed project may provide an incidental restoration benefit to an injured resource, the Council will not fund it if its cost is disproportionate to or exceeds the restoration benefit or if its primary purpose appears to be to alleviate financial hardship for one or more private individuals. The Council will consider projects that ameliorate conditions that may limit the effectiveness of any restoration action (for example, the removal of residual sources of contamination) or would accelerate an injured resource's return to its ''baseline condition.''[2] However, the Council may give lower priority to

[1] *See* section 107(f)(1) of CERCLA, 42 U.S.C. 9607.

[2] ''Baseline'' means the condition that would have existed in the area where the natural resources have been affected by the release of hazardous substances had the release not occurred. 43 CFR 11.14.

projects that propose to restore, replace, or acquire the equivalent of injured natural resources by addressing such limiting conditions instead of providing an affirmative restoration benefit to the resource.

(2) The Council has determined that it will not fund a restoration project if there is an independent, prior obligation to perform the project pursuant to statute, regulation, ordinance, consent decree, judgement, court order, permit condition or contract or if otherwise required by Federal, state, or local law.

Please note that this summary cannot cover all possible laws that may apply to a restoration proposal.[3] Specifically, in deciding whether a proposed project regarding water quality is ''otherwise required'', the Council will consider: (1) The legal requirements of the Federal Clean Water Act and the analogous provisions of Massachusetts law; (2) the legal requirements of Title 5, which consists of the Massachusetts regulations governing on-site sewage treatment and disposal, codified at 310 CMR 15.00; and (3) whether the project is otherwise required by Federal, state, or local law, consent decree, judgement, court order, permit condition or contract, or could be required by enforcement of such law, consent decree, judgement, court order, permit condition or contract.

Regardless of whether a governmental agency has elected to exercise its discretion to enforce a provision of law, if a governmental agency has the authority to order certain work (for example, EPA or the Massachusetts Department of Environmental Protection (DEP) has the authority to request a municipality to upgrade a combined sewer overflow or Publicly Owned Treatment Works (POTW) due to an improper point source discharge under the Clean Water Act, or DEP or a local board of health has the authority to order a homeowner to address a failed system under Title 5), then the Council will consider the project to be ''otherwise required'' and not appropriate to be considered for funding. Further, even though a project may not be currently required by an independent prior obligation, the Council will not fund it if there is an established deadline after which such an obligation will exist.

For proposed projects that involve connecting a facility (currently serviced by a Title 5–regulated on-site sewage treatment and disposal system) to a municipal or private sanitary sewer, the project proponent upon request, must provide the Council with adequate documentation that (1) the facility is not the subject of an order or agreement to upgrade its system or connect the system to a sanitary sewer or shared system; (2) no inspection of the system is required pursuant to 310 CMR 15.301 or, if an inspection is required, a currently valid certificate of compliance has been issued for the system by the approving authority; and (3) the system does not fail to protect ''public health and safety and the environment'' pursuant to 310 CMR 15.303 and 304.[4]

For proposed projects covered under the Clean Water Act and involving the treatment or elimination of point source discharges of pollutants to surface waters, including, for example, sewage, industrial wastewater, and/or storm water, the project proponent must demonstrate to the Council upon request and with adequate documentation, that the proposed project goes beyond what is required by applicable National Pollutant Discharge Elimination System permits, enforcement orders and consent decrees. In the case of a discharge for which no permit has been issued, the project proponent must demonstrate, upon request, that the project would go beyond the requirements that would apply to the discharge pursuant to the Clean Water Act, its implementing regulations, and state water quality standards, as well as to any enforcement action which has been initiated. The question of whether a proposed project would result in pollution control beyond Clean Water Act requirements is complex and must be answered on a case-by-case basis.

If, during its review of a proposed project pursuant to this requirement, the Council determines that an ''otherwise required'' issue may exist, the Council will seek further clarification and information from the proponent and/or other governmental entities before making a final determination.

(3) In determining whether a proposed restoration project will be funded, the Council will consider whether the project fits, in terms of the project's costs, with the Council's plan to retain sufficient funds to accomplish meaningful and necessary restoration work after EPA's cleanup is finished.

The Council has not established a definite cap on funding for the second round; however, the Council has decided that it will not expend an amount of funds whose spending would impair its ability to accomplish meaningful restoration following the completion of EPA's remediation. In recognition of this limitation, the Council plans to select a suite of projects that will accomplish restoration priorities and whose total cost is consistent with the Restoration Plan. Project proponents should scale proposals accordingly.

(4) The Council will not fund a restoration project that will be undone or negatively impacted by EPA's future remediation work or that will interfere with any ongoing remediation related work.

Even if the Council's analysis of a proposed project indicates that it will yield a cost-effective restoration benefit to an injured resource, the Council will not fund the project in this round if it will be undone or negatively impacted by EPA's future remediation work. The Council intends to closely coordinate its actions with those of EPA during the development of the remediation plans and to inform the public as to EPA's cleanup schedule so that restoration proposals may be developed accordingly.

Although a proponent may have a general sense of the New Bedford Harbor environment and the injured natural resources sufficient for an initial identification of projects, precise legal meanings of certain terms are provided in the Restoration Plan. Please consult the Restoration Plan prior to submitting a project proposal (for example, see Figure 1.1 in chapter 1 of the Restoration Plan for the meaning of the ''affected'' New Bedford Harbor environment, and chapter 2.1 for definitions of certain terms including ''injury'' and ''natural resources'').

If a municipality proposes a project, the Council suggests that the proposal be reviewed by the municipality's legal counsel prior to submission. In addition, please remember that information submitted to the Council by all parties is included in a public record and is subject to disclosure pursuant to the Federal Freedom of Information Act and the Massachusetts Public Records Law. Please note that, prior to selection of any project for funding, all proposals will be subject to public review and comment as part of an open public comment process.

III. Restoration Priorities

The Council has identified the following list of priorities for restoration of injured natural resources:

1. Marshes and/or wetlands,
2. Recreation areas,

[3] The Council has limited discussion in this section to the Clean Water Act and to Massachusetts Title 5, as interested parties primarily and specifically requested information concerning the effect of those laws on water quality related project ideas.

[4] For purposes of this section, ''facility'' has the meaning as defined by Title 5, 310 CMR 15.002 not as defined by CERCLA.

3. Water column,
4. Habitats,
5. Living resources, and
6. Endangered species.

Project ideas should address these priorities but respondents are not limited to these areas alone. New priorities can be identified, if appropriate, and incorporated into the restoration planning process provided that they meet legal requirements, technical feasibility, and selection criteria.

IV. How to Submit Ideas

This is not a formal solicitation for contract or grant proposals. Instead this is a request for ideas that could eventually lead to contracts or grants. Depending on the activity involved in a project and the project's proponent, the funding award could be a grant, a contract, or, if appropriate, work performed by Federal or state agencies. Please note that the type of submission expected under this solicitation for restoration ideas is significantly different from that for Federal assistance programs.

Respondents are reminded that, once an idea has been submitted, the idea will be made available to the public. Even if the idea is chosen and a solicitation is conducted for accomplishing that idea, there is still no guarantee that the proponent of the idea will be chosen to perform that work. It is possible that an idea may be implemented, after public review (see IV.B.1), through a sole source contract or grant if the idea meets the appropriate criteria for such an award. Because proposals will be subject to public review, respondents who are concerned about revealing proprietary interests or methods should present only enough information to provide the Council with an understanding of the idea.

A. Eligible Submissions

All individuals are eligible to submit ideas, and all submissions are welcomed and encouraged. Respondents are asked to evaluate their idea(s) against criteria developed by the Council in the Restoration Plan (see V.A.2).

Assistance from Council staff is available by telephone or through meetings. Assistance will be limited to such issues as the Council's goals, restoration priorities, selection criteria, application procedures, and responding to questions regarding completion of application forms. Assistance will not be provided for conceptualizing, developing, or structuring proposals. Information can be obtained at the offices of the Council (see **ADDRESSES**).

B. Duration and Terms of Funding

Direct awards of funding will not occur under this solicitation for restoration ideas. Rather, this solicitation for restoration ideas will result in prioritization of proposed ideas by the Council considering public review and comment. The Council will then determine the most appropriate means of implementing approved project ideas that may or may not require further solicitation.

The Council has a fixed amount of money to implement restoration projects. The cost of the project constitutes an important consideration in determining which project ideas are to be implemented. Estimated cost information allows the Council to develop a spending plan for future years and allows both the public to understand and the Council to determine how many project ideas can actually be funded. In describing the project idea, respondents should consider whether funding would be needed for a single or multiyear basis. This information will in no way affect consideration of the merits of the proposal but instead will assist the Council in its planning.

Since this announcement is only a request for restoration ideas, publication of this request does not obligate the Council to award any specific grant or contract or to obligate any part or the entire amount of funds available.

C. Cost sharing

One way of extending the fixed amount of money the Council has to work with is through cost sharing (often referred to as providing ''matching funds''). It is not required that project ideas contain cost sharing. However, the Council does encourage respondents to think about cost sharing and, if it is appropriate for a project idea, to discuss within the idea the degree to which cost sharing may be possible. If cost sharing is proposed, the respondent is asked to account for both the Council and non-Council amounts. This information will allow the Council to better plan future expenditures.

D. Format

The forms described below are available from the Council's offices (see **ADDRESSES**) or through the internet at http://www.darp.noaa.gov/neregion/newbed.htm.

1. *Project idea summary*: An applicant must complete ''Request for Restoration Ideas'', Project Summary form, for each project. This form is required in addition to the project narrative described below:

2. *Project idea budget*: Since this is a solicitation of ideas and not a competitive bidding process for work to be performed, a project budget is not required. However, the Council requests that a cost estimate be provided in order to better plan for a proposed allocation of available funds. In determining the estimate for total project cost, the respondent should take into account direct costs, indirect costs, and any cost sharing. Fees or profits should not be included in the estimated budget.

The total costs of the project idea include all costs incurred in accomplishing its objectives during the life of the project.

3. *Project idea narrative description*: The project idea should be completely and accurately described, as follows:

a. *Project idea goals and objectives*: State what the proposed project idea is expected to accomplish.

b. *Project idea statement of work*: Describe the work to be performed that will achieve the Council goals, priorities, and criteria. Include the work, activities, or procedures to be undertaken and the types of individuals expected to perform such work.

c. *Federal, state, and local government activities*: List any Federal, state, or local government programs or activities that this project idea would affect, if known, including activities under Massachusetts Coastal Zone Management Plans and those requiring consultation with the Federal Government under the Endangered Species Act and the Marine Mammal Protection Act. Describe the relationship between the project idea and these plans or activities.

d. *Project idea evaluation criteria*: Describe how the project idea would address the criteria contained in V.A.2.

V. Evaluation Criteria and Selection Procedures

A. Evaluation of Restoration Project Ideas

1. *Consultation with interested parties*: The Council will evaluate ideas in consultation with Federal trust agencies, Commonwealth of Massachusetts trust agencies, other Federal and state agencies, the Council's advisors, and others outside the Federal and state trust agencies who have knowledge in the subject matter of the project ideas or who would be affected by the project ideas.

2. *Technical evaluation criteria*: The Council will solicit technical evaluations of each project idea from appropriate private and public sector

experts. Point scores will be given to project ideas up to the maximum value shown below, based on the following evaluation criteria:

(a) Project ideas must restore the injured natural resources and associated activities of the area. The idea will be evaluated on whether it restores, replaces, or acquires the equivalent of natural resources that were injured as a result of the release of hazardous materials, including PCBs, in the New Bedford Harbor environment. (25 points)

(b) Priority will be given to project ideas within the New Bedford Harbor environment, however, project ideas within the affected marine ecosystem that have a direct, positive impact on the harbor environment will be considered. Project ideas that are outside the New Bedford Harbor environment will be considered if they restore injured natural resources within the New Bedford Harbor environment. (15 points)

(c) Priority will be given to project ideas that give the largest ecological and economic benefit to the greatest area or greatest number of people affected by the injury. The Council is seeking project ideas that will provide the greatest good. A project idea will be evaluated on the basis of whether it provides positive benefits to a more comprehensive area or population. Project ideas that benefit a particular individual rather than a group of individuals would be scored lower under this criterion. (15 points)

(d) Ecological or economic effects of the project ideas should be identifiable and measurable so that changes to the New Bedford Harbor environment can be documented. The idea will be evaluated on whether it has discrete quantifiable results so that a determination can be made on its success or failure. (10 points)

(e) Preferred project ideas are those that employ proven technologies that have high probabilities of success. In evaluating a project idea, the reviewers will determine the likelihood of success based on the method being proposed. To assist in this evaluation, the respondent should provide information on whether the technique has been used before and whether it has been successful. (10 points)

(f) Project ideas should be cost effective. The justification and allocation of a project's budget in terms of the work to be performed will be evaluated. Project ideas which would result in high implementation costs will be taken into account. (10 points)

(g) Project ideas should enhance the aesthetic surroundings of the harbor environment to the greatest extent possible, while acknowledging the ongoing industrial uses of the harbor. The extent that a project idea recognizes the multiple number of uses and the project idea's impacts on those uses will be evaluated as well as the project idea's ability to enhance the overall beauty of the harbor environment. (5 points)

(h) Project ideas should ultimately enhance the public's ability to use, enjoy, or benefit from the harbor environment. Besides a project idea's success at restoring natural resources, it will be evaluated on the basis of collateral gains in the public's ability to utilize the harbor environment. (5 points)

(i) Project ideas should provide an opportunity for community involvement that should be allowed to continue even after the Council's actions have ended. Project ideas will be evaluated on whether the public can be involved in various facets after the Council has completed its funding and the project is completed. (5 points)

3. *Project idea ranking*: Utilizing the numerical scores resulting from the technical evaluation described at V.A.2., project ideas will be ranked in order of the highest to the lowest score. Project ideas scoring the highest will be considered as ''preliminary preferred'' alternatives, with the other ideas as alternatives. The ranking is used only to provide guidance to the Trustees, but is not controlling. Project ideas that fail to meet criterion (a) may be excluded from further consideration though respondents may be provided other opportunities through later Council solicitations.

B. Selection Procedures and Project Funding

After project ideas have been evaluated and ranked, the review team will develop recommendations for preferred projects. These recommendations will be submitted to the Council which will review the recommendations, accept or modify the recommendations, and make a preliminary determination on the approximate number of project ideas it expects to undertake.

1. *Public review*: Once a preliminary determination is made on the preferred project ideas and on the number of project ideas to be funded, the Council will initiate a 30-day public comment period and hold a public hearing to receive comment on the Council's recommendations.

2. *Trustee Council determination*: At the conclusion of the 30-day comment period, the Council will consider the comments from the public and its advisors before making its final decisions on funding. Factors the Trustees may consider include, but are not limited to, the total cost of the highest ranked projects, the cost of individual projects, the amount available to be spent, and the potential impact of clean up activities on the project.

3. *Project solicitation*: Upon the Council's final decisions, the Council may solicit restoration projects for the selected ideas. If necessary, the solicitation will be a formal request following the appropriate contract or grant procedures. The projects ultimately selected could be awarded to private entities, commercial firms, educational institutions, or local, state, or Federal agencies.

Classification

This notice contains a collection-of-information requirement subject to the Paperwork Reduction Act. The collection of this information has been approved by the OMB under OMB control number 0648–0302. No person is required to respond to the collection of information unless it displays a currently valid OMB control number.

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 Paperwork Reduction Act, unless that collection of information displays a currently valid OMB control number.

The public reporting burden for this collection is 1 hour per response. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Jack Terrill and OMB (see **ADDRESSES**).

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

Dated: August 9, 1999.

Gary C. Matlock,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Services.

[FR Doc. 99–21096 Filed 8–13–99; 8:45 am]

BILLING CODE 3510–22–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 080999C]

Marine Mammals; File No. 495–1524

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