

procedures applicable to Federal financial assistance awards.

2. Past Performance

Unsatisfactory performance under prior Federal awards may result in a proposal not being selected.

3. Delinquent Federal Debt

A proposal submitted by an applicant who has an outstanding delinquent Federal debt is not eligible for selection 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.

4. 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 that significantly reflect on the applicant's management honesty or financial integrity.

5. Primary Applicant Certifications

All primary applicants must submit a completed Form CD-511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying," and the following explanations are hereby provided:

i. Nonprocurement 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;

ii. Drug-Free Workplace. Grantees (as defined at 15 CFR 26.605) are subject to 15 CFR part 26, Subpart F,

"Governmentwide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies;

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

iv. Anti-Lobbying Disclosures. Any applicant who has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying

Activities," as required under 15 CFR part 28, appendix B.

6. Lower Tier Certifications

Recipients shall require applicants/bidders for subgrants, 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. An SF-LLL submitted by any tier recipient or subrecipient should be submitted to DOC in accordance with the instructions contained in the award document.

7. 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.

8. Preaward Activities

If you incur any costs prior to receiving an award agreement signed by an authorized NOAA official, you do so solely at your own risk of these costs not being included under the award. Notwithstanding any verbal or written assurance that you may have received, preaward costs are not allowed under the award unless the grants officer approves them in accordance with 15 CFR 14.28.

9. Future Awards

If NOAA approves an application to perform research to be conducted with the research quota set-aside, NOAA has no obligation to provide future research quota set-aside obligations in connection with that award above that specified in the approved grant.

**Classification**

Prior notice and opportunity for public comments are not required by the Administrative Procedure Act or any other law for this notice concerning grants, benefits, and contracts (5 U.S.C. 553(a)(2)).

Because a general notice of proposed rulemaking as specified in 5 U.S.C. 533, or any other law, was not required for this action, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are not applicable.

This notice contains collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms 269, 424, 424A, 424B, and SF-LLL have been approved by OMB under the respective control numbers 0348-0039, 0348-0043, 0348-0044, 0348-0040, and 0348-0046.

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

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

Dated: July 19, 2001.

**John Oliver,**

*Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 071601D]

**Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:** Receipt of applications for scientific research permits.

**SUMMARY:** NMFS has received applications for Endangered Species Act (ESA) scientific research permits from the Fish Ecology Division of the Northwest Fisheries Science Center, NMFS at Seattle, WA (NWFSC); the Hecla Mining Company at Challis, ID (HMC); and the Washington Department of Fish and Wildlife at Olympia, WA (WDFW).

**DATES:** Comments or requests for a public hearing on any of the new applications or the modification request must be received no later than 5 p.m. Pacific daylight time on August 24, 2001

**ADDRESSES:** Written comments and requests for copies of the permit applications should be sent to Protected Resources Division (PRD), F/NWO3, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737 (503/230-5400). Comments may also be sent via fax to 503/230-5435. The documents are also available on the Internet at <http://www.nwr.noaa.gov/>. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Robert Koch, Portland, OR, phone: 503-230-5424, Fax: 503-230-5435, e-mail: [robert.koch@noaa.gov](mailto:robert.koch@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

### Species Covered in this Notice

The following species and evolutionarily significant units (ESUs) are covered in This notice:

Chinook salmon (*O. tshawytscha*): endangered, naturally produced and artificially propagated, upper Columbia River (UCR) spring; threatened, naturally produced and artificially propagated, SnR spring/summer; threatened SnR fall; threatened lower Columbia River (LCR); threatened upper Willamette River (UWR); threatened, naturally produced and artificially propagated, Puget Sound.

Steelhead (*O. mykiss*): endangered, naturally produced and artificially propagated, UCR; threatened SnR; threatened middle Columbia River (MCR); threatened UWR.

### New Applications Received

NWFSC requests a 5-year permit (1322) for annual takes of the juvenile life stage of 7 of the 10 anadromous fish ESUs identified in this document (all ESUs except endangered UCR spring chinook salmon, endangered UCR steelhead, and threatened Puget Sound chinook salmon) associated with a scientific research project proposed to occur in the lower Columbia River and estuary. The objective of the research is to identify associations between salmon and habitat. The approach will be to (1) determine the relationship between habitat and the presence, use, and benefit to juvenile salmon, with an emphasis on subyearling chinook salmon, and (2) understand the relationships between changes in flow, sediment input, and availability of habitat in the lower Columbia River and estuary. The need to develop effective restoration strategies requires that the benefits of estuarine habitats to juvenile salmon be identified by evaluating habitat-salmon linkages. The long history of wetland loss in the Columbia River estuary coupled with changes in flow patterns suggests that restoration of these habitats may benefit depressed salmon stocks. Information obtained from the research will serve as the basis for developing habitat restoration and preservation plans. NWFSC proposes to sample for the presence and abundance of salmon species in the estuary and lower Columbia River at monthly intervals throughout each annual period. ESA-listed juvenile salmon and steelhead are proposed to be captured with beach seines and trapnets, sampled for biological information, and released. ESA-listed juvenile fish indirect mortalities associated with the research are requested. In addition, NWFSC is also requesting intentional lethal takes

of ESA-listed juvenile salmon for stomach content identification and the collection of scales and otoliths.

HMC requests a 5-year permit (1344) for annual takes of juvenile, threatened, naturally produced and artificially propagated, SnR spring/summer chinook salmon and juvenile, threatened, SnR steelhead associated with research designed to monitor the aquatic fish populations in Jordan Creek and the Yankee Fork of the Salmon River in the vicinity of HCM's Grouse Creek Mine. Grouse Creek Mine is an open pit gold/silver mine operation located adjacent to Jordan Creek, a tributary of the Yankee Fork of the Salmon River. In early 2000, the operations at Grouse Creek Mine were permanently suspended. Annual biological monitoring is proposed to determine the effects of mine operations on the aquatic life in Jordan Creek and the Yankee Fork. The monitoring is required by the U.S. Forest Service and the U.S. Environmental Protection Agency under a National Pollutant Discharge and Elimination System permit and an Administrative Order on Consent. The biomonitoring project will benefit all aquatic species, including chinook salmon and steelhead, in that annual monitoring will detect any adverse impacts to the aquatic species as a result of mining operations. ESA-listed juvenile salmon and steelhead are proposed to be observed/harassed during snorkel surveys. ESA-listed juvenile fish are also proposed to be captured using electrofishing, sampled for biological information, and released. ESA-listed juvenile fish indirect mortalities associated with the research are also requested.

WDFW requests a 5-year permit (1345) for annual takes of both the adult and juvenile life stages of 6 of the 10 anadromous fish ESUs identified in this document (all ESUs except threatened SnR fall chinook salmon, threatened LCR chinook salmon, threatened UWR chinook salmon, and threatened UWR steelhead) associated with two scientific research projects proposed to occur in selected rivers and tributaries throughout the state of Washington. The objective of Project 1 is to conduct annual warmwater fish stock assessment surveys necessary for inland fish management purposes. Surveys of warmwater fish species are usually conducted in the backwater sloughs, oxbow lakes, and ponds associated with major river systems. Boat electrofishing is a critical component of WDFW's standardized sampling methodology for warmwater fish species. ESA-listed adult and juvenile salmon and steelhead are proposed to be captured using boat

electrofishing, sampled for biological information, and released. The objective of Project 2 is to evaluate the fish populations present in gravel pit ponds connected to the Yakima River. Current proposals for increased gravel extraction and the requirement to protect fish listed under the ESA highlight the need for a better understanding of the impacts of floodplain gravel mining. Gravel pit avulsion (being captured by the river) may be detrimental to ESA-listed fish due to increases in suspended fine sediments, increased temperatures, the introduction of exotic fish species from a formerly stocked pond, and the creation of habitat preferred by native and non-native piscine predators. In order to better plan future mining operations in the state and manage existing gravel pit ponds, WDFW proposes to assess the possible impacts of connecting the Yakima River to the gravel pits by comparing the assemblages, densities, stomach fullness, and stomach contents of all species of fish present at sites adjacent to the gravel pit ponds with those at sites away from the ponds. Adult and juvenile, threatened, MCR steelhead are proposed to be observed/harassed during snorkel surveys. In addition, adult and juvenile, threatened, MCR steelhead are proposed to be captured using boat electrofishing or beach seines, sampled for biological information and stomach contents, and released. ESA-listed juvenile salmon and steelhead indirect mortalities associated with both of WDFW's proposed projects are also requested.

Dated: July 19, 2001.

**Phil Williams,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 070901F]

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Issuance of modifications to scientific research permits 1114, 1115, 1119, 1141, 1203 and issuance of scientific research permit 1292.