

Dated: September 30, 1999.

Louisa Koch,

Deputy Assistant Administrator.

[FR Doc. 99-25967 Filed 10-5-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 092899D]

New England Fishery Management Council; Public Meetings

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Habitat Committee in October, 1999. Recommendations from the committee will be brought to the full Council for formal consideration and action, if appropriate.

DATES: The meeting will held on Tuesday, October 19, 1999, at 10 a.m.

ADDRESSES: The meeting will be held at the Holiday Inn, One Newbury St., Route 1, Peabody, MA; telephone: (978) 535-4600.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council; (781) 231-0422.

SUPPLEMENTARY INFORMATION: The committee will continue its discussion of objectives, criteria, and a process for designating a habitat research area. They also will discuss development of a structured process for the identification and designation of habitat areas of particular concern and review any available information related to potential scallop fishing access in Closed Area I and the Nantucket Lightship Area. There will be a brief closed session during the meeting to select industry advisors.

Although non-emergency issues not contained in this agenda may come before this Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, 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 notice and any issues arising after publication of this notice that require 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 Paul J. Howard (see ADDRESSES) at least 5 days prior to the meeting dates.

Dated: September 30, 1999.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 99-26092 Filed 10-5-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 090199A]

Marine Mammals; File No. 738-1454-02

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

ACTION: Issuance of permit amendment.

SUMMARY: Notice is hereby given that Permit No. 738-1454 issued to Ms. Carole Conway, Genomic Variation Laboratory, Department of Animal Science, Meyer Hall, University of California, Davis, CA 95616-3322, was amended to allow import and export of additional blue whale samples.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following offices:

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130 Silver Spring, MD 20910 (301/713-2289); and

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213 (562/980-4001).

FOR FURTHER INFORMATION CONTACT: Ruth Johnson (301/713-2289).

SUPPLEMENTARY INFORMATION: The subject amendment has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing endangered and threatened marine species (50 CFR 222-226).

Issuance of this permit, as required by the ESA, was based on a finding that

such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: September 29, 1999.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 99-26091 Filed 10-5-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051299C]

Marine Mammals; Gray Whale Research and Monitoring

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

ACTION: Notice of report availability.

SUMMARY: NMFS conducted a review of the status of the Eastern North Pacific stock of gray whales (*Eschrichtius robustus*), sometimes referred to as the "California" stock, at a workshop held by the National Marine Mammal Laboratory (NMML) in Seattle, Washington, on March 16-17, 1999. Based on the continued growth of this population (rising at 2.5 percent annually; currently at an estimated 26,600 individuals), and the lack of evidence of any imminent threats to the stock, workshop participants agreed to continue this stock's classification as non-threatened. They also concluded that abundance monitoring should continue at some level and that, ideally, research should continue on human impacts to critical habitats. This stock's annual migrations along the highly populated coastline of the western United States and their concentration in limited winter and summer areas may make them particularly vulnerable to impacts from commercial or industrial development or local catastrophic events. The Western North Pacific ("Korean") gray whale stock has not recovered and should continue to be listed as endangered.

This workshop and status review conclude the 5-year assessment of the Eastern North Pacific gray whale stock following its June 16, 1994, removal from the List of Endangered and Threatened Wildlife and Plants (List). Since completion of the status review,

the increased gray whale stranding rate has continued. NMFS is currently investigating these mortalities independent of the already concluded status review process and will issue a report in 2000.

ADDRESSES: A copy of the Status Review is available by writing to Donna Wieting, Acting Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Hwy, Silver Spring MD 20910-3282 or by telephoning the individual listed (see FOR FURTHER INFORMATION CONTACT).

FOR FURTHER INFORMATION CONTACT: Kenneth R. Hollingshead, NMFS, 301-713-2055.

SUPPLEMENTARY INFORMATION: Under the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*; the MMPA), NMFS has jurisdiction over most marine mammal species, including whales. Under section 4(a) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*; the ESA) and 50 CFR part 424, NMFS makes determinations as to whether a species should be listed as endangered or threatened, or whether it should be reclassified or removed from the List. Accordingly, NMFS has conducted comprehensive evaluations of the status of the Eastern North Pacific gray whale stock. The first review was conducted in 1984, followed by another review in 1990 (56 FR 29471, June 27, 1991). These evaluations were conducted in terms of factors contained in section 4(a)(1) of the ESA for listing and delisting actions. The best available abundance estimate (21,296; CV = 6.05%; 95% CI = 18,900 to 24,000) and average annual rate of increase (3.29%; SE = 0.44%) indicated that this stock no longer met the standards for classification as an endangered species. An extensive public comment period was provided (56 FR 58869, November 22, 1991). On 7 January 1993 (58 FR 3121), NMFS published a final notice of determination that this whale stock had recovered to near its estimated pre-exploitation population size. Although individual and cumulative impacts might have the potential to adversely affect these whales, it was determined that this stock was neither in danger of extinction throughout all or a significant portion of its range, nor was it likely to again become endangered within the foreseeable future. NMFS determined, therefore, that the Eastern North Pacific stock of gray whales should no longer be considered endangered. On June 3, 1994, NMFS announced the availability of a draft plan (A 5-year Plan for Research and Monitoring of the Eastern North Pacific Population of Gray

Whales) to review and comment on the research pertinent to this decision to delist gray whales, as required under section 4(g) of the ESA. Effective June 16, 1994 (59 FR 31094), as a result of NMFS' determination, the U.S. Fish and Wildlife Service (USFWS) removed this whale stock from the List under the ESA. Concurrent with that action, NMFS amended the list of endangered species under its jurisdiction (50 CFR part 222), removing the Eastern North Pacific gray whale stock. Abundance and trends in the population's growth were sufficient to allow this stock to be removed from the List without going through an interim consideration period as a threatened stock.

Changes to the listing of the Eastern North Pacific gray whale stock did not affect the fact that the Western North Pacific ("Korean") gray whale stock has not recovered and should continue to be considered endangered.

A workshop was convened by NMFS at NMML in Seattle, Washington, on March 16-17, 1999, to review the status of the Eastern North Pacific stock of gray whales based on research conducted during the 5-year period following the delisting of this stock. The workshop followed guidelines outlined in the NMFS 5-year Plan to conduct the status review and recommend whether to (1) continue the monitoring program for an additional 5-year period; (2) terminate the monitoring program; or (3) consider changing the status of the gray whale under the ESA. The 28 invited participants determined that this stock was neither in danger of extinction, nor was it likely to again become endangered within the foreseeable future, according to the determining factors listed in section 4(a)(1) of the ESA. Therefore, there was no apparent reason to reverse the previous decision to delist this stock from the List. There was a consensus among participants that this stock of gray whales should continue to be monitored for an additional 5-year period (1999-2004).

Canada's Committee on the Status of Endangered Wildlife in Canada lists the "Northeast Pacific population" of gray whale as "not at risk." This is the lowest category for animals in their classification system, which also includes vulnerable, threatened, endangered, extirpated, and extinct.

Although the Eastern North Pacific stock of gray whales no longer receives protection under the ESA, it continues to be protected under the MMPA, and subsistence take is managed under quotas set by the International Whaling Commission. The delisting of this stock does not in any way alter the status of the still endangered Western North

Pacific ("Korean") stock of gray whales. There is no allowable commercial take of any gray whales, and the Convention on the International Trade in Endangered Species regulates the transportation of animal parts. Furthermore, if there is evidence of a significant negative decline and research indicates that such a change would be warranted, this stock can be proposed to be listed again as threatened or endangered under the ESA.

This review concludes the 5-year status review required by section 4(g)(1) of the ESA, that commenced on June 16,

1994 (59 FR 31094), when the USFWS removed this whale stock from the List.

Dated: September 29, 1999.

Art Jeffers,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.
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CONSUMER PRODUCT SAFETY COMMISSION

Proposed Collection; Comment Request—Collection of Information for Children's Sleepwear

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Consumer Product Safety Commission (CPSC) requests comments on a proposed extension of approval, for a period of three years from the date of approval by the Office of Management and Budget (OMB), of a collection of information from manufacturers and importers of children's sleepwear. This collection of information is in the Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X and the Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14 and regulations implementing those standards. See 16 CFR Parts 1615 and 1616. The children's sleepwear standards and implementing regulations establish requirements for testing and recordkeeping by manufacturers and importers of children's sleepwear.

The Commission will consider all comments received in response to this notice before requesting an extension of approval of this collection of information from OMB.

DATES: The Office of the Secretary must receive written comments not later than December 6, 1999.