

Perkinson, Kootenai National Forest, *in litt.* 1993).

The petitioners state that based on genetic analysis of trout samples from 60 sites in the Kootenai River drainage, researchers have identified five remaining pure strain populations of interior redband trout in Montana. These five stream populations presently occupy approximately 56 kilometers (35 miles) of stream (Doug Perkinson, Kootenai National Forest, *in litt.* 1994). The petitioners assert that these populations have a high likelihood of being the only native populations remaining in Montana. The petitioners also state there are no documented stream populations of interior redband trout in the State of Idaho.

Any species that is in danger of extinction throughout all or a significant portion of its range may be declared an endangered species under the Act (50 CFR 424.02(e)). The term "species" is defined in 50 CFR 424.02(k) as "any species or subspecies * * * and any distinct population segment of any vertebrate species that interbreeds when mature." Thus the first deliberation is whether the Kootenai River population of interior redband trout is a recognized subspecies or distinct population that interbreeds.

Following receipt of the petition the Service found additional evidence of native redband trout, both pure populations and the presence of genetic material, in other tributaries in the Kootenai drainage. These data indicate that interior redband trout in the Kootenai drainage may be more widely distributed than previously assumed (Perkinson 1994A). The Idaho Conservation Data Center, *in litt.* 1994, cites populations of interior redband trout in the following drainages in Idaho—Weiser, Payette, Boise, Bruneau, Owyhee, and Wood, and numerous tributaries to the Snake River. The Service examined evidence of additional pure redband trout populations above Kootenai Falls, a presumed isolating barrier for the Kootenai River redband trout (Leary 1994). This evidence indicates nearly pure populations of redband trout outside the subspecies presumed home-range (Perkinson 1994C). The literature also indicates interior rainbow trout genetic material in numerous fish populations upstream from Kootenai Falls in the Kootenai River drainage (Huston 1994, Perkinson 1994A). A Service review of the literature and discussions with regional fisheries biologists reveals an ongoing debate about the definition of interior redband trout. Presently there appears to be general agreement that the interior

rainbow trout "complex" includes redband trout of the Columbia basin east of the Cascade Range up to barrier falls, and including anadromous steelhead, making the distribution of this subspecies wide and diverse.

The petitioners did not provide supporting data or literature to substantiate the claim that the interior redband trout residing in the Kootenai River drainage of Montana, and possibly Idaho, constitute a separate and distinct vertebrate population segment that is genetically, physically, or is otherwise distinct from other redband trout populations, or that these fish are significant to the survival of redband trout populations that occupy hundreds of miles of habitat in the inland northwest. In addition these fish do not constitute a significant portion of the range of the interior redband trout.

The Service concludes that the data contained in the petition, referenced in the petition, and otherwise available to the Service does not present substantial information that the petitioned actions may be warranted. The Service will retain the interior redband trout as a category 2 candidate, and will continue to seek information regarding the status or threats to the subspecies. If additional data becomes available in the future, the Service may reassess the listing priority for this subspecies or the need for listing.

References cited: A complete list of all references cited herein are available upon request from the Boise Field Office (see ADDRESSES section).

Author: The primary author of this document is Patricia Klahr, U.S. Fish and Wildlife Service, (see ADDRESSES section).

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: July 11, 1995.

Bruce Blanchard,

Acting Director, Fish and Wildlife Service.

[FR Doc. 95-19550 Filed 8-7-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Chapter VI

[I.D. 073195A]

Coral Reef Resources of Puerto Rico and the U.S. Virgin Islands

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

ACTION: Notice of availability of a fishery management plan; and request for comments.

SUMMARY: NMFS announces that the Caribbean Fishery Management Council has submitted a Fishery Management Plan for Corals and Reef Associated Plants and Invertebrates of Puerto Rico and the U.S. Virgin Islands (FMP) for review by NMFS. Written comments are requested from the public.

DATES: Written comments must be received on or before October 10, 1995.

ADDRESSES: Comments must be mailed to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of the FMP, which includes an environmental impact statement and a regulatory impact review, should be sent to the Caribbean Fishery Management Council, 268 Muñoz Rivera Avenue, Suite 1108, San Juan, PR 00918-2577, 809-766-5926.

FOR FURTHER INFORMATION CONTACT: Georgia Cranmore, 813-570-5305.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act) requires that a council-prepared fishery management plan be submitted to NMFS for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that NMFS, upon receiving a fishery management plan, immediately publish a notice that it is unavailable for public review and comment.

This FMP proposes to (1) Prohibit the use of chemicals, plants, plant-derived toxins, and explosives to take coral reef resources in the exclusive economic zone (EEZ) around Puerto Rico and the U.S. Virgin Islands; (2) limit allowable harvest in the EEZ to dip nets and slurp guns or by hand; and (3) prohibit the possession or sale of stony corals, gorgonians, and live rock (prohibited species) taken in the EEZ.

The Director, Southeast Region, NMFS, based on a preliminary evaluation of the FMP, has disapproved the proposed adoption of certain state permit systems for harvesters and dealers of coral reef resources and for the taking of prohibited species for scientific, educational, or restoration purposes. His action was based on a determination that the state permit systems for coral reef resources are not yet fully developed and that state regulations authorizing such permits, where they exist, do not satisfy the Administrative Procedure Act, the Magnuson Act, and other applicable laws.

Proposed regulations to implement those measures of the FMP that were not disapproved based on the preliminary evaluation are scheduled for publication within 15 days.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 3, 1995.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-19523 Filed 8-3-95; 3:49 pm]

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50 CFR Parts 649, 650, and 651

[I.D. 072695B]

New England Fishery Management Council; Meeting

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

ACTION: Public meeting.

SUMMARY: The New England Fishery Management Council (Council) will hold a 2-day public meeting to consider actions affecting New England fisheries in the exclusive economic zone.

DATES: The meeting will begin on Thursday, August 10, 1995, at 9:30 a.m. and on Friday, August 11, 1995, at 8:30 a.m.

ADDRESSES: The meeting will be held at the King's Grant Inn, Route 128 and Trask Lane, Danvers, MA 01923; telephone: (508) 774-6800. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01096-1097; telephone: (617) 231-0422.

FOR FURTHER INFORMATION CONTACT: Douglas G. Marshall, Executive Director, (617) 231-0422.

SUPPLEMENTARY INFORMATION:

August 10, 1995

The August 10, 1995, session will begin with a report from the Northeast Fisheries Science Center on the scallop and haddock assessments developed at the 20th Stock Assessment Workshop. During the afternoon session, the Council will discuss the projected timetable for development of Amendment 7 to the Fishery Management Plan for the Northeast Multispecies Fishery (Multispecies FMP), a proposed change (Framework Adjustment 12) in the multispecies regulations relating to harbor porpoise mitigation and the status of work on Amendment 5 to the Fishery Management Plan for the Atlantic Sea Scallop Fishery. There will also be Monkfish Subcommittee reports on gear conflict issues and discussion on progress toward development of a fishery management plan for monkfish.

Abbreviated Rulemaking Action—Northeast Multispecies

The Council will consider initial action to adjust the Multispecies FMP under the framework for abbreviated rulemaking contained in 50 CFR 651.40. The Council will accept comments on the framework adjustment that would reconfigure the midcoast time/area closure to reduce harbor porpoise bycatch in the sink gillnet fishery. The Council is considering a change in area and duration of the closure and the possibility of incorporating the use of acoustic alarms to reduce harbor porpoise mortality. This will be the first Council meeting under the process for framework adjustments. A second discussion will occur at a subsequent meeting, as yet, unspecified. If the Director, Northeast Region NMFS (Regional Director), concurs with the Council's recommendation, he will publish the changes as a proposed or final rule in the **Federal Register**.

August 11, 1995

At 8:30 a.m., the Council will convene to elect officers for 1995-96. Following elections, the Council's State Department member will report on international issues, including Northwest Atlantic Fisheries Organization implementing legislation (Senate bill #267). The Council will then address the contents of a public hearing document on a proposed amendment to the Fishery Management Plan for the American Lobster Fishery, which contains goals for reducing fishing effort, preventing and eliminating overfishing, and rebuilding the lobster stocks. The Council may approve the substance of the public hearing document at this meeting.

The Council will then hear reports from the Chairman, Council Executive Director, Regional Director, Northeast Fisheries Science Center liaison, Mid-Atlantic Fishery Management Council liaison, and representatives from the Coast Guard, the Atlantic States Marine Fisheries Commission, and the State Department. Other items of business may be added to the agenda as necessary.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Douglas G. Marshall (see **ADDRESSES**) at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 2, 1995.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-19552 Filed 8-7-95; 8:45 am]

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