

present and discuss their performance reports at annual meetings in Washington, DC during the life of the award.

(c) The performance reports must contain the information required under 24 CFR part 84, including a comparison of actual accomplishments with the objectives and performance goals of the work plans. In the work plans each grantee will identify performance goals and objectives established for each community in which it proposes to work and appropriate measurements under the work plan such as: the number of housing units and facilities each CDC/CHDO produces annually during the grant period and the average cost of these units. Provided, however, that when the activity described in a work plan is not to be undertaken in a single community that a report indicating the areas in which the activity will be undertaken, along with appropriate goals and objectives, will be provided when that information is available. The performance reports will also include a discussion of the reasonableness of the unit costs; the reasons for slippage if established objectives and goals are not met; and additional pertinent information.

(d) A final performance report, in the form described in paragraph (c) above, shall be provided to HUD by each grantee within 90 days after the completion date of the award.

(e) Financial status reports (SF-269A) shall be submitted semiannually.

(f) Environmental review. Individual projects to be funded by these grants may not be known at the time the overall grants are awarded and also may not be known when some of the individual subgrants are made. Therefore, in accordance with 24 CFR 50.3(h), the application and the grant agreement must provide that no commitment or expenditure of HUD or local funds to a HUD-assisted project may be made until HUD has completed an environmental review to the extent required under applicable regulations and has given notification of its approval in accordance with 24 CFR 50.3(h).

8. Application Content

Grantees will be required to file an application containing the following:

(a) Application for Federal Assistance (OMB Standard Form 424), Non-construction Assurances (SF-424B), Certification Regarding Drug-Free Workplace Requirements, Certification Regarding Lobbying and the Fair Housing and Equal Opportunity certification described in section 9(f) of this notice;

(b) A Summary Budget for the amount of funds being requested as described in section VI (10) of the "NOFA for Consolidated Technical Assistance for Community Planning and Development (CPD) Programs; Notice," published at 59 FR 33842, 33848, on June 30, 1994 and specifying any amounts to be committed to NCDI activities under the notice dated March 30, 1994 and grant agreements pursuant to it.

9. Other Matters

(a) *Environmental Impact.* A Finding of No Significant Impact with respect to the environment has been made in accordance with the Department's regulations at 24 CFR part 50, which implements section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays at the Office of the Rules Docket Clerk, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

(b) *Wage Rates.* Unless triggered by other Federal funds for a project under this grant, the requirements of the Davis-Bacon Act do not apply.

(c) *Relocation.* The Uniform Relocation Act applies to anyone who is displaced as a result of acquisition, rehabilitation, or demolition, for a HUD-assisted activity.

(d) *Federalism.* The General Counsel, as the Designated Official under section 7(a) of the Executive Order 12612, *Federalism*, has determined that the policies contained in this funding notice will not have substantial direct effects on States or their political subdivisions or on the distribution of power and responsibilities among the various levels of government. Specifically, this notice makes funds available through specific entities for specific activities, as required by statute, and does not impinge upon the relationships between the Federal government, and State and local governments.

(e) *Prohibition Against Lobbying Activities.* Applicants for funding under this notice are subject to the provisions of section 319 of the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 1991, 31 U.S.C. 1352 (the Byrd Amendment) and to the provisions of the Lobbying Disclosure Act of 1995, Pub. L. 104-65 (December 19, 1995).

The Byrd Amendment, which is implemented in regulations at 24 CFR part 87, prohibits applicants for Federal contracts and grants from using appropriated funds to attempt to influence Federal Executive or

legislative officers or employees in connection with obtaining such assistance, or with its extension, continuation, renewal, amendment or modification. The Byrd Amendment applies to the funds that are the subject of this notice. Therefore, applicants must file with their application a certification stating that they have not made and will not make any prohibited payments and, if any payments or agreement to make payments of nonappropriated funds for these purposes have been made, a form SF-LLL disclosing such payments must be submitted.

The Lobbying Disclosure Act of 1995, Pub. L. 104-65 (December 19, 1995), which repealed section 112 of the HUD Reform Act and resulted in the elimination of the regulations at 24 CFR part 86, requires all persons and entities who lobby covered Executive or Legislative Branch officials to register with the Secretary of the Senate and the Clerk of the House of Representatives and file reports concerning their lobbying activities.

(f) *Fair Housing and Equal Opportunity.* Applications must contain a certification that the applicant and all subgrantees shall comply with the requirements of the Fair Housing Act, title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and will affirmatively further fair housing.

Authority: Sec. 4 of the HUD Demonstration Act of 1993, (Pub. L. 103-120, 42 U.S.C. 9816 note), as amended and Pub. L. 105-276, 112 Stat. 2461.

Dated: October 4, 1999.

Cardell Cooper,

Assistant Secretary for Community Planning and Development.

[FR Doc. 99-29219 Filed 11-5-99; 8:45 am]

BILLING CODE 4210-29-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Migratory Bird Permits; Notice of Intent To Prepare an Environmental Impact Statement and National Management Plan for the Double-Crested Cormorant

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: The U.S. Fish and Wildlife Service is issuing this notice to advise the public that we are initiating efforts to prepare an Environmental Impact Statement (EIS) and accompanying national management plan aimed at

addressing impacts caused by population and range expansion of the double-crested cormorant in the contiguous United States. This notice describes a range of possible alternatives, invites public participation in the scoping process for preparing the EIS, and identifies the Service official to whom you may direct questions and comments. Locations, dates, and times of public scoping meetings have yet to be determined.

DATES: We will publish the formal closing date for receiving scoping comments when the notice of public scoping meetings is published in the **Federal Register**. We anticipate **Federal Register** publication of the locations, dates, and times of public scoping meetings to occur within two months of this notice of intent.

ADDRESSES: If you wish to comment, you may submit your comments by any one of several methods. You may mail comments to: Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 N. Fairfax Dr., Room 634, Arlington, VA 22203. You may also comment via the internet to: cormorant_eis@fws.gov. Please submit internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include your name and return address in your internet message. If you do not receive a confirmation that we have received your message, contact us directly at (703) 358-2334. Finally, you may hand-deliver comments to: Room 634—Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia. Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety. We have yet to determine potential sites of public scoping meetings. We will publish a notice of public meetings with the locations, dates, and times in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Mr. Jon Andrew, Chief, Office of Migratory Bird Management, U.S. Fish and

Wildlife Service, (703) 358-1714; or John L. Trapp, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, (703) 358-1965.

SUPPLEMENTARY INFORMATION: The double-crested cormorant (*Phalacrocorax auritus*) has been protected by the Migratory Bird Treaty Act since 1972. Populations of this large fish-eating waterbird, which is native to all 48 of the contiguous United States, have increased dramatically during the past three decades. In many parts of the United States, this has culminated in conflicts with resources of value to humans.

Cormorants and Their Impacts

The size of the North American breeding population of the double-crested cormorant has been estimated at about 372,000 pairs, or 852 colonies (Tyson *et al.* 1997). Using values of one to four non-breeding birds per breeding pair yields an estimated total population of 1-2 million birds (Hatch 1995). The double-crested cormorant breeds widely throughout much of the coastal and interior portions of the United States. It has been found breeding in 46 of the 48 contiguous United States. However, it is not uniformly distributed across this broad area. Sixty-one percent of the breeding birds belong to the Interior population and it is the fastest growing of the six major North American breeding populations (Hatch 1995). From 1970-1991, in the Great Lakes region (American and Canadian), which lies within the range of the Interior population, the number of double-crested cormorant nests increased from 89 to 38,000, an average annual increase of 29 percent (Weseloh *et al.* 1995). For the contiguous United States as a whole, the breeding population increased at an average rate of 6.1 percent per year from 1966-1994 (Sauer *et al.* 1996).

Cormorant wintering populations are concentrated in coastal States, from North Carolina to Texas in the east and from California to Washington in the west. In the south, there also are appreciable concentrations inland from the coast (e.g., east Texas, eastern Oklahoma, southeastern Arkansas, west-central Mississippi, and northeastern Alabama). Cormorants nesting in Canada and the northern United States from Alberta to the Gulf of St. Lawrence (i.e., the Atlantic and Interior populations) migrate in winter primarily to the southern United States between Texas and Florida.

Cormorants have been implicated as being responsible for: (1) Economic losses at commercial aquaculture facilities; (2) damage to trees and other vegetation associated with breeding

colonies and roosting sites; (3) impacts to other species of migratory birds in the vicinity of cormorant breeding colonies; (4) declines in economic revenues associated with outdoor (primarily fishing-related) recreational activities; (5) declines in populations of sport fish; and (6) lowering of private property values.

Past Management Actions

Formal efforts by the Service and others to control double-crested cormorant populations date to the 1940s. Since 1972, we have issued depredation permits to persons who can document injury to "crops or other interests" by migratory birds, including cormorants (50 CFR 21.41). In the last decade, requests for depredation permits to control damages caused by double-crested cormorants have increased dramatically.

In response to published evidence of significant economic losses at commercial aquaculture facilities due to predation by double-crested cormorants, we implemented a depredation order on March 4, 1998 (63 FR 10560). The depredation order allows commercial aquaculturists in 13 States to take unlimited numbers of double-crested cormorants " * * * when found committing or about to commit depredations to aquaculture stocks * * * " (50 CFR 21.47).

In early spring 1999, we received applications for permits to conduct cormorant control activities at Little Galloo Island, Lake Ontario, New York (oiling of eggs in up to 7,500 nests); and Young Island, Lake Champlain, Vermont (oiling of eggs in up to 3,000 nests). Environmental Assessments of the proposed actions concluded that they would have no significant environmental effects, and permits were subsequently issued (USFWS 1999a and b).

The Atlantic States Legal Foundation (ASLF) challenged the issuance of a permit to the New York State Department of Environmental Conservation in United States District Court in a complaint filed August 16, 1999. The ASLF argued that our decision to issue a permit in this instance was a violation of the Migratory Bird Treaty Act and the National Environmental Policy Act and was arbitrary and capricious.

Although the District Court has taken no action on the ASLF complaint, the action highlights the need for scientific inquiry into the nature of the problems caused by double-crested cormorants and an assessment of the utility of management actions most likely to resolve resulting conflicts.

Alternatives

After the scoping process, we will develop alternatives to be included in the EIS, basing them on our mission and the comments received during scoping. Examples of alternatives that we might consider range from "No Action" to "Large-scale Population Control on Breeding Grounds, Wintering Grounds, and Migration Areas in the United States."

As a precursor to the national management plan, the Service has contracted for the development of a cormorant status assessment. A draft is currently under review. Availability of this document for public review will be announced at a later date.

We are soliciting your comments on issues, alternatives, and impacts we might address in the EIS. Of particular value will be comments that: (1) Identify and, where possible, quantify impacts caused by increasing cormorant populations; (2) suggest management strategies to resolve such conflicts; and (3) identify determining factors in justifying the need for control, if any.

Issue Resolution and Environmental Review

The primary issue that we will address during the scoping and planning process for the EIS is to determine which alternatives for managing double-crested cormorant populations we will analyze. We will prepare a discussion of the potential effects, by alternative, which will include the following areas:

- (1) Double-crested cormorant populations and their habitats;
- (2) Other bird populations and their habitats;
- (3) Effects on other species of flora and fauna; and
- (4) Socioeconomic effects.

We will conduct an environmental review of the management actions in accordance with the requirements of the National Environmental Policy Act (NEPA), as appropriate. We are furnishing this notice in accordance with 40 CFR 1501.7 to obtain suggestions and information from other agencies, tribes, and the public on the scope of issues to be addressed in the EIS. A draft EIS should be available to the public in the spring of 2000.

Public Scoping Meetings

A schedule of public scoping meetings is not available at this time. We encourage suggestions of potential dates, times, and locations for the meetings. We will then publish notice of the meetings in the **Federal Register**.

References Cited

A complete list of all references cited herein is available from the Office of Migratory Bird Management (see **ADDRESSES** section).

Dated: October 26, 1999.

Jamie Rappaport Clark,

Director, U.S. Fish & Wildlife Service.

[FR Doc. 99-28814 Filed 11-5-99; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Notice of Availability of a Final Environmental Impact Statement for the Proposed Forest Management Plan for the Flathead Indian Reservation, Pablo, MT

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: A Final Environmental Impact Statement (FEIS) for the proposed Forest Management Plan for the trust forest lands of the Flathead Indian Reservation, Pablo, Montana, is now available for public review and comment. A description of the proposed action follows as supplemental information.

DATES: Comments on the FEIS must arrive by December 6, 1999.

ADDRESSES: If you wish to comment, you may submit your comments by any one of several methods. You may mail or hand carry written comments to Mr. Ernest "Bud" Moran, Superintendent, Flathead Field Office, Bureau of Indian Affairs, P.O. Box 40, Pablo, Montana 59855. You may also comment via the Internet to BudMoran@bia.gov. Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. Include your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at (406) 675-0242.

Comments, including names and home addresses of respondents, will be available for public review at the Flathead Field Office during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment.

Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Copies of the FEIS will be available at the public libraries in Arlee, St. Ignatius, Ronan, Polson, and Hot Springs, Montana, and at the Salish and Kootenai Cultural Centers in St. Ignatius and Elmo, Montana. Comments, responses, and changes and additions to the DEIS will be mailed out to all those who commented on the DEIS. Individuals wishing copies of the FEIS may contact Mr. Ken Trickey, Tribal Forestry, Confederated Salish and Kootenai Tribes, P.O. Box 278, Pablo, Montana 59855, telephone (406) 676-3755.

FOR FURTHER INFORMATION CONTACT: Mr. Ken Trickey, 406-676-3755.

SUPPLEMENTARY INFORMATION: There are approximately 451,391 acres of forest trust land on the Flathead Indian Reservation. The Forest Management Plan (the proposed action) takes an interdisciplinary, ecosystem approach to forest management and seeks to restore and maintain the long-term ecological integrity of the reservation's forests in a manner consistent with tribal values. The Plan describes resource management practices and levels of production, establishes management standards, allocates land, and prescribes management practices to achieve balanced forest ecosystems. Its purpose is to provide long-term direction for the tribes' forest resources. The Plan is needed to: (1) Satisfy tribal goals and objectives; (2) Ensure that management activities are compatible with sustainable forest ecosystems; (3) Balance tribal cultural, social, economic and environmental values; and (4) Establish a basis for an adaptive management and monitoring process that incorporates tribal member values.

The FEIS includes five alternatives, including a no action alternative. Alternatives 1, 2 and 3 take an ecosystem approach to management. They focus on the overall vegetative structure and composition of the forest rather than on individual stands or on the needs of individual species. They seek to restore, to varying degrees, more natural structures, processes and functions to the forest in order to achieve more sustainable conditions over the long term. Of the three, Alternative 1 seeks the highest levels of