

Washington, DC 20503. Attn: CASB Docket No. 99-01. Public comments on the SNPRM-II should continue to reference CASB Docket No. 93-01N(3).

**FOR FURTHER INFORMATION CONTACT:** Richard C. Loeb, Executive Secretary, Cost Accounting Standards Board (telephone 202-395-3254).

**SUPPLEMENTARY INFORMATION:** The Cost Accounting Standards Board will hold an open public meeting on December 6, 1999. The purpose of this public meeting will be to hear the views of interested persons concerning the regulatory topics covered in the Board's recent Supplemental Notice of Proposed Rulemaking (SNPRM-II) regarding "Changes in Cost Accounting Practices" 64 FR 45700 (8/20/99).

To gain admittance, individuals desiring to attend this meeting must notify the Board's staff, in writing, at the above listed address, by the deadline noted. If an individual desires to make a presentation to the Board at this session, he or she is required to submit a brief outline of the presentation when making the request. In addition, a full written statement must be submitted one week prior to the meeting. In lieu of making an oral presentation, individuals may submit a written statement for the record. Due to time limitations, the Board will notify individuals of their speaking status (time) prior to the meeting. Time allocations for oral presentations will depend on the number of individuals who desire to appear before the Board.

Also, due to various requests, the Board is extending the period for receipt of public comments on this SNPRM-II. To be considered, comments must be received no later than November 22, 1999.

**Nelson F. Gibbs,**

*Executive Director, Cost Accounting Standards Board.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 227

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Availability of a Status Review of the Atlantic Salmon in the Gulf of Maine Distinct Population Segment

**AGENCIES:** National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce; Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** A Biological Review Team (Team), consisting of National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (FWS) (Services) biologists, has completed a review of the status of Atlantic salmon in the Gulf of Maine distinct population segment (DPS) (Review of the Status of Anadromous Atlantic Salmon (*Salmo salar*) under the U.S. Endangered Species Act, July, 1999).

**DATES:** You should request copies of the July, 1999, status review by November 18, 1999.

**ADDRESSES:** Requests should be addressed to Mary Colligan, NMFS, Protected Resources Division, One Blackburn Drive, Gloucester, Massachusetts, 01930, or Paul Nickerson, FWS, 300 Westgate Center Drive, Hadley, MA, 01035.

**FOR FURTHER INFORMATION CONTACT:** Mary Colligan, NMFS (978-281-9116) or Paul Nickerson, FWS (413-253-8615) at the above addresses.

**SUPPLEMENTARY INFORMATION:** The Team has completed a review of the biological status of Atlantic salmon in the Gulf of Maine DPS, including an assessment of the adequacy of protective measures, the extent of implementation of these measures, and the effect of these measures on Atlantic salmon and their habitat. This status review is an update to the 1995 Atlantic salmon status review and indicates that, under current circumstances, it is the opinion of the Biological Review Team that the Gulf of Maine DPS is in danger of extinction.

#### Availability of Documents

You may obtain copies of the July, 1999, status review from Mary Colligan or Paul Nickerson (see **ADDRESSES** section).

## Background Information

On December 18, 1997, the Services withdrew a proposed rule to list a distinct population segment of Atlantic salmon in seven Maine rivers as "threatened" under the Endangered Species Act of 1973, as amended (Act) (62 FR 66325). In reaching this determination, the Services considered the status of the Atlantic salmon in the seven Maine rivers. This evaluation took into account the efforts made to protect the species including the State of Maine Atlantic Salmon Conservation Plan (Conservation Plan) for the Seven Rivers, private and Federal efforts to restore the species, and international efforts to control ocean harvest through the North Atlantic Salmon Conservation Organization. The Services determined that these efforts substantially reduced threats to the species; that the seven rivers DPS of Atlantic salmon was not likely to become endangered in the foreseeable future; and that, therefore, listing under the Act was not warranted. The populations that constituted the seven rivers DPS were those in the Dennys, East Machias, Machias, Pleasant, Narraguagus, Ducktrap, and Sheepscot Rivers. However, the Services renamed the seven rivers DPS the "Gulf of Maine DPS" in recognition of the possibility that Atlantic salmon in other Maine rivers could be added to the DPS in the future. The Services stated that Atlantic salmon populations in other rivers would be added to the DPS if they were found to be naturally reproducing and have historical river-specific characteristics. The geographic area within which populations of Atlantic salmon would be likely to meet the criteria for inclusion in the DPS was identified as ranging from the lower tributaries of the Kennebec River north to, but not including, the St. Croix River.

With the withdrawal of the proposed listing rule, the NMFS retained the Gulf of Maine DPS of Atlantic salmon on its list of candidate species, and the Services committed to maintaining oversight of the species. Specifically, the Services stated in the withdrawal notice that the process for listing the Gulf of Maine DPS would be reinitiated if: (1) An emergency which poses a significant risk to the well-being of the Gulf of Maine DPS is identified and not immediately and adequately addressed; (2) the biological status of the Gulf of Maine DPS is such that the DPS is in danger of extinction throughout all or a significant portion of its range; or (3) the biological status of the Gulf of Maine DPS is such that the DPS is likely to become endangered in the foreseeable

future throughout all or a significant portion of its range. Further, the withdrawal notice stated that the circumstances described under (1), (2), and (3) could result from: insufficient progress in implementation of the Conservation Plan; a failure to modify the Conservation Plan to address new threat(s) or an increase in the severity of threat(s); a failure to modify the Conservation Plan, if necessary, to address threat(s) facing any other populations added to the Gulf of Maine DPS in the future; or the inability of the State of Maine to address threat(s). The notice stated that a decision to reinstate the listing process generally would be made shortly after the end of an annual reporting period.

In the withdrawal notice, the Services committed to making the State of Maine's annual report on the implementation of their Conservation Plan available for review to the public in order to keep interested parties informed and to provide an opportunity for comment. The annual review of the Conservation Plan was part of the Services' broader comprehensive review of the species' status relative to the Act. On January 20, 1999, the first State of Maine annual report on implementation of the Conservation Plan was made available for public review and comment. The Services published a **Federal Register** notice on that day, opening a comment period until March 8, 1999. The Services reviewed all public comments received on the draft annual report and provided a summary of those, along with their own comments, to the State of Maine in March 1999. The Services received a final revised annual report from the State of Maine on April 13, 1999.

The July, 1999, Atlantic salmon status review identifies changes in species status, threats, and protection since the withdrawal notice. The updated status review states that, under current circumstances, it is the opinion of the Biological Review Team that the Gulf of Maine DPS is in danger of extinction. The status review also states that there are now at least eight rivers in the DPS range that still contain functioning populations, but at substantially reduced abundance levels. Recent survey work indicates that a naturally reproducing population that contains historic-river-specific characteristics also remains in Cove Brook and therefore warrants inclusion in the Gulf of Maine DPS. The FWS has designated the Atlantic salmon Gulf of Maine DPS as a candidate for listing. The FWS and NMFS will promptly begin preparation of a proposed rule to list this DPS of

Atlantic salmon under the Endangered Species Act.

Dated: September 30, 1999.

**Jamie Rappaport Clark,**

*Director, U.S. Fish and Wildlife Service.*

Dated: October 6, 1999.

**Penelope D. Dalton,**

*Assistant Administrator for Fisheries,*

*National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 216

[Docket No. 990922260-9260-01; I.D. 083199E]

RIN 0648-AM84

#### Designation of the Cook Inlet, Alaska, Stock of Beluga Whale as Depleted Under the Marine Mammal Protection Act (MMPA) and Response to Petitions

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to designate the Cook Inlet beluga whale stock as depleted under the MMPA. No Endangered Species Act (ESA) determination on listing this stock as a threatened or endangered species is made at this time. NMFS will issue an ESA determination within 12 months of NMFS's receipt of the petition (April 9, 1999), following the 1999 NMFS aerial survey and other factors which may affect such a determination. This action, pursuant to the MMPA, is necessary to address the sharp decline in the number of Cook Inlet beluga whales. It is intended as a conservation measure to reverse the decline and eventually to rebuild the numbers within the Cook Inlet beluga whale stock.

**DATES:** Comments and information must be received by December 20, 1999.

**ADDRESSES:** Comments should be addressed to the Chief, Marine Mammal Division, Office of Protected Resources, NMFS, 1335 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Michael Payne, NOAA/NMFS, Alaska Region, (907) 586-7235, or Brad Smith, NOAA/NMFS, Alaska Region, Anchorage Field Office, (907) 271-5006.

**SUPPLEMENTARY INFORMATION:**

## Background

The beluga whale, *Delphinapterus leucas*, is a small toothed whale inhabiting arctic and subarctic waters. Alaska contains five separate stocks of beluga whale, the smallest of which occurs in Cook Inlet within south-central Alaska. The Cook Inlet stock is genetically and geographically isolated from the other Alaskan populations of beluga whales.

NMFS has conducted annual surveys of the Cook Inlet beluga whale between 1994 and 1998. Results show a sharp decline in estimated abundance, with the 1998 estimate (347 animals) nearly 50 percent lower than the 1994 estimate (653 animals). Historical estimates of abundance are not available; however, Native hunters have stated their belief that the stock numbered at least 1,000 animals as recently as the 1980s.

The Cook Inlet beluga whale stock is hunted by Alaska Natives. The subsistence harvest levels of Cook Inlet beluga whales have been largely unreported; however the hunter groups and some individual hunters have provided NMFS with documented information on the harvest for 1994-1997. From these data, NMFS estimates the total Cook Inlet subsistence harvest at a mean annual level of 87 whales (including those landed and struck and lost).

At the current decline of 15 percent per year, the Cook Inlet beluga whale stock would be reduced to 50 percent of its current level within 5 years. This level of removal is significant.

As a result of the recent decline in this stock, NMFS initiated a status review of the Cook Inlet beluga whale stock with a request for public comment (63 FR 64228, November 19, 1998). Additionally, NMFS received a petition from the State of Alaska on January 21, 1999, to designate the Cook Inlet beluga stock as depleted under the MMPA. On March 3, 1999, NMFS received another petition from seven organizations and one individual to list the Cook Inlet stock of beluga whale as "endangered" under the ESA. This petition requested emergency listing under section 4(b)(7) of the ESA, designation of critical habitat, and immediate action to implement regulations to regulate the subsistence harvest of these whales. On March 10, 1999, NMFS received a petition to designate the Cook Inlet stock of beluga whales as depleted under the MMPA and to list it as "endangered" under the ESA. NMFS has determined that these petitions present substantial information to indicate that the petitioned action may