

APPENDIX—Continued
 SUBSIDY PROGRAMS ON CHEESE SUBJECT TO AN IN-QUOTA RATE OF DUTY¹

Country	Program(s)	Gross ² Subsidy (\$/lb)	Net ³ Subsidy (\$/lb)
Canada	Export Assistance on Certain Types of Cheese	\$ 0.28	\$ 0.28
Cyprus	EU Restitution Payments	\$ 0.00	\$ 0.00
Denmark	EU Restitution Payments	\$ 0.00	\$ 0.00
Finland	EU Restitution Payments	\$ 0.00	\$ 0.00
France	EU Restitution Payments	\$ 0.00	\$ 0.00
Germany	EU Restitution Payments	\$ 0.00	\$ 0.00
Greece	EU Restitution Payments	\$ 0.00	\$ 0.00
Hungary	EU Restitution Payments	\$ 0.00	\$ 0.00
Ireland	EU Restitution Payments	\$ 0.00	\$ 0.00
Italy	EU Restitution Payments	\$ 0.00	\$ 0.00
Lithuania	EU Restitution Payments	\$ 0.00	\$ 0.00
Luxembourg	EU Restitution Payments	\$ 0.00	\$ 0.00
Netherlands	EU Restitution Payments	\$ 0.00	\$ 0.00
Norway	Indirect (Milk) Subsidy	\$ 0.00	\$ 0.00
	Consumer Subsidy	\$ 0.00	\$ 0.00
	Total	\$ 0.00	\$ 0.00
Poland	EU Restitution Payments	\$ 0.00	\$ 0.00
Portugal	EU Restitution Payments	\$ 0.00	\$ 0.00
Slovenia	EU Restitution Payments	\$ 0.00	\$ 0.00
Spain	EU Restitution Payments	\$ 0.00	\$ 0.00
Switzerland	Deficiency Payments	\$ 0.00	\$ 0.00
U.K.	EU Restitution Payments	\$ 0.00	\$ 0.00

¹ This chart includes only those countries which exported articles of cheese to the United States during 1st Quarter, 2005.

² Defined in 19 U.S.C. 1677(5).

³ Defined in 19 U.S.C. 1677(6).

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 092705B]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: \

SUMMARY: Notice is hereby given that the Oregon Department of Fish and Wildlife (ODFW) has submitted a Fishery Management and Evaluation Plan (FMEP) and the Washington Department of Fish and Wildlife (WDFW) has submitted an amendment to an FMEP pursuant to the protective regulations promulgated for Lower Columbia River (LCR) coho salmon under the Endangered Species Act. The FMEPs specify the future management of inland recreational fisheries potentially affecting LCR coho salmon. This document serves to notify the public of the availability of the FMEPs for review and comment before final approval or disapproval is made by NMFS.

DATES: Comments on the FMEPs must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific daylight time on November 2, 2005.

ADDRESSES: Written comments on the application should be addressed to the Salmon Recovery Division, Hatcheries and Inland Fisheries Branch, 1201 NE Lloyd Blvd. Suite 1100, Portland, OR 97232 or faxed to 503-872-2737. Comments may be submitted by e-mail. The mailbox address for providing e-mail comments is *LCRCohoFMEPs.nwr@noaa.gov*. Include in the subject line of the e-mail comment the following identifier: *Comments on LCR Coho FMEPs*.

FOR FURTHER INFORMATION CONTACT: Richard Turner, Portland, Oregon, at phone number: (503) 736-4737, or e-mail: *rich.turner@noaa.gov*.

SUPPLEMENTARY INFORMATION:

Species Covered in This Notice

This notice is relevant to the Lower Columbia River coho salmon (*Oncorhynchus kisutch*), Lower Columbia River Chinook salmon (*O. tshawytscha*), Lower Columbia River steelhead (*O. mykiss*), and Columbia River chum salmon (*O. keta*) evolutionarily significant unit (ESU).

ODFW has submitted to NMFS an FMEP: Lower Columbia River Coho in Oregon Freshwater Fisheries of the Lower Columbia River Tributaries

(between the Pacific Ocean and Hood River). WDFW has submitted an amendment to their Lower Columbia River FMEP for inland recreational fisheries potentially affecting listed adult and juvenile LCR coho salmon. These FMEPs include fisheries occurring in all tributaries to the Lower Columbia River from the Pacific Ocean to the Hood River in Oregon and the Big White Salmon River in Washington. The objective of the fisheries described in these FMEPs is to harvest known, hatchery-origin coho salmon, and other fish species in a manner that does not appreciably reduce the likelihood of survival and recovery of listed LCR salmon and steelhead ESUs. All fisheries included in these FMEPs will be managed such that only hatchery-origin coho salmon that are adipose fin-clipped may be retained. Impact levels on listed LCR coho salmon are specified in ODFW's FMEP and the amendment to WDFW's FMEP. Population viability analysis and risk assessments in the FMEPs indicate the extinction risk for listed coho salmon would not increase as a result of the proposed fisheries. A variety of monitoring and evaluation tasks are specified in the FMEPs to assess the abundance of coho salmon, determine fishery effort and catch of coho salmon and other species, and monitor angler compliance. A review of compliance with the provisions of the FMEPs will be conducted by the state fisheries agencies annually and a

comprehensive review to evaluate the effectiveness of the FMEPs will occur at a minimum every 5 years.

As specified in the July 10, 2000, the Endangered Species Act (ESA) 4(d) rule for salmon and steelhead (65 FR 42422) and updated rule (June 28, 2005, 70 FR 37160), NMFS may approve an FMEP if it meets criteria set forth in 50 CFR 223.203(b)(4)(i)(A) through (I). Prior to final approval of an FMEP, NMFS must publish notification announcing its availability for public review and comment.

Authority

Under section 4 of the ESA, the Secretary of Commerce is required to adopt such regulations as he deems necessary and advisable for the conservation of species listed as threatened. The ESA salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, July 28, 2005) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The rule further provides that the prohibitions of paragraph (a) of the rule do not apply to activities associated with fishery harvest provided that an FMEP has been approved by NMFS to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000, as updated in 70 FR 37160, July 28, 2005).

Dated: September 29, 2005.

Angela Somma,

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. 081905C]

Endangered Fish and Wildlife; Marine Mammal Protection Act; Proposed Conservation Plan for Southern Resident Killer Whales

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

ACTION: Notice; request for comments.

SUMMARY: The Marine Mammal Protection Act (MMPA) of 1972, as amended, requires the Secretary of Commerce to prepare a conservation plan for any species or stock of marine mammals designated as depleted under

the Act. The Southern Resident stock of killer whales (*Orcinus orca*) was designated as depleted on May 29, 2003, and a conservation plan was developed to promote the conservation and recovery of these whales. NMFS announces the availability for public review of the Proposed Conservation Plan for Southern Resident Killer Whales (Plan). NMFS is requesting review and comment on the Plan from the public and all interested parties.

DATES: Written comments and information must be received by January 3, 2006.

ADDRESSES: Copies of the Plan may be reviewed and/or copied at NMFS, Protected Resources Division, 7600 Sand Point Way NE, Seattle, WA 98115. The Plan is available on-line on the NMFS web site www.nwr.noaa.gov. Comments should be submitted by mail to Chief, Protected Resources Division, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232 or by e-mail to orca.plan@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Garth Griffin, NOAA/NMFS, Northwest Region, (503) 231-2005.

SUPPLEMENTARY INFORMATION:

Background

Southern Resident killer whales declined by almost 20 percent from 1996-2001. The scientific information evaluated during a status review indicated that Southern Resident killer whales were depleted under the Marine Mammal Protection Act (MMPA). NMFS published a proposed rule to designate the Southern Resident stock of killer whales as depleted on January 30, 2003 (68 FR 4747). Based on the best scientific information available, consultation with the Marine Mammal Commission, and consideration of public comments, we determined that the Southern Resident stock of killer whales was depleted under the MMPA (68 FR 31980; May 29, 2003) and announced our intention to prepare a conservation plan.

Conservation plans describe actions to conserve and recover a species or stock designated as depleted under the MMPA. Conservation plans are modeled on recovery plans under the Endangered Species Act and must include (1) site-specific management actions necessary to achieve the plan's goals; (2) estimates of time required and costs to implement actions; and (3) objective, measurable criteria which, when met, would result in the species or stock no longer meeting the definition of depleted.

The Plan

We developed the Plan with input from a variety of stakeholders, including state and Federal agencies, tribes, non-profit groups, industries, the academic community, and concerned citizens. We held a series of technical workshops in 2003-2004 to receive input from participants on ideas for management actions to include in the plan; coordinated with the NMFS Northwest Fisheries Science Center research program, the State of Washington, and the Canadian Department of Fisheries and Oceans; and provided a preliminary draft document for public review in March 2005, meeting with agency representatives to discuss the preliminary plan. The Plan incorporates many of the comments received and includes a completed implementation schedule with cost estimates for conservation measures and research actions.

The Plan provides a strategy to conserve and restore Southern Resident killer whales, so that they no longer meet the definition of a depleted stock. It provides background on the natural history of killer whales, population trends and the potential threats to their viability. The Plan lays out a conservation strategy to address the potential threats based on the best available science and includes conservation goals and criteria consistent with the MMPA. The Plan is not a regulatory action, but presents guidance for use by agencies and interested parties to assist in the recovery of killer whales. The conservation measures, outlined in the plan, detail an initial approach to address each of the manageable threats. The program also links management actions to an active research program to fill data gaps, as well as to monitoring activities for assessing effectiveness. Feedback from research and monitoring will provide the information necessary to refine ongoing actions and develop and prioritize new actions. The Plan can be amended in the future as additional information becomes available.

Conserving Southern Resident killer whales is a long-term effort and will require cooperation and coordination of Federal, state, tribal and local government agencies, and the community. WNMFS solicits public comments on the proposed conservation plan.

Dated: September 29, 2005.

P. Michael Payne,

Acting Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

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