

**SUPPLEMENTARY INFORMATION:****Background**

On February 28, 2002, the Department received a request from Magnolia Metallurgy Inc. ("Magnolia"), to conduct a new shipper review of the countervailing duty orders on pure and alloy magnesium, issued August 31, 1992 (57 FR 39392). These orders have a February semi-annual anniversary month. Magnolia's request was made pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d).

**Initiation of Review**

In accordance with 19 CFR 351.214(b)(2) of the Department's regulations, Magnolia provided certification that (1) it did not export subject merchandise to the United States during the period of investigation ("POI"), and (2) since the investigation was initiated, it never has been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI, including those not individually examined during the investigation. Also, in accordance with 19 CFR 351.214(b)(2), Magnolia submitted documentation establishing: (1) The date on which it first shipped the subject merchandise for export to the United States; (2) the volume of its first and subsequent shipments; and, (3) the date of the first sale to an unaffiliated customer in the United States. In addition, Magnolia provided a certification stating that it has informed the Government of Canada ("GOC") that the GOC will be required to provide a full response to the Department's countervailing duty questionnaire.

Therefore, in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214, we are initiating a new shipper review of the countervailing duty orders on pure and alloy magnesium from Canada. Pursuant to 19 CFR 351.214(h)(i), we intend to issue the preliminary results of this review not later than 180 days from the date of publication of this notice. All provisions of 19 CFR 351.214 will apply to Magnolia throughout the duration of this new shipper review.

In a countervailing duty proceeding, the standard period of review ("POR") in a new shipper review is the same as the period specified in 19 CFR 213(e)(2) for an administrative review. Therefore, the POR for this new shipper review is January 1, 2001, through December 31, 2001, and we will review the subsidies received by the company during that period.

Concurrent with publication of this notice, and in accordance with 19 CFR 351.214(e), we will instruct the Customs

Service to suspend liquidation of any unliquidated entries of the subject merchandise from the relevant exporter or producer, and to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise exported by Magnolia.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305 and 351.306.

This initiation notice is in accordance with section 751(a) of the Act and 19 CFR 351.214.

Dated: March 27, 2002.

**Richard W. Moreland,**

*Deputy Assistant Secretary for Import Administration.*

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

[Docket No. 020314060-2060-01; I.D. 022502B]

**RIN 0648-ZB15**

**Financial Assistance for Research and Development Projects in Chesapeake Bay to Strengthen, Develop and/or Improve the Stock Conditions of the Chesapeake Bay Fisheries**

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

**ACTION:** Notice of availability of funds.

**SUMMARY:** A total of up to \$1,400,000 in Fiscal Year (FY) 2002 funds is available through the NOAA/NMFS Chesapeake Bay Office to assist in carrying out research and development projects that address various aspects of Chesapeake Bay fisheries (commercial and recreational), including coastal and estuarine research, monitoring, modeling, and assessment; fisheries research and stock assessments; data management; and, multiple species interactions through cooperative agreements. About \$750,000 of the base amount is available to initiate new projects in FY 2002, as described in this announcement. It is the intent of the NOAA Chesapeake Bay Office to continue with several existing relationships and to make awards through this program for projects pending acceptable scientific review. These projects include the multispecies

monitoring programs. NMFS issues this document to set forth instructions on how to apply for financial assistance, and how NMFS will determine which applications will be selected for funding.

**DATES:** Applications for funding under this program must be received by 5 p.m. eastern daylight savings time on May 3, 2002. Applications received after that time will not be considered for funding. Applications will not be accepted electronically nor by facsimile machine submission.

**ADDRESSES:** You can obtain an application package from, and send completed applications to: Derek Orner, National Marine Fisheries Service, NOAA Chesapeake Bay Office, 410 Severn Avenue, Suite 107A, Annapolis, MD 21403. You can also obtain the application package from the Chesapeake Bay Fisheries Research Program Home Page <http://noaa.chesapeakebay.net/cbfrp>

**FOR FURTHER INFORMATION CONTACT:** Mr. Derek Orner, National Marine Fisheries Service, NOAA Chesapeake Bay Office, 410/267-5660; or e-mail: [derek.orner@noaa.gov](mailto:derek.orner@noaa.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

**A. Authority.** The Fish and Wildlife Act of 1956, as amended, at 16 U.S.C. 753a, authorizes the Secretary of Commerce (Secretary), for the purpose of developing adequate, coordinated, cooperative research and training programs for fish and wildlife resources, to continue to enter into cooperative agreements with colleges and universities, with game and fish departments of the several states, and with non-profit organizations relating to cooperative research units. The Secretary of Commerce is authorized under the Fish and Wildlife Coordination Act, 16 U.S.C. 661-666c, to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of fisheries, resources thereof, and for fisheries habitat restoration. The Departments of Commerce (DOC), Justice, State, the Judiciary, and Related Agencies Appropriations Act of 2002 makes funds available to the Secretary.

**B. Catalog of Federal Assistance (CFDA).** The Chesapeake Bay Fisheries Research Program is listed in the "Catalog of Federal Domestic Assistance" under number 11.457, entitled Chesapeake Bay Studies.

**C. Program Description.** The Chesapeake Bay Stock Assessment

Committee (CBSAC) was established in 1985 to plan and review Baywide resource assessments, coordinate relevant actions of state and Federal agencies, report on fisheries status and trends, and determine, fund and review research projects. The program implements a Baywide plan for the assessment of commercially, recreationally, and selected ecologically important species in the Chesapeake Bay. In 1988, CBSAC developed a Baywide Stock Assessment Plan, in response to provisions in the Chesapeake Bay Agreement of 1987. The Plan identified that key obstacles to assessing Bay stocks was the lack of consistent, Baywide, fishery-dependent and fishery-independent data. Research projects funded since 1988 have focused on developing and improving fishery-independent surveys and catch statistics for key Bay species, such as striped bass, oysters, blue crabs and alosids. Stock assessment research is essential, given the recent declines in harvest and apparent stock condition for many of the important species of the Chesapeake Bay. The Fisheries Steering Committee was established in 2001 to guide the various Chesapeake Bay fisheries' issues including management and research.

**D. Funding Availability.** This document describes how interested persons can apply for funding under the Chesapeake Bay Fisheries Research Program, and how funding decisions will be made.

This solicitation announces that funding of up to \$1,400,000 may be available through the Chesapeake Bay Fisheries Research Program. This announcement does not guarantee that sufficient funds will be available to make awards for all selected applications submitted under this program.

## II. Funding Priorities

Proposals should exhibit familiarity with related work that is completed or ongoing. Where appropriate, proposals should be multi-disciplinary. Coordinated efforts involving multiple eligible applicants or persons are encouraged. Proposals must address one of the priorities listed here. If the proposal addresses more than one priority, it should list first on the application the priority that most closely reflects the objective of the proposals.

**(A) Stock Assessment Research.** Consideration for funding will be given to applications that address the following stock assessment research and management priorities for the Chesapeake Bay. These priorities are not listed in any particular order:

(1) Assessments of the abundance, productivity, distribution, and exploitation patterns of important Chesapeake Bay finfish and shellfish resources. Proposals may include research on life history characteristics, stock-recruitment relationships, and schedules of vital rates. Descriptions of stock structure, demographics and spatial distribution would also be appropriate. It is anticipated that proposals will combine analyses of existing fishery-dependent and fishery-independent data.

(2) Development and/or implementation of a program to provide a reliable data base for estimating the impact of recreational fishing on living marine resources in Chesapeake Bay. Projects should:

- a. Conduct a review of the work previously conducted on the development of methods for conducting a Baywide recreational survey;
- b. Implement on a Baywide scale based on earlier work (if applicable);
- c. Provide reliable estimates of recreational catch, fishing effort, catch rates, size composition, and sex ratios for all components of the recreational fishery.

(3) Blue Crab Stock Assessment Analyses

- a. Analyses which may corroborate the results of the length-based estimates of fishing mortality rates (current estimates based on 120 mm or greater carapace width) and investigations into the relative exploitation rates on peeler size blue crabs.
- b. Analyses of the trends in relative exploitation rates on blue crab, according to major gear types used in the commercial fishery.
- c. Develop methods for estimation of Baywide commercial fishing effort and conduct a pilot study to test the methods.

d. Design and develop an integrated Baywide blue crab mark and recapture study that will provide information on growth, natural mortality, fishing mortality, size selectivity, catchability, reporting rates and the distribution of harvest among the fisheries. Results should be informative with respect to the reproductive frequency of female crabs, and longevity.

(4) Improvement or implementation of the collection of fishery-dependent data within Chesapeake Bay. Projects can involve either the commercial and/or recreational components of the fishery. Projects should focus on collecting biological data (size, sex, age, diet), and catch and effort data from Baywide harvests of significant finfish and shellfish fisheries to provide accurate, statistically representative information

on the spatial and temporal characteristics of the harvest. Proposals may involve designs for port-sampling of landings, or on-board analysis of the catch, analysis of intercepts and telephone surveys. Proposals that document information on by-catch and discard mortality would be relevant and are encouraged.

The proposals should recognize current efforts to collect biological data from Bay fisheries and attempt to define the optimal, regional (Maryland, Potomac River Fisheries Commission, and Virginia jurisdictions) sampling program.

(5) Improvement and/or implementation of Chesapeake Bay fisheries database tools (including oracle database systems and web-based public access) for the various fishery-dependent and fishery-independent data currently and historically available in Chesapeake Bay. Proposals are encouraged to coordinate with the Atlantic Coastal Cooperative Statistics Program (ACCSP) and/or the Northeast Area Monitoring Assessment Program (NEAMAP) activities.

**(B) Multispecies Management and Research.** The Chesapeake Bay is a complex and dynamic ecosystem that supports many fisheries that are economically important both regionally and nationally. To date, these resources have been managed on a single species basis. While the single species approach has served us well, the existence of both biological and technical (by-catch) interactions in most Chesapeake Bay fisheries point to the need to move toward a wider, multispecies perspective. This viewpoint was wholeheartedly endorsed at a workshop of regional, national and international scientists held to address the potential utility of multispecies approaches to fisheries management in the Chesapeake Bay (STAC Publication 98-002, [www.chesapeake.org](http://www.chesapeake.org)). The ultimate objective of this research and monitoring is to lead to the development of an ecosystem plan for Chesapeake Bay fisheries, within which the rational exploitation of individual species can be determined.

Consideration for funding will be given to applications that address the following multispecies management and research priorities for the Chesapeake Bay. Priorities are not listed in any implied order:

**(1) Fishery-independent Surveys.** Plan, develop and conduct coordinated Baywide surveys to regularly estimate species abundances, trends and biological characteristics (e.g., age/size structure, recruitments, growth and mortality rates, food habitats) for

economically and ecologically important key species. Proposals within this task should:

a. Review and assess existing fishery independent sampling programs conducted by regional agencies to evaluate their potential applicability to the Chesapeake Bay. This may include evaluation of the use of fixed and random sampling protocols, with or without stratification, and the sampling characteristics of different gear types.

b. Develop and initiate a Baywide, coordinated, fishery-independent survey that may include multiple gear, such as benthic and midwater trawling, and hydroacoustics to characterize the status and trends in the abundance, distribution and characteristics of key Chesapeake Bay finfish and shellfish.

(2) **Retrospective Analyzes.** Document and quantify multispecies interactions among economically and ecologically important finfish and shellfish within the Chesapeake Bay. The proposed work should lead to the identification of the 'strong' interactions within the Chesapeake Bay fisheries system. Work may involve analysis of commercial and recreational catch and effort data, the analysis of the patterns of diets and energy flows within the fisheries system, or multivariate analyses of abundance relationships within the fisheries system and their relationship to environmental and habitat characteristics.

(3) **Multispecies Assessment / Ecosystem Modeling.** Apply and assess alternative multispecies fisheries models to the Chesapeake Bay fisheries systems. The submitted proposal should detail the development of a multispecies or ecosystem model focusing on core Chesapeake Bay species. Examples of possible approaches include, but are not limited to: multispecies biomass dynamic, multispecies yield per recruit, multispecies virtual population analysis, multispecies bioenergetics, spatial-physical predator-prey, trophic production and ecosystem simulation models. Model approaches should seek to predict constraints and patterns in the fisheries production of the Chesapeake Bay system.

(C) **Fisheries Ecosystem Plan (FEP) Research and Implementation.** The NOAA Chesapeake Bay Office has initiated development of an FEP for Chesapeake Bay. An FEP is an umbrella document containing information on the structure and function of the ecosystem in which fishing activities occur, so that managers can be aware of the effects their decisions have on the ecosystem, and the effects other components of the ecosystem may have on fisheries. Development of FEPs for each major

ecosystem was recommended by the NMFS appointed Ecosystem Principles Advisory Panel which was formed under a mandate by the Sustainable Fisheries Act of 1996. (See the Panel's Report to Congress at: <http://www.nmfs.noaa.gov/sfa/EPAPrpt.pdf>.) The initial FEP will reflect the existing state of knowledge about the Chesapeake Bay ecosystem. Effective FEP implementation, however, and ultimate success of the Bay's FEP initiative, will require new research to characterize critical components of the ecosystem. The total value of the proposals selected for funding under this priority cannot exceed \$100,000 of the base amount. Priorities are not listed in any particular order.

(1) Design and implementation of surveys to identify habitats, spawning areas, and feeding grounds for significant Chesapeake Bay species.

(2) Promote a higher level of understanding of the relationships between fisheries, the ecosystem, society and the environment. Proposals may include:

a. Improving the understanding of the 'multiple pathways' that can affect managed species and members of their significant food webs. Pathways might include (but are not limited to): the effects of habitat degradation and restoration, influences of the spatial arrangement of habitats, effects of environmental fluctuations or climate change, and the impact of changes in predator-prey relationships.

b. Characterizing uncertainty in key parameters used to support fisheries management decisions. This should include the ability to show the risks associated with the estimated uncertainty.

c. Describing the social and economic drivers of both commercial and recreational sectors of the Chesapeake Bay fishing industry.

d. Determining the relevance of existing, or proposed, indicators of ecosystem health (especially to meet the objective of linking fisheries and human health to the supporting Chesapeake Bay ecosystem).

### III. How to Apply

A. **Eligible applicants.** Eligible applicants are institutions of higher education, hospitals, other nonprofits, commercial organizations, foreign governments, organizations under the jurisdiction of foreign governments, international organizations, state, local and Indian tribal governments. Federal agencies or institutions are not eligible to receive Federal assistance under this notice.

The Department of Commerce National Oceanic and Atmospheric Administration (DOC/NOAA) is strongly committed to broadening the participation of Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities in its educational and research programs. The DOC/NOAA vision, mission, and goals are to achieve full participation by Minority Serving Institutions (MSI) in order to advance the development of human potential, to strengthen the nation's capacity to provide high-quality education, and to increase opportunities for MSIs to participate in and benefit from Federal Financial Assistance programs. DOC/NOAA encourages all applicants to include meaningful participation of MSIs.

B. **Duration and terms of funding.** Under this solicitation, NMFS will fund Chesapeake Bay Fisheries Research Projects as 12 month cooperative agreements. The cooperative agreement has been determined to be the appropriate funding instrument because of the substantial involvement of NMFS in:

1. Developing program research priorities;
2. Evaluating the performance of the program for effectiveness in meeting regional goals for Chesapeake Bay stock assessments;
3. Monitoring the progress of each funded project;
4. Holding periodic workshops with investigators; and
5. Working with recipients to prepare annual reports summarizing current accomplishments of the Chesapeake Bay Stock Assessment Committee.

Project dates should be scheduled to begin no later than 1 October 2002. Cooperative agreements are approved on an annual basis but may be considered eligible for continuation beyond the first project and budget period subject to the approved scope of work, satisfactory progress, and availability of funds at the total discretion of NMFS. However, there are no assurances for such continuation. Publication of this document does not obligate NMFS to award any specific cooperative agreement or to obligate any part of the entire amount of funds available.

C. **Cost-sharing requirements.** Applications must reflect the total budget necessary to accomplish the project, including contributions and/or donations. Cost-sharing is not required by the Chesapeake Bay Fisheries Research Program but is encouraged.

D. **Format.** 1. Applications for project funding must be complete and must

follow the format described in this document.

Applicants must identify the specific research priority or priorities to which they are responding. If the proposal addresses more than one priority, it should list first on the application the priority that most closely reflects the objective of the proposals. For applications containing more than one project, each project component must be identified individually using the format specified in this section. If an application is not in response to a priority, it should so state. Applicants should not assume prior knowledge on the part of NMFS as to the relative merits of the project described in the application.

Applications must not be bound and must be one-sided. All incomplete applications will be returned to the applicant. Applicants are required to submit 1 signed original and 2 copies of the proposal.

2. Applications must be submitted in the following format:

(a) *Cover sheet*: An applicant must use OMB Standard Form 424 (revised 7/97) as the cover sheet for each project. Applicants may obtain copies of these forms from the NOAA Grants Management Division, the NOAA Chesapeake Bay Office (see **ADDRESSES**) from the NOAA Grants website, <http://www.rdc.noaa.gov/grants/>.

(b) *Project summary*: It is recommended that each proposal contain a summary of not more than one page that provides the following:

- (1) Project title.
- (2) Project status (new vs. continuation).
- (3) Project duration (beginning and ending dates).
- (4) Name, address, and telephone number of applicant.
- (5) Principal Investigator(s) (PI).
- (6) Project objectives.
- (7) Summary of work to be performed.
- (8) Total Federal funds requested.
- (9) Cost-sharing to be provided from non-Federal sources, if any. Specify whether contributions are project-related cash or in-kind.
- (10) Total project cost.

(c) *Project description* (including results from prior support): Each project must be completely and accurately described. The main body of the proposal should be a clear statement of the work to be undertaken and should include: specific objectives and performance measures for the period of the proposed work and the expected significance; relation to longer-term goals of the PI's project; and relation to other work planned, anticipated, or underway under Federal Assistance.

The project description must not exceed 15 pages in length. Visual materials, including charts, graphs, maps, photographs and other pictorial presentations are not included in the 15-page limitation. If an application is awarded, NMFS will make all portions of the project description available to the public for review; therefore, NMFS cannot guarantee the confidentiality of any information submitted as part of any project, nor will NMFS accept for consideration any project requesting confidentiality of any part of the project.

Each project must be described as follows:

(1) Identification of problem(s): Describe the specific problem to be addressed (see section II above).

(2) Project objectives: The project description must identify the following three project objectives: (1) Identify the specific priority listed earlier in the solicitation to which the proposed projects respond, if any. (2) Identify the problem/opportunity you intend to address and describe its significance to the fishing community. (3) State what you expect the project to accomplish.

If you are applying to continue a project previously funded under the Chesapeake Bay Fisheries Research Program, describe in detail your progress to date and explain why you need additional funding.

Objectives should be:

- (a) Simple and easily understandable.
- (b) As specific and quantitative as possible.
- (c) Clear with respect to the "what and when" and should avoid the "how and why."
- (d) Attainable within the time, money, and human resources available.
- (e) Use action verbs that are accomplishment oriented.
- (f) Identify specific performance measures.

(3) *Results from Prior Chesapeake Bay Fisheries Research Support*: If any PI or co-PI identified on the project has received Chesapeake Bay Fisheries Research (CBSAC) support in the past 5 years, information on the prior award(s) is required. The following information must be provided:

- (a) The NOAA award number, amount and period of support;
- (b) The title of the project;
- (c) Summary of the results of the completed work, including, for a research project, any contribution to the development of human resources in science/biology;
- (d) Publications resulting from the award;
- (e) Brief description of available data, samples, physical collections and other related research products not described elsewhere; and

(f) If the proposal is for renewed support, a description of the relation of the completed work to the proposed work.

(4) *Need for Government financial assistance*: Demonstrate the need for assistance. Any appropriate database to substantiate or reinforce the need for the project should be included. Explain why other funding sources cannot fund all the proposed work. List all other sources of funding that are or have been sought for the project.

(5) *Benefits or results expected*: Identify and document the results or benefits to be derived from the proposed activities.

(6) *Project statement of work*: The Statement of Work is the scientific or technical action plan of activities that are to be accomplished during each budget period of the project. This description must include the specific methodologies, by project job activity, proposed for accomplishing the proposal's objective(s).

Investigators submitting proposals in response to this announcement are strongly encouraged to develop inter-institutional, inter-disciplinary research teams in the form of single, integrated proposals or as individual proposals that are clearly linked together. Such collaborative efforts will be factored into the final funding decision.

Each Statement of Work must include the following information:

- (a) The applicant's name.
- (b) The inclusive dates of the budget period covered under the Statement of Work.
- (c) The title of the proposal.
- (d) The scientific or technical objectives and procedures that are to be accomplished during the budget period. A detailed set of objectives and procedures to answer who, what, how, when, and where. The procedures must be of sufficient detail to enable competent workers to be able to follow them and to complete scheduled activities.
- (e) Location of the work.
- (f) A list of all project personnel and their responsibilities.
- (g) A milestone table that summarizes the procedures (from item III.D.2.c(5)(d)) that are to be attained in each project month covered by the Statement of Work. Table format should follow sequential month rather than calendar month (i.e. Project period Month 1, Month 2... versus October, November ...)
- (7) *Federal, state and local government activities*: List any programs (Federal, state, or local government or activities, including Sea Grant, state Coastal Zone Management Programs, NOAA Oyster Disease Research

Program, the state/Federal Chesapeake Bay Program, etc.) this project would affect and describe the relationship between the project and those plans or activities.

(8) Project management: Describe how the project will be organized and managed. Include resumes of principal investigators. List all persons directly employed by the applicant who will be involved with the project. If a consultant and/or subcontractor is selected prior to application submission, include the name and qualifications of the consultant and/or subcontractor and the process used for selection.

(9) Monitoring of project performance: Identify who will participate in monitoring the project.

(10) Project impacts: Describe how these products or services will be made available to the fisheries and management communities.

(11) Evaluation of project: The applicant is required to provide an evaluation of project accomplishments and progress towards the project objectives and performance measures at the end of each budget period and in the final report. The application must describe the methodology or procedures to be followed to determine technical feasibility, or to quantify the results of the project in promoting increased production, product quality and safety, management effectiveness, or other measurable factors.

(12) Total project costs: Total project costs is the amount of funds required to accomplish what is proposed in the Statement of Work, and includes contributions and donations. All costs must be shown in a detailed budget. A standard budget form (SF-424A) is available from the offices listed and on the internet (see **ADDRESSES**). NMFS will not consider fees or profits as allowable costs for grantees. Additional cost detail may be required prior to a final analysis of overall cost allowability, allocability, and reasonableness. The date, period covered, and findings for the most recent financial audit performed, as well as the name of the audit firm, the contact person, and phone number and address, must be also provided.

(d) Supporting documentation: Provide any required documents and any additional information necessary or useful to the description of the project. The amount of information given in this section will depend on the type of project proposed, but should be no more than 20 pages. The applicant should present any information that would emphasize the value of the project in terms of the significance of the problems addressed. Without such information,

the merits of the project may not be fully understood, or the value of the project may be underestimated. The absence of adequate supporting documentation may cause reviewers to question assertions made in describing the project and may result in lower ranking of the project. Information presented in this section should be clearly referenced in the project description.

#### IV. Review Process and Criteria

*A. Initial Evaluation of Applications.* Applications will be reviewed by NOAA to assure that they meet all requirements of this announcement, including eligibility and relevance to the Chesapeake Bay Fisheries Research Program. Proposals that do not support the technical and management priorities of the Chesapeake Bay, as defined in section II. above will not be considered for funding.

*B. Consultation with Experts in the Field of Stock Assessment and Fisheries Research.* For applications meeting the requirements of this solicitation, NMFS will conduct an individual technical evaluation (via mail/electronic mail) of each project. This review normally will involve experts from both NOAA and non-NOAA organizations. All comments submitted to NMFS will be taken into consideration in the technical evaluation of projects. Reviewers will be asked to score and comment based on the following four criteria (total of 50 possible points):

1. Problem description and conceptual approach for resolution, especially the applicant's comprehension of the problem(s), familiarity with related work that is completed or ongoing, and the overall concept proposed to resolve the problem(s) (15 points).

2. Soundness of project design/technical approach, especially whether the applicant provided sufficient information to technically evaluate the project and, if so, the strengths and weaknesses of the technical design proposed for problem resolution (20 points).

3. Project management and experience and qualifications of personnel, including organization and management of the project, and the personnel experience and qualifications (5 points).

4. Justification and allocation of the budget in terms of the work to be performed (10 points).

*C. Review Panel.* NMFS will convene a review panel consisting of at least three regional experts (both NOAA and non-NOAA panelists) in the scientific and management aspects of fisheries research.

Each individual panel member will:

1. Provide independent review based on the same criteria and scoring as the technical review.
2. Provide a numerical ranking of all submitted proposals and suggestions for modifications (i.e., budget, personnel, technical approach, etc.).

The review panel will collectively:

1. Discuss all review comments as a panel incorporating the evaluation provided by the technical reviewers.

#### *D. Funding Decision.*

After applications have been evaluated and ranked numerically by the review panel, the Director of the NOAA/NMFS Chesapeake Bay Office, in consultation with the Assistant Administrator (AA) for Fisheries, NOAA, will determine the projects to be recommended for funding based upon the technical evaluations and panel review comments, and determine the amount of funds available for the program. Numeric ranking will be the primary consideration for deciding which of the proposals will be selected for funding. In making the final selections, NOAA/NMFS may consider costs, geographical distribution, inter-jurisdictional and inter-institutional collaboration and duplication with other federally funded projects. Accordingly, numerical ranking is not the sole factor in deciding which proposals will be selected for funding. The Director of the NOAA/NMFS Chesapeake Bay Office will prepare a written justification for any recommendations for funding that fall outside the ranking order, or for any cost adjustments. The exact amount of funds awarded to each project will be determined in preaward negotiations between the applicant, the Grants Office, and the NOAA/NMFS Chesapeake Bay Office staff. Potential grantees should not initiate projects in expectation of Federal funding until an award document signed by an authorized NOAA official has been received.

*E. Applications not selected for funding will be held in the Program Office for a period of at least 12 months.*

#### V. Administrative Requirements

##### *A. Obligations of the applicant.*

Periodic Workshops--Investigators will be expected to prepare for and attend one or two workshops with other Fisheries Research Program researchers to encourage interdisciplinary dialogue and collaboration.

##### *B. Other requirements.*

1. Indirect Cost Rates--The budget may include an amount for indirect costs if the applicant has an established indirect cost rate with the Federal government. Regardless of any approved indirect cost

rate applicable to the award, the maximum dollar amount of allocable indirect costs for which the Department of Commerce will reimburse the recipient shall be the lesser of the line item amount for the Federal share of indirect costs contained in the approved budget of the award, or the Federal share of the total allocable indirect costs of the award based on the indirect cost rate approved by an oversight or cognizant Federal agency and current at the time the cost was incurred, provided the rate is approved on or before the award end date. However, the Federal share of the indirect costs may not exceed 25 percent of the total proposed direct costs for this Program. Applicants with indirect costs above 25 percent may use the amount above the 25 percent level as cost sharing. If the applicant does not have a current negotiated rate and plans to seek reimbursement for indirect costs, documentation necessary to establish a rate must be submitted within 90 days of receiving an award.

2. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), are applicable to this solicitation. However, please note that the Department of Commerce will not implement the requirements of Executive Order 13202 (66 FR 49921), pursuant to guidance issued by the Office of Management and Budget, in light of a court opinion which found that the Executive Order was not legally authorized. See *Building and Construction Trades Department v. Allbaugh*, 172 F. Supp. 2d 138 (D.D.C. 2001). This decision is currently on appeal. When the case has been finally resolved, the Department will provide further information on implementation of Executive Order 13202.

3. Financial Management Certifications/preaward Accounting Survey--Successful applicants, at the discretion of the NOAA Grants Officer, may be required to have their financial management systems certified by an independent public accountant as being in compliance with Federal standards specified in the applicable Office of Management and Budget (OMB) Circulars prior to execution of the award. Any first-time applicant for Federal grant funds may be subject to a preaward accounting survey by the DOC specified in the applicable OMB Circulars/Code of Federal Regulations prior to execution of the award.

## Classification

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

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

Pursuant to Section 553(a)(2) of the Administrative Procedure Act, prior notice and an opportunity for public comment are not required for this notification concerning grants, benefits, and contracts. Therefore, a regulatory flexibility analysis is not required for purposes of the Regulatory Flexibility Act.

This document contains collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms (SF) 424 and 424A have been approved by OMB under their respective control numbers 0348-0043 and 0348-0044. 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.

Dated: March 26, 2002.

**Rebecca Lent,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**[I.D. 032802C]**

### Individual Fishing Quota (IFQ) Stakeholders; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The H. John Heinz III Center for Science, Economics and the Environment, at NMFS' request, will host a meeting to discuss quota allocation programs as options for fishery management. This meeting is open to the public. The public may also attend as observers and submit written statements to the stakeholder meetings on May 7 and 8, 2002.

**DATES:** The open meeting will convene at 9 a.m. on Monday, May 6, 2002,

recess at 5 p.m. Small working sessions to solicit views and debate issues among pre-determined participants will continue on May 7 and 8, 2002.

**ADDRESSES:** The meeting will be held at The Tremont House Hotel, 2300 Ship Mechanic Row, Galveston, TX 77550, 409-763-0300.

### FOR FURTHER INFORMATION CONTACT:

Mary Hope Katsouros or Laurie Allen at 202-737-6307.

### SUPPLEMENTARY INFORMATION:

The purpose of the meeting is to discuss the use of quota allocation strategies as a tool for fishery management. This will be done by reviewing current U.S. individual fishing and transferable quota programs, community development programs and other cases, the 1999 National Research Council's report, entitled "Sharing the Fish", related reports and literature, and input from stakeholders. This meeting presents an opportunity for stakeholders to provide their views on the pros and cons of this type of fishery management tool. A report will be produced by The Heinz Center that will provide a summary of public input and an analysis of policy options considered by stakeholders. If you are unable to attend, but do want to provide input, send your written statements no later than 5 p.m., April 20, 2002, to The Heinz Center, Attn: IFQ Project, 1101 Pennsylvania Avenue, N.W., Suite 735 South, Washington, DC. 20004.

Although other issues not contained in this agenda may come before the Committee for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issue may not be the subject of formal action during the meeting. Action will be restricted to those issues specifically identified in 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 Ms. Carolyn Porter at 503-326-6352 at least 5 days prior to the meeting date.

Dated: March 28, 2002.

**Theophilus R. Brainerd,**

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

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