

Generally, all species of gulls are listed in the treaties and further identified in 50 CFR 10.13, List of Migratory Birds. Prohibited activities involving these listed migratory birds are more clearly identified in 50 CFR 21.11 which provides: "No person shall take * * * any migratory bird * * * except as permitted under the terms of a valid permit * * *."

The regulations then provide for issuance of permits for general standardized activities (import/export, banding and marking, scientific collecting, taxidermy, waterfowl sale and disposal, and falconry activities) utilizing standard form permits. They also provide for issuance of Special Purpose permits which authorize otherwise prohibited activities involving migratory birds, not otherwise covered by the standard form permits, when: " * * * an applicant * * * submits a written application containing the general information and certification required by part 13 [50 CFR 13] and makes a sufficient showing of * * * compelling justification." (50 CFR 21.27)

These Special Purpose Permit regulations give the Service broad authorities to address human safety issues at JFKIA. The Preferred Alternative is compatible with all conventions and treaties and the Service Actions identified within this Preferred Alternative are compatible with the intent of these conventions, treaties, and associated regulations. The compelling justification for these Service Actions is the issue of human safety at JFKIA.

Revised Service Decision

The Service amends its original ROD to allow issuance of a Special Purpose Permit to the PA authorizing the take of no more than 100 herring gulls, 100 great black-backed gulls, 100 ring-billed gulls, 100 laughing gulls, and 50 Canada geese or Canada goose nests each year. This permit will also authorize during the period of June 12th through August of each year the additional shooting of up to 8,000 laughing gulls, 1,400 herring gulls, 200 great black-backed gulls, and 200 ring-billed gulls when posing a threat to airplanes on JFKIA. The Service will issue this permit for a three year period beginning in 1996.

The laughing gull nesting colony near JFKIA has not declined significantly during the course of the shooting program. ADC concluded in its evaluation of the 1991-95 shooting programs that the annual kill of laughing gulls " * * * represented about 1-6% of the estimated adult population in nesting colonies on the Atlantic coast from Virginia to Maine * * *". Takes of other species under this permit represent approximately 1% of the regional adult herring gull population and less than 1% of the regional adult populations for great black-backed gulls, ring-billed gulls, and Canada geese. The

program, which is supported by this Revised ROD, will likely result in takes of migratory birds of the following magnitudes: 3,688-8,100 laughing gulls, 184-1,600 herring gulls, 73-300 great black-backed gulls, 36-300 ring-billed gulls, and up to 50 Canada geese or their nests. Given the high productivity of the gull species and the number of gulls taken during the 1991-95 period, the Service believes that the environmental impact of this Revised ROD will be the same as, or less than the impacts discussed in the FEIS.

In April 1996 the PA presented the Service with a proposal to use falconry to reduce the numbers of migratory birds flying through JFKIA airspace by both killing and harassment. Unfortunately, this proposal contains no meaningful evaluation plan, and it will be impossible to judge whether the use of raptors to harass birds at JFKIA will reduce the number of strikes in 1996 without such a plan. However, the Service will incorporate conditions in the 1996 permit that would allow the experimental use of falconry at JFKIA, provided this activity is restricted to only PA property and monitored appropriately. Also, the Service intends to consider future modifications of the PA permit for the JFKIA bird hazard management program to accommodate other experimental approaches that might result in a reduced kill of migratory birds, while maintaining at a minimum the current level of risk at JFKIA to bird strikes.

Having reviewed and considered the FEIS and the 1994 ROD for the gull hazard management program at JFKIA, the Service finds as follows:

1. The requirements of NEPA and implementing regulations have been satisfied; and
2. Consistent with social, economic, programmatic and environmental considerations from among the reasonable alternatives thereto, the Revised ROD is one which minimizes or avoids adverse environmental effects to the maximum extent, practicable, including the effects discussed in the FEIS; and,
3. Consistent with the social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the EIS process will be minimized or avoided by incorporating as conditions those mitigative measures identified in the Preferred Alternative in the FEIS and its supporting appendices; and,
4. The limitations on the numbers of gulls and other migratory bird species which may be taken under this permit are compatible with the terms of the

Migratory Bird Conventions and are made with due regard to their distribution, abundance, breeding habits, and migratory patterns; and

5. The compelling necessity for public safety at JFKIA, which is documented in the FEIS, is addressed by the proposed actions; and

6. The PA have made a sufficient showing of compelling justification for these permits; and

7. All improvements to the BCU, BHTF, and JFKIA management programs, as specified in the June 3, 1994 Federal Register with the amendments identified above in the Service Actions section are hereby adopted as part of this finding and will be used to guide future migratory bird permit decisions.

Having made the above findings, the Service has decided to proceed with implementation of the Revised Record of Decision as indicated above.

This Revised Record of Decision will serve as the written facts and conclusions relied on in reaching this decision. This Revised Record of Decision was approved by the Regional Director of the Service on June 24, 1996.

Dated: June 24, 1996.

Jaime Geiger,

Acting Regional Director.

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Ruffe Control Committee Meeting

AGENCY: Department of the Interior, Fish and Wildlife Service.

ACTION: Notice of meeting.

SUMMARY: This notice announces a meeting of the Ruffe Control Committee, a committee of the Aquatic Nuisance Species Task Force. The Committee will meet to develop action plans to meet three new objectives of the Ruffe Control Program. These are: bait fish management; fish community management; and, Chicago Ship and Sanitary Canal. The meeting is open to the public. Interested persons may make oral statements to the Committee or may file written statements for consideration.

DATES: The Ruffe Control Committee will meet from 1:00 to 5:00 p.m. on Tuesday, July 30, 1996, and 8:00 a.m. to 12:00 p.m. on Wednesday, July 31, 1996.

ADDRESSES: The meeting will be held at the Holiday Inn, 1000 U.S. 23 North, Alpena, Michigan 49707.

FOR FURTHER INFORMATION CONTACT: Tom Busiahn, Ruffe Control Committee Chairperson, U.S. Fish and Wildlife Service, at (715) 682-6185.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), this notice announces a meeting of the Ruffe Control Committee, a committee of the Aquatic Nuisance Species Task Force established under the authority of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (P.L. 101-646, 104 Stat. 4761, 16 U.S.C. 4701 *et seq.*, November 29, 1990). Minutes of meeting will be maintained by Coordinator, Aquatic Nuisance Species Task Force, Room 840, 4401 North Fairfax Drive, Arlington, Virginia 22203 and the Chairperson, Ruffe Control Committee, U.S. Fish and Wildlife Service, Fishery Resources Office, 2800 Lake Shore Drive East, Ashland, Wisconsin 54806, and will be available for public inspection during regular business hours, Monday through Friday within 30 days following the meeting.

Dated: June 21, 1996.

Gary Edwards,

Co-Chair, Aquatic Nuisance Species Task Force.

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Bureau of Indian Affairs

Fiscal Year (FY) 1996 Indian Child Welfare Act (ICWA) Grant Program, Availability of Title II ICWA Funds for Off-Reservation Indian Organizations

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of availability of grant funds.

SUMMARY: Title II of the Indian Child Welfare Act of 1978, Public Law 95-608, makes grant funds available to off-reservation Indian organizations from the Bureau of Indian Affairs (BIA), Department of the Interior, for the purpose of establishing and operating off-reservation Indian child and family service programs.

DATES: The closing date for the receipt of applications for all applicants is August 2, 1996.

ADDRESSES: Applications must be mailed or hand-delivered to the appropriate Area Office of the Bureau of Indian Affairs listed in Part IV of this announcement.

FOR FURTHER INFORMATION CONTACT: The Bureau of Indian Affairs' area office nearest to the applicant, or Betty Tippeconnie, BIA Office of Tribal Services, Mail Stop 4603-MIB, 1849 C Street, N.W., Washington, D.C. 20240. Telephone (202) 208-2721.

SUPPLEMENTARY INFORMATION: This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs (Assistant Secretary) by 209 DM 8. Pursuant to 25 CFR Part 23, the Assistant Secretary hereby announces procedures necessary for eligible off-reservation Indian organizations to compete for a national allocation of \$866,000 in FY 1996 Title II ICWA grant funds.

ICWA applications for one year grants will be accepted under this notice. Applications must comply with all applicable requirements and criteria specified in Subpart D, 25 CFR Part 23. Copies of 25 CFR Part 23 ICWA grant regulations may be obtained from the Area Social Workers listed in Part IV of this notice. It is important that applicants carefully review all requirements detailed in this notice relative to application contents, deadlines, and other special instructions. Applications not received by Close of Business on August 2, 1996 will not be considered in the competition.

In accordance with 25 CFR Part 23.42, it is incumbent upon prospective grant applicants to request technical assistance from the appropriate Area Director. The deadline for the receipt of requests for technical assistance is 10 days prior to the close of the application deadline.

Part I. General Information

A. Background

It is the policy of the BIA to emphasize and facilitate the comprehensive design, development and implementation of Indian child and family service programs in coordination with other Federal, state, and local programs which strengthen and preserve Indian families and Indian tribes. Thus, applicants are encouraged to design their ICWA programs/activities to integrate with or complement existing child and family service programs or those administered by the applicant.

Section 202 of the Indian Child Welfare Act of 1978 (Public Law 95-608, 25 U.S.C. 1932) authorizes the Secretary to make grants to off-reservation Indian organizations to establish and operate off-reservation Indian child and family service programs for the purpose of stabilizing and preventing the breakup of Indian families and, in particular, to ensure that the permanent removal of an Indian child from the custody of his/her Indian parent or custodian shall be an action of last resort. These programs are intended

to promote the Indian Child Welfare Act of 1978 (25 U.S.C. chapter 21).

This notice provides information on the FY 1996 ICWA grant application process for eligible off-reservation Indian organizations to compete for FY 1996 ICWA grant funds.

B. Eligible Applicants

The Board of Directors of any nonprofit off-reservation Indian organization may apply for a grant under this announcement. A new application for projects of one year's duration may be submitted in response to this announcement. An applicant may not submit more than one application nor be a beneficiary of more than one grant under this or other prior notices.

C. Purpose of Off-Reservation Grants

The purpose of every Indian child and family services program shall be to prevent the breakup of Indian families, and ensure that the permanent removal of an Indian child from the custody of his/her Indian parent or custodian shall be a last resort. Off-reservation Indian child and family service programs may include, but are not limited to:

(1) A system for regulating, maintaining, and supporting Indian foster and adoptive homes, including a subsidy program under which Indian adoptive children may be provided support comparable to that for which they would be eligible as Indian foster children, taking into account the appropriate state standards of support maintenance and medical needs;

(2) The operation and maintenance of facilities and services for the counseling and treatment of Indian families and Indian foster and adoptive children with the goal of strengthening and stabilizing Indian families;

(3) Family assistance (including homemaker services and home counselors), protective day care and after school care, employment support services, recreational activities, and respite care with the goal of strengthening Indian families and contributing toward family stability; and

(4) Guidance, legal representation and advice to Indian families involved in state child custody proceedings.

Part II

A. Available Funds

In FY 1996, off-reservation Indian organizations will compete for a national allocation of \$866,000, which will be evenly distributed to the BIA's twelve area offices in the amount of \$72,166.66 per area. Pursuant to 25 CFR 23.34, Area Directors will determine