

will publish these amounts in each **Federal Register** solicitation for applications.

(b) Applicants shall not include application initiation or credit processing fees or any other expenses associated with the application process (such as fees associated with obtaining the required preliminary rating opinion letter) among eligible project costs for the purpose of calculating the maximum 33 percent credit amount referenced in § 80.5(a).

(c) If, in any given year, there is insufficient budget authority to fund the credit instrument for a qualified project that has been selected to receive assistance under TIFIA, the DOT and the approved applicant may agree upon a supplemental fee to be paid by or on behalf of the approved applicant at the time of execution of the term sheet to reduce the subsidy cost of that project. No such fee may be included among eligible project costs for the purpose of calculating the maximum 33 percent credit amount referenced in § 80.5(a).

(d) The DOT will require borrowers to pay servicing fees for each credit instrument approved for funding. Separate fees may apply for each type of credit instrument (e.g., a loan guarantee, a secured loan with a single disbursement, a secured loan with multiple disbursements, or a line of credit), depending on the costs of servicing the credit instrument as determined by the Secretary. Such fees will be set at a level to enable the DOT to recover all or a portion of the costs to the Federal Government of TIFIA credit instruments.

7. Revise § 80.19 to read as follows:

#### **§ 80.19 Reporting requirements.**

At a minimum, any recipient of Federal credit assistance under this part shall submit an annual project performance report and audited financial statements to the DOT within 180 days following the recipient's fiscal year-end for each year during which the recipient's obligation to the Federal Government remains in effect. The DOT may conduct periodic financial and compliance audits of the recipient of credit assistance, as determined necessary by the DOT. The specific credit agreement between the recipient of credit assistance and the DOT may contain additional reporting requirements.

8. Add § 80.21 to read as follows:

#### **§ 80.21 Use of administrative offset.**

The DOT will not apply an administrative offset to recover any losses to the Federal Government resulting from project risk the DOT has

assumed under a TIFIA credit instrument. The DOT may, however, use an administrative offset in cases of fraud, misrepresentation, false claims, or similar criminal acts or acts of malfeasance or wrongdoing.

Issued on: May 15, 2000.

**Rodney E. Slater,**

*Secretary of Transportation.*

[FR Doc. 00-13271 Filed 5-26-00; 8:45 am]

**BILLING CODE 4910-62-P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 660**

[I.D. 051900D]

#### **Western Pacific Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of public meeting/public hearings.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold its 104th meeting June 13 through June 16, 2000, in Makena, HI. Public hearings will be held on criteria to allow new entry into the Mau Zone limited entry bottomfish fishery in the Northwest Hawaiian Islands (NWHI) and on amendments to the Bottomfish and Seamount Groundfish, Crustaceans, and Precious Corals Fishery Management Plans (FMPs).

**DATES:** The Council's Standing Committees will meet on June 13, 2000. The full Council meeting will be held on June 14-16, 2000, from 8:30 a.m. to 5 p.m. The public hearings will be held on June 16, 2000. See **SUPPLEMENTARY INFORMATION** for specific dates and times for these meetings and the hearings.

**ADDRESSES:** The Council meeting will be held at the Prince Ballroom at the Maui Prince Hotel, 5415 Makena Alanui, Makena, HI 96753; telephone 808-874-1111. Copies of documents that provide information on options to be discussed at the public hearings are available from the Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI, 96813.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone 808-522-8220.

**SUPPLEMENTARY INFORMATION:**

## **Dates and Times**

### *Committee Meetings*

The following Standing Committees of the Council will meet on June 13, 2000. Enforcement/Vessel Monitoring System (including meeting with industry) from 7:30 a.m. to 9:30 a.m.; International Fisheries/Pelagics from 9:30 a.m. to 11:30 a.m.; Executive/Budget and Program from 11:30 a.m. to 1:30 p.m.; Precious Corals from 1:30 p.m. to 3 p.m.; Crustaceans from 1:30 p.m. to 3 p.m.; Bottomfish from 3 p.m. to 4:30 p.m.; Ecosystem and Habitat from 3 p.m. to 4:30 p.m.; Fishery Rights of Indigenous People from 4:30 p.m. to 5:30 p.m.; and Joint Bottomfish, Crustacean, Ecosystem and Habitat, Precious Corals, and Fishery Rights of Indigenous People from 5:30 p.m. to 6:30 p.m.

### *Public Hearings*

The public hearing on new entry criteria for the Mau Zone bottomfish fishery will be held on Friday, June 16, 2000, at 9:30 a.m. The public hearing on amendments to the Bottomfish and Seamount Groundfish, Crustaceans, and Precious Corals FMPs will be held on June 16, 2000, at 2 p.m.

The agenda during the full Council meeting will include the items listed. In addition, the Council will hear recommendations from its advisory panels, plan teams, scientific and statistical committee, and other ad hoc groups. The order in which agenda items are addressed may change. The Council will meet as late as necessary to complete scheduled business.

### *Agenda*

1. Introductions
2. Approval of Agenda
3. Approval of 103<sup>rd</sup> Meeting Minutes
4. Island Reports
  - A. American Samoa
  - B. Guam
  - C. Hawaii
  - D. Commonwealth of the Northern Mariana Islands (CNMI)
5. Fishery Agency and Organization Reports
  - A. Department of Commerce
    - (1) NMFS
      - (a) Southwest Region, Pacific Island Area Office
      - (b) Southwest Fisheries Science Center, La Jolla and Honolulu Laboratories
    - (2) NOAA General Counsel, Southwest Region
  - B. Department of the Interior
    - (1) U.S. Fish and Wildlife Service (FWS)

6. Enforcement
  - A. U.S. Coast Guard activities
  - B. NMFS activities
  - C. Commonwealth, Territories, and State Activities
  - D. Cooperative agreements for Guam/CNMI
  - E. Status of violations
7. Vessel Monitoring System (VMS)
  - A. Regional VMS report
  - B. National VMS efforts
  - C. Report on Forum Fisheries Agency's VMS program
8. Ecosystems and Habitat
  - A. Federal and state initiatives
    - (1) U.S. Coral Reef Task Force National Action Plan
    - (2) Congressional coral reef bills
    - (3) Federal agencies (NMFS, FWS)
    - (4) Local agencies (American Samoa, Guam, Hawaii, CNMI)
  - B. Habitat issues
    - (1) Tern Island (French Frigate Shoals)
    - (2) Midway
    - (3) Research (including the *DeepWorker* subs)
  - C. Advisory body comments on the Coral Reef Ecosystem FMP preferred alternatives
    - (1) Coral Reef Ecosystem Plan Team
    - (2) Ecosystem and Habitat Advisory Panel
    - (3) Bottomfish Plan Team/Advisory Panel
    - (4) Crustaceans Plan Team/Advisory Panel
    - (5) Precious Corals Plan Team/Advisory Panel
    - (6) Native and Indigenous Rights Advisory Panel
  - D. Organization of coral reef FMP
  - E. Other issues
9. Fishery Rights of Indigenous People
  - A. Status of Marine Conservation Plans
  - B. Status of Community Development Program/Demonstration Projects, including eligibility criteria
  - C. Pelagic and crustacean limited entry permits for Community Development Program
  - D. Access to Military Shore Installations
10. Pelagic Fisheries
  - A. 1st quarter 2000 Hawaii and American Samoa longline fishery report
  - B. Island Issues
    - (1) Status of American Samoa framework measure
    - (2) Domestic fishery development—S-K preliminary results
  - C. Shark management (1) Shark catch and disposition in 1st Quarter of 2000 in the Hawaii Longline fishery
    - (2) Blue shark stock assessment
    - (3) Cultural study of sharks and shark fishing in the Western Pacific (WP) Region
    - (4) Pelagic FMP amendment for shark management
    - (5) State of Hawaii legislation for shark finning
    - (6) State of Hawaii management of shark fishing
    - (7) Shark management in rest of WP Region
    - (8) Federal shark fin legislation
    - (9) Blue Shark Utilization
    - (10) Research priorities
  - D. Seabird management
    - (1) Status of FMP amendment to mitigate seabird take
    - (2) Status of the Biological Opinion on Short-tailed Albatross take
  - E. Sea turtle management
    - (1) Status of litigation
    - (2) Environmental Assessment
    - (3) Federal import embargoes related to incidental sea turtle catches
    - (4) Turtle research/Azores project update
    - (5) Observer program
  - F. International
    - (1) Outcome of Multilateral High Level Conference 6
    - (2) Tongan Highly Migratory Species Fishery Management Plans
  - G. Purse seining in the Central Western Pacific and untethered Fish Aggregation Device fishing
11. Bottomfish Fisheries
  - A. 1999 Annual Report/Status of the fishery
  - B. New entry criteria for Mau Zone
  - C. Status of Litigation
  - D. Research Plan
  - E. Public hearing on new entry criteria for the Mau Zone bottomfish fishery.
 

The Council intends to develop a framework amendment to the FMP for Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region. The amendment will establish criteria for new entry into the limited access Mau Zone bottomfish fishery in the Northwest Hawaiian Islands. In developing the framework document, the Council will consider a range of alternatives and impacts on Northwest Hawaiian Island bottomfish fishery. Currently, there are no Federal regulations that specify how new permits are to be issued in the Mau Zone once the number of vessels in the Zone falls below the target number, which is now established at 10 permits. The Council seeks to solicit public comment and input on eligibility criteria including but not limited to the following: weighted point system based on past participation in the main and NWHI, free and limited transferability of permits, and a lottery system.
12. Crustacean Fisheries
  - A. Draft 1999 Annual Report
  - B. 2000 NWHI lobster fishery/harvest guidelines/population assessment
  - C. Consideration of amendment to replace lobster assessment model
  - D. Research plans
  - E. Possible additions to Crustaceans management unit species (e.g., deepwater shrimp, crabs)
  - F. Status of litigation
    - (1) Experimental Fishing Permit
13. Precious Corals
  - A. Status of framework amendment
  - B. Stock monitoring
  - C. Research plans (NWHI *DeepWorker* sub surveys)
  - D. American Deepwater Engineering requests
    - (1) Revise quotas for selective gear harvest
    - (2) Expand beds based on new data
14. Program Planning
  - A. Sustainable Fishery Act amendment revisions
    - (1) Bycatch (bottomfish, pelagics)
    - (2) Overfishing (bottomfish, crustaceans, pelagics)
    - (3) Fishing communities
    - (4) Plan Team recommendations
  - B. Draft amendments to include CNMI and Pacific Remote Island Areas (PRIA) in the bottomfish, precious corals and crustaceans FMPs
  - C. Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) Changes
    - D. Marine debris conference/update
    - E. Palmyra Atoll
    - F. Report on program planning initiatives
  - G. Advisory Panel modifications
    - H. Western Pacific Fisheries Information Network/Fisheries Data Coordinating Committee
    - I. Recreational Fisheries Data Task Force
    - J. Public hearing on amendments to include CNMI and PRIA in the bottomfish, precious corals and crustaceans FMPs

The Council intends to develop amendments to the Bottomfish and Seamount Groundfish, Crustaceans, and Precious Corals FMPs. In developing these amendments, the Council will consider a range of alternatives and impacts for management of bottomfish, crustaceans and precious corals fisheries of PRIA and CNMI. The PRIA is defined as Kingman Reef, Johnston Atoll, Palmyra Atoll, and Howland, Baker, Jarvis, Wake, and Midway

islands. The Council is evaluating the need to amend the bottomfish, crustaceans and precious corals FMPs to better achieve the management objectives of these FMPs. Currently, no Federal regulations are in place to manage the bottomfish, crustacean and precious coral fishery resources in the Exclusive Economic Zone (EEZ) waters surrounding the CNMI. There are also no Federal regulations in place for the bottomfish and crustacean fisheries in EEZ waters surrounding PRIA. The amendments will be developed by considering a wide range of management alternatives to address data short falls and possible impacts from the bottomfish, crustacean, and precious coral fisheries in PRIA and CNMI. The Council seeks public comment and input on a wide range of management alternatives, including but not limited to the following: Prohibit the use of destructive fishing techniques including the use of explosives, poisons, bottom-set gillnets, bottom trawls, and tangle nets; additions to the managed species list; Federal permit and data reporting requirements; limited access; observer programs; gear restrictions; size limits; catch quotas; and the designation of essential fish habitat.

#### 15. Administrative Matters

- A. Administrative reports
- B. Advisory body membership changes
- C. Meetings and workshops D. 105th Council Meeting in Midway

#### 16. Other Business

Although non-emergency issues not contained in this agenda may come before the Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this document and any issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, 808-522-8220 (voice) or 808-522-8226 (fax), at least 5 days prior to meeting date.

**Authority:** 1801 *et seq.*

Dated: May 24, 2000.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 00-13459 Filed 5-26-00; 8:45 am]

**BILLING CODE 3510-22-F**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[I.D. 051500D]

RIN 0648-AM72

#### Fisheries of the Exclusive Economic Zone Off Alaska; Western Alaska Community Development Quota Program

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The North Pacific Fishery Management Council (Council) has submitted Amendment 66 to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) to remove the allocation of squid to the Western Alaska Community Development Quota (CDQ) Program. The Council has recommended this amendment to prevent the incidental catch of squid in the pollock CDQ fisheries from preventing the CDQ groups from fully harvesting the pollock CDQ allocation required under the American Fisheries Act (AFA).

**DATES:** Comments on Amendment 66 must be submitted by July 31, 2000.

**ADDRESSES:** Comments may be mailed to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel. Hand delivery or courier delivery of comments may be sent to the Federal Building, 709 West 9th Street, Juneau, AK. Comments will not be accepted if submitted via e-mail or the Internet.

Copies of Amendment 66 to the FMP and of the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis prepared for this action are available from the Council, 605 West 4th Ave., Suite 306, Anchorage, AK 99501-2252, telephone 907-271-2809; from NMFS at the above address; or by calling the Alaska Region, NMFS, at 907-586-7228.

#### FOR FURTHER INFORMATION CONTACT:

Sally Bibb, 907-586-7389, sally.bibb@noaa.gov.

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that each Regional Fishery Management Council submit any FMP or FMP amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP or amendment, immediately publish a notification in the **Federal Register** that the FMP or amendment is available for public review and comment. Therefore, NMFS solicits comments on the approval, disapproval, or partial approval of this amendment.

The Council adopted Amendment 66 at its June 1999 meeting. If approved by NMFS, this amendment would remove the allocation of 7.5 percent of the squid total allowable catch (TAC) to the CDQ Program. Currently, each CDQ group must manage its CDQ fisheries to ensure that its squid CDQ allocation is not exceeded. The pollock fishery takes squid as incidental catch. The potential exists that if a CDQ group were to catch its full squid allocation, it would be precluded from continuing to fish for pollock. This potential constraint on the pollock CDQ fisheries existed when the pollock CDQ allocation was 7.5 percent of the pollock TAC. The potential is more likely now that the pollock CDQ allocation has been increased to 10 percent of the TAC under the AFA. In passing the AFA, Congress manifested its intent that CDQ groups be able to harvest their full pollock allocations. Therefore, the Council is recommending removal of squid as a CDQ species.

NMFS solicits public comments on the amendment through July 31, 2000. A proposed rule that would implement the amendment may be published in the **Federal Register** for public comment following NMFS's evaluation under the Magnuson-Stevens Act procedures. Public comments on the proposed rule must be received by the end of the comment period on the amendment to be considered in the approval/disapproval decision on the amendment. All comments received by the end of the comment period on the amendment, whether specifically directed to the amendment or to the proposed rule, will be considered in the approval/disapproval decision; comments received after that date will not be considered in the approval/disapproval decision on the amendment. To be considered,