

Past Performance

Unsatisfactory performance under prior federal awards may result in an application not being considered for funding.

Pre-Award 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 or written assurance that may have been received, there is no obligation on the part of DOC to cover pre-award costs should an award not be made or funded at a level less than requested.

No Obligation for Future Funding

If the application is selected for funding, DOC has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of DOC.

Delinquent Federal Debts

No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until either:

- (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 DOC are made.

Primary Applicant Certifications

All organizations or individuals preparing grant applications must submit a completed Form CD-511 "Certifications Regarding Debarment, Suspension, and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying," and explanations are hereby provided:

Non-Procurement Debarment and Suspension

Prospective participants (as defined at 15 CFR 26.105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies.

Drug-Free Workplace

Grantees (as defined at 15 CFR 26.605) are subject to 15 CFR part 26, subpart F, "Government-wide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed here applies.

Anti-Lobbying

Persons (as defined at 15 CFR 28.105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to application/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000.

Anti-Lobbying Disclosures

Any applicant that has paid or will pay for lobbying using any funds must submit an SF-LLL form, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, Appendix B.

Lower-Tier Certifications

Recipients shall require applicants/bidders for sub-grants, contracts, subcontracts, or other lower-tier-covered transactions at any tier under the award to submit, if applicable, a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form, SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to DOC. SF-LLL submitted by any tier recipient or sub-recipient should be submitted to DOC in accordance with the instructions contained in the award document.

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.

Intergovernmental Review

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

Buy American-made Equipment or Products

Applicants are hereby notified that they will be encouraged, to the greatest extent practicable, to purchase American-made equipment and products with funding provided under this program in accordance with Congressional intent.

Classification

This action has been determined to be not significant for purposes of Executive Order 12866.

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for this notice concerning grants, cooperative agreements, benefits, and contracts. Therefore, a regulatory flexibility analysis is not required for purposes of the Regulatory Flexibility Act.

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 (PRA) unless that collection of information displays a currently valid OMB control number. This notice contains a collection-of-information requirements subject to the PRA. The collection-of-information has been approved by OMB, OMB Control Numbers 0348-0041, 0348-0042, 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001.

Dated: October 23, 2000.

Margaret A. Davidson,

Acting Assistant Administrator for Ocean Services and Coastal Zone Management.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 102400A]

Development of a Code of Conduct for Responsible Aquaculture in the United States Exclusive Economic Zone; Additional Public Workshops

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

ACTION: Notice of public workshops.

SUMMARY: NMFS publishes information regarding stakeholder input to the development of a Code of Conduct for Responsible Aquaculture in the U.S. Exclusive Economic Zone (Code of Conduct). It is the purpose of such a Code of Conduct to provide general guidance for siting and operating aquaculture facilities in the Exclusive Economic Zone (EEZ) seaward of coastal state boundaries and authorities. NMFS held stakeholder workshops in Seattle, WA, Danvers, MA and Galveston, TX in September, 2000 to gather information for use in developing a draft Code of Conduct. Based on stakeholder interest in other geographic regions, NMFS is conducting three additional workshops. The workshops are open to the public.

DATES: The meeting dates are:

1. Honolulu, HI, November 14, 2000, 10 a.m. - 3 p.m.
2. Miami, FL, November 16, 2000, 10 a.m. - 3 p.m.
3. Silver Spring, MD; November 20, 2000, 9 a.m. - 12:30 p.m.

ADDRESSES: The workshop locations are:

1. Honolulu: University of Hawaii, Hawaii Imin International Conference Center, Jefferson Hall, Pacific Room, East West Center Road, Honolulu, HI 96822.

2. Miami: Rosenstiel School Auditorium, 4600 Rickenbacker Causeway, Miami, FL 33149.

3. Silver Spring: NOAA Auditorium, 1301 East West Highway, Silver Spring, MD. 20910.

FOR FURTHER INFORMATION CONTACT:

Edwin Rhodes at (301) 713-2334 or Colin Nash at (360) 871 8309. For specific workshop information contact: Honolulu, HI, Wende Goo (808) 983 5303; Miami, FL, Daniel Benetti (305) 361 4889 or Kim Newlin (305) 361 4464; Silver Spring, MD, Edwin Rhodes, (301) 713 2334.

SUPPLEMENTARY INFORMATION:**Background**

NMFS has Federal responsibility for the living marine resources of the United States. Under authorities of the Magnuson-Stevens Fishery Conservation and Management Act, NMFS has responsibility for federally managed species and for the conservation and enhancement of essential fish habitat in the zone seaward of coastal state boundaries to the 200 nautical mile limit of the EEZ. NMFS has additional responsibilities for threatened and endangered species and for marine mammals under authorities of the Endangered Species Act and the Marine Mammal Protection Act. NMFS anticipates increasing aquaculture activity in the EEZ. In order to provide guidance to potential users of the U.S. EEZ for aquaculture, NMFS, with broad stakeholder input, will produce a Code of Conduct for Responsible Aquaculture in the United States Exclusive Economic Zone. It is the purpose of such a Code of Conduct to provide general guidance to the aquaculture industry for siting and operating aquaculture facilities in this zone, and to provide NMFS with a framework that can be used to ensure a more consistent review of aquaculture projects that require agency actions. NMFS may also use the Code of Conduct as a starting point for the development of regulatory standards in the future.

The United States was an active participant in the 1993-1995

consultations that led to the adoption by the Food and Agriculture Organization of the United Nations (FAO) of the Code of Conduct for Responsible Fisheries (FAO Code). While the FAO Code is a voluntary and non-binding instrument, the United States has consistently supported its usefulness as an internationally agreed upon statement of principles that should govern the policies of FAO members in all sectors of the fishing industry, including aquaculture, which is addressed in Article 9 of the FAO Code. Although the Code of Conduct being developed for the U.S. EEZ does not have to follow the FAO model, the FAO Code is an important reference instrument. A copy of the aquaculture section (Article 9) of the FAO Code can be obtained from the contact persons listed here, and can be found on the internet at <http://www.fao.org/fi/agreem/codecond/ficonde.asp>

NMFS will develop the Code of Conduct in steps. The first step is to get stakeholder input through workshops to assist in Code of Conduct development. NMFS, in consultation with other Federal agencies with authorities in Federal waters, will consider this stakeholder input in producing a draft Code of Conduct, which will be made available for public comment through a Federal Register notice early in 2001. Public comments will be addressed in formulating a final Code of Conduct, which will be published in the Federal Register before January, 2002.

Regional Workshops

NMFS held three workshops in September, 2000, and will hold three more regional workshops to receive additional stakeholder input for development of the Code of Conduct. NMFS seeks input on the scope, content, specificity and use of a Code of Conduct that can be used to help guide aquaculture development in the EEZ. Areas for discussion include, but are not limited to, species choices, siting, transboundary considerations, design and construction of facilities, disease prevention and control, feeds and feeding protocols, effluents and pollution, interactions with wild species and protected resources, general operations, stock enhancement, use conflict resolution, and on-shore impacts. The workshops are open to all interested persons.

Special Accommodations

The workshops will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids

should be directed to Edwin Rhodes at least 5 days prior to the meeting date.

Dated: October 24, 2000.

Clarence G. Pautzke,

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

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 102400D]

Gulf of Mexico Fishery Management Council; Public Meetings

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 (Council) will convene public meetings.

DATES: The meetings will be held on November 13-16, 2000.

ADDRESSES: These meetings will be held at the Isle of Capri Casino Hotel, 151 Beach Boulevard, Biloxi, MS; telephone: 228-435-5400.

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

FOR FURTHER INFORMATION CONTACT: Wayne E. Swingle, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 228-2815.

SUPPLEMENTARY INFORMATION:**Council**

November 15

8:30 a.m.—Convene.

*9 a.m. - 12 noon—*Receive public testimony on a proposed amendment to the Stone Crab Fishery Management Plan (FMP), a proposed amendment to the Shrimp FMP, and a proposed Dolphin/Wahoo FMP. Persons who will testify must turn in a registration card before the start of the testimony period on Wednesday.

*1:30 p.m. - 4 p.m.—*Continue public testimony if needed.

*4 p.m. - 5 p.m.—*Receive a report of the Shrimp Management Committee.

*5 p.m. - 5:30 p.m.—*Receive a presentation on the Invasion of Australian Spotted Jellyfish.

*4:30 p.m. - 4:45 p.m.—*Receive a report of the Stone Crab Management Committee.