UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way, N.E.
Bin C15700, Bldg. 1
Seattle, Washington 98115-0070

May 27, 1993 F/NW

Re: Notice of determination on Illinois River Winter Steelhead Petition

Dear Concerned Parties:

The National Marine Fisheries Service (NMFS) has determined that the Illinois River winter steelhead in southern Oregon does not constitute a "species" under the Endangered Species Act (ESA) and, therefore, does not qualify for listing under the ESA at this time (see enclosure). However, the Illinois River winter steelhead is part of a larger Evolutionarily Significant Unit (ESU) that may qualify for protection under the ESA. Accordingly, NMFS is requesting biological information for all coastal steelhead populations in California, Oregon, and Washington, including Puget Sound.

On May 6, 1992, NMFS received a petition from Oregon Natural Resources Council; the Siskiyou Regional Education Project; Federation of Fly Fishers; Kalmiopsis Audubon Society; Klamath/Siskiyou Coalition; Headwaters; The Wilderness Society; North Coast Environmental Center; The Sierra Club, Oregon Chapter; and The National Wildlife Federation, to list naturally spawning Illinois River winter steelhead (Oncorhynchus mykiss) and to designate critical habitat under the ESA.

NMFS published a notice on July 31, 1992 (57 FR 33939), that the petition presented substantial scientific information indicating that the listing may be warranted. To ensure a comprehensive review, NMFS solicited information and data concerning the present and historic status of the Illinois River winter steelhead and whether or not this stock qualifies as a "species" under the ESA. NMFS also requested information on areas that may qualify as critical habitat for the Illinois River winter steelhead. A total of 42 commenters provided information and data.

After a thorough analysis of all information available, NMFS has determined that the Illinois River winter steelhead do not represent a "species" under the ESA, and therefore, a proposal to list Illinois River winter steelhead under the ESA is not warranted at this time.

Although NMFS has concluded that there is insufficient evidence to demonstrate that the Illinois River winter steelhead by themselves represent an ESU, and hence a "species" under the ESA, Illinois River winter steelhead are undoubtedly part of a larger ESU whose extent has not yet been determined. Whether this larger ESU would merit protection under the ESA cannot be determined at this time. Trends in steelhead abundance are downward in several southern Oregon coastal streams including the Illinois River. NMFS believes that it is important to proceed directly to identify the larger ESU that contains Illinois River winter steelhead. NMFS is therefore initiating a status review of all coastal steelhead populations in California, Oregon, and Washington. NMFS will make a determination of ESU(s) in these areas, initiate a status review of each identified ESU, and determine whether or not to propose listing under the ESA for any identified ESU.

To ensure that these evaluations are complete and are based on the best available scientific and commercial data, NMFS is soliciting information and comments concerning the present and historic status of coastal steelhead populations in California, Oregon, and Washington, including those from Puget Sound.

Biological information on coastal steelhead will be accepted from all interested parties until July 19, 1993. Information should be submitted to Merritt Tuttle, Chief, Environmental and Technical Services Division, NMFS, Northwest Region, 911 N.E. 11th Avenue, Suite 620, Portland, OR 97232. For further information contact Garth Griffin, Environmental and Technical Services Division, Endangered Species Branch at (503) 230-5430.

Sincerely,

Rolland A. Schmitten

Rolland A. Schmitten
Regional Director

Enclosure

intended to reveal if any key individuals associated with the applicant have been convicted of or is presently facing, criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management honesty or financial integrity; and a false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

CLOSING DATE: The closing date for applications is June 24, 1993. Applications must be postmarked on or before June 24, 1993.

Address: Chicago Regional Office, Minority Business Development Agency, U.S. Department of Commerce, 55 East Monroe, Suite 1440, Chicago, Illinois 60603.

FOR FURTHER INFORMATION CONTACT: David Vega, Regional Director, Chicago Regional Office.

Address: Chicago Regional Office, Minority Business Development Agency, 55 East Monroe Street, Suite 1440, Chicago, Illinois 60603, 312/353-0182.

STATUTORY AUTHORITY: 15 U.S.C. 1512.

FUNDING AUTHORITY: Executive Order 11625, October 13, 1971.

SUPPLEMENTARY INFORMATION: Anticipated processing time of this award is 120 days. Executive Order 12372 "Intergovernmental Review of Federal Programs" is not applicable to this program. A pre-bid conference will be held on June 7, 1993, at 10 a.m. at the MBDA Chicago Regional Office. Questions concerning the preceding information, copies of application kits and applicable regulations can be obtained at the above address.

11.800 Minority Business Development (Catalog of Federal Domestic Assistance)

Dated: May 13, 1993.

David Vega,

Regional Director, Chicago Regional Office.

[FR Doc. 93-11899 Filed 5-19-93; 8:45 am]

BILLING CODE 3510-21-M

National Oceanic and Atmospheric Administration

[Docket No. 930517-3117]

Endangered and Threatened Species; Illinois River Winter Steelhead in Oregon

AGENCY: National Marine Fisheries Services (NMFS), NOAA, Commerce.

ACTION: Notice of determination; status review and request for information.

SUMMARY: NMFS determines that the Illinois River winter steelhead in Oregon does not constitute a "species" under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 *et seq.* (ESA) and, therefore, does not qualify for listing under the ESA at this time. However, the Illinois River winter steelhead is part of a larger evolutionarily significant unit that may qualify for protection under the ESA. Accordingly, NMFS is requesting biological information for all coastal steelhead populations in California, Oregon, and Washington, including Puget Sound.

ADDRESSES: Comments and information should be submitted to Merritt Tuttle, Chief, Environmental and Technical Services Division, NMFS, Northwest Region, 911 N.E. 11th Avenue, suite 620, Portland, OR 97232.

DATES: Biological information from all interested parties will be accepted until July 19, 1993.

FOR FURTHER INFORMATION CONTACT: Garth Griffin, Environmental and Technical Services Division, NMFS, Portland, Oregon (503/230-5430), Jim Lecky, NMFS, 501 West Ocean Boulevard, suite 4200, Long Beach, California 90802-4213 (310/980-4015) or Marta Nammack, Protected Species Management Division, NMFS, 1335 East-West Highway, Silver Spring, Maryland 20910 (301/713-2322).

SUPPLEMENTARY INFORMATION:

Petition Background

On May 6, 1992, NMFS received a petition from Oregon Natural Resources Council, the Siskiyou Regional Education Project, Federation of Fly Fishers, Kalmiopsis Audubon Society, Klamath/Siskiyou Coalition, Headwaters, The Wilderness Society, North Coast Environmental Center, The Sierra Club, Oregon Chapter, and The National Wildlife Federation, to list indiganous, naturally spawning Illinois River winter steelhead (*Oncorhynchus mykiss*) and to designate critical habitat under the ESA. The petition contained information on angler catch data to illustrate declining population trends; provided information on geographic location, spawning distribution, and anadromous life history to illustrate evolutionary significance; and provided information on geographical isolation, distinctive life history and body size characteristics, and effects of hatchery fish to illustrate reproductive isolation. NMFS published a notice on July 31, 1992 (57 FR 33939), that the petition presented substantial scientific information indicating that the listing may be warranted. To ensure a comprehensive review, NMFS solicited information and data concerning the present and historic status of the Illinois River winter steelhead and whether or not this stock qualifies as a "species" under the ESA. NMFS also requested information on areas that may qualify as critical habitat for the Illinois River winter steelhead. A total of 42 commenters provided information and data pertaining to historic and present steelhead abundance and distribution, water quality, fishery management practices, land management practices, hatchery management impacts, life history characteristics, and stock identification.

Biological Background

The NMFS Northwest Region Biological Review Team has prepared a technical memorandum "Status Review for Illinois River Winter Steelhead," which provides more detailed information, discussion, and references. This technical memorandum is available upon request (see ADDRESSES), and is summarized below.

The Illinois River is 83 miles long and joins the Rogue River 27 miles from the Pacific Ocean. The Illinois River watershed covers 990 square miles in southwestern Oregon and northern California. The Illinois River and the Applegate River are the two major tributaries of the Rogue River Basin. The mouth of the Rogue River is 27 miles south of Cape Blanco, Oregon.

The name steelhead refers to the anadromous form of rainbow trout. Recently, the scientific name for the biological species that includes both steelhead and rainbow trout was changed from *Salmo gairdneri* to *Oncorhynchus mykiss*. This change reflects a belief that all trouts from western North America share a common lineage with Pacific salmon. The present endemic distribution of steelhead extends from the Kamchatka Peninsula, Asia, east and south, along the Pacific coast of North America, to Malibu Creek in southern California.

Steelhead exhibit a wide variety of life history strategies. In general, steelhead migrate to sea after spending two years in freshwater and then spend two years in the ocean prior to returning to fresh water to spawn. Deviations from this basic pattern are common. Some spawners survive and return to the ocean for one or more years between spawning migrations. Some steelhead return to freshwater after only a few months at sea and are termed "half-pounders," having attained the approximate size that inspired this term. Half-pounders generally spend the

winter in freshwater and then return to the sea for a year before returning to freshwater to spawn.

Steelhead exhibit two spawning migration strategies. The "summer steelhead" enter fresh water between May and October, beginning their spawning migration in a sexually immature state. After several months in fresh water, summer steelhead mature and spawn. "Winter steelhead" enter fresh water between November and April with well developed gonads. In drainages with sympatric populations of summer and winter steelhead, there may or may not be temporal or spatial separation of spawning. Approximate spawning windows for Rogue River steelhead are December–March for summer steelhead and March–June for winter steelhead.

Consideration as a "Species" Under the ESA

To qualify for listing as a threatened or endangered species, Illinois River winter steelhead would have to be a "species" under the ESA. The ESA defines a "species" to include any "distinct population segment of any species of vertebrate . . . which interbreeds when mature." NMFS published a policy (November 20, 1991; 56 FR 58612) on how it will apply the ESA species definition in evaluating Pacific salmon. This policy provides that a salmon population will be considered distinct, and hence a species under the ESA, if it represents an evolutionarily significant unit (ESU) of the biological species. The population must satisfy two criteria to be considered an ESU: (1) It must be reproductively isolated from other conspecific population units; and (2) it must represent an important component in the evolutionary legacy of the biological species. The first criterion, reproductive isolation, need not be absolute, but must be strong enough to permit evolutionarily important differences to accrue in different population units. The second criterion would be met if the population contributed substantially to the ecological/genetic diversity of the species as a whole. Further guidance on the application of this policy is contained in, "Pacific salmon (*Oncorhynchus* spp.) and the Definition of Species under the Endangered Species Act," which is available upon request (see ADDRESSES).

Reproductive Isolation

For this criterion, NMFS considered factors provided by the petitioners on the isolation of the Illinois River spawning grounds, the effects of the Illinois River Falls, the time of peak spawning, and a north-south genetic difference.

Steelhead that spawn in the upper parts of the river are separated by as much as 75 miles from the confluence of the Illinois and the Rouge Rivers, and this may contribute to reproductive isolation of steelhead spawning above Illinois River Falls. However, lower Illinois River tributaries may contribute substantially to overall steelhead production in the river, and these lower river areas are relatively closer to (and hence potentially less isolated from) other spawning areas in the Rouge River.

The Illinois River Falls at River Mile 40 may act (or may have acted in the past, before modification) as a "filter" that allowed adult passage only during certain river levels. However, genetic analysis failed to find anything distinctive about Illinois River winter steelhead from either above or below the falls.

Some unpublished data indicate that peak spawning for Illinois River winter steelhead occurs around the first of April, which is two weeks earlier than the peak for steelhead from the middle Rouge River and two weeks later than the peak for steelhead from the Applegate River. Spawn timing may be heritable in part, but is also subject to modification by streamflow, water temperature, and other environmental variables. The two-week differences in peak spawning for the Illinois River winter steelhead are of the same magnitude as year-to-year differences observed in Rogue River summer steelhead. The modest difference in peak spawn timing cited by the petitioners may reflect (or may be the result of) reproductive isolation, but this could not be demonstrated without considerably more data.

The petitioners cited evidence for a genetic difference between steelhead populations north and south of Cape Blanco, Oregon. Preliminary data collected by NMFS also suggest some degree of genetic differentiation between populations north and south of Cape Blanco. However, the same data fail to show any consistent differences between steelhead from the Illinois River and other steelhead populations from northern California and southern Oregon.

Evolutionary Significance

NMFS considered information provided by the petitioners on hatchery influence and factors that pertain to life history differences between Illinois River winter steelhead and Rogue River steelhead. The life history factors included age at smolting and spawning and the incidence of half-pounders.

NMFS found some records of hatchery releases of other steelhead stocks into the Illinois River. However, the magnitude (and likely effects) of these releases was fairly small. The very limited fish scale data for Illinois River winter steelhead are consistent with the petitioners' conclusion that straying of hatchery fish into the Illinois River occurs at a low rate.

Some data indicate that average age at smolting for Illinois River winter steelhead (two or more years) is slightly higher than for Rogue River steelhead. In this respect, however, Illinois River winter steelhead are similar to most other populations of coastal steelhead; it is Rogue River steelhead that differ by smolting on average at a somewhat younger age.

Unpublished data suggest that, at spawning, Illinois River winter steelhead on average are somewhat older and larger than other steelhead from the Rogue River basin. However, the Illinois River winter steelhead age data are from scale samples returned by anglers, which may be biased toward older (and larger) fish. The smaller adult size in other Rogue River populations may also be a consequence of slowed growth during the half-pounder migration. We have no data to indicate that Illinois River winter steelhead are remarkable for their size in comparison to other coastal steelhead populations.

The petitioners stated that the absence of "half-pounders" in the Illinios River supports the theory of genetic isolation of Illinois River winter steelhead. However, half-pounders have been reported only from certain drainages in southern Oregon and northern California, and they may not be present in all tributaries of these drainages. Furthermore, half-pounders are generally associated with summer-run populations, and this life history trait appears to be uncommon in winter-run fish. Therefore, in lacking half-pounders, Illinois River winter steelhead are similar to most other winter steelhead populations and to all summer steelhead populations outside the northern California and southern Oregon area.

Determination

After a thorough analysis of all information available, NMFS has determined that the Illinois River winter steelhead do not represent a "species" under the ESA, and therefore, a proposal to list Illinois River winter steelhead under the ESA is not warranted at this time.

Expanded Status Review

Although NMFS has concluded that there is insufficient evidence to demonstrate that the Illinois River winter steelhead by themselves represent an ESU, and hence a "species" under the ESA, Illinois River winter steelhead are undoubtedly part of a larger ESU whose extent has not yet been determined. Whether this larger ESU would merit protection under the ESA cannot be determined at this time. Trends in steelhead abundance are downward in several southern Oregon coastal streams including the Illinois River. NMFS believes that it is important to proceed directly to identify the larger ESU that contains Illinois River winter steelhead. NMFS is therefore initiating a status review of all coastal steelhead populations in California, Oregon, and Washington. NMFS will make a determination of ESU(s) in these areas and determine whether or not to propose listing under the ESA for any identified ESU.

Biological Information Solicited

To ensure that these evaluations are complete and are based on the best available scientific and commercial data, NMFS is soliciting information and comments concerning the present and historic status of coastal steelhead populations in California, Oregon, and Washington, including those from Puget Sound.

Date: May 14, 1993.

Nancy Foster

Acting Assistant Administrator for Fisheries.

[FR Doc. 93-11[illegible] Filed 5-17-93; 8:45 am]

BILLING CODE 3510-22-M

Endangered Species; Permits.

AGENCY: National Marine Fisheries Service (NMFS), Commerce.

ACTION: Issuance of modification No. 1 to permit No. 790 (P509).

SUMMARY: On September 2, 1992 (57 FR 41477) Permit No. 790 was issued to Robert van Dam, Physiological Research Laboratory, Scripps Institution of Oceanography.

Notice is hereby given that on May 13, 1993, as authorized by the provisions of Endangered Species Act (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing listed fish and wildlife (50 CFR Parts 217-227), NMFS modified Permit No. 790 to extend the effective date through December 31, 1993.

Issuance of this Permit modification, 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 listed species which is the subject of this Permit; (3) is consistent with the purposes and policies set forth in Section 2 of the ESA. This Permit and Modification were also issued in accordance with and are subject to the NMFS regulations governing listed species permits.

The Permit and Modification documentation are available for review in the following offices by appointment:

Office of Protected Resources, National Marine Fisheries Service, 1335 East West Highway, Room 8268, Silver Spring, Maryland 20910 (301/713-2232); and

Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, Florida 33702 (813/893-3141).

Dated: May 13, 1993.

William W. Fox,

Director, Office of Protected Resources.

[FR Doc. 93-11975 Filed 5-19-93; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Settlement on Import Limits and Amendment of Export Visa Requirements for Certain Cotton, Wool and Man-Made Fiber Textile Products Produced or Manufactured in Indonesia

May 14, 1993.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs amending limits, a restraint period and visa requirements.

EFFECTIVE DATE: May 21, 1993.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-6704. For information on embargoes and quota re-openings, call (202) 482-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

During recent consultations between the Governments of the United States and Indonesia, agreement was reached to establish specific limits in Group II for Categories 350/650, for the period December 30, 1992 through June 30, 1993; and Category 447, for the period March 30, 1993 through June 30, 1993. For Categories 350/650, the limits for the periods December 30, 1992 through March 29, 1993 and March 30, 1993 through June 30, 1993 are being combined.

Also, limits are being adjusted, variously, for swing, carryforward, special swing and special carryforward.

For goods exported in merged Categories 350/650 on and after June 1, 1993, a merged visa will be accepted.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 57 FR 54976, published on November 23 1992). Also see 52 FR 20134, published on May 29, 1987; 57 FR 24597, published on June 10, 1992; 58 FR 5362, published on January 21, 1993; and 58 FR 17208, published on April 1, 1993.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

J. Hayden Boyd,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

May 14, 1993.

Commissioner of Customs,

Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on June 5, 1992, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textile products, produced or manufactured in Indonesia and exported during the period July 1, 1992 through June 30, 1993. Also, this directive amends, but does not cancel, the directives issued to you on January 13, 1993 and March 26, 1993 for cotton, wool and man-made fiber textile products in Categories 350/650 and 447 for the periods December 30, 1992 through March 29, 1993 and March 30, 1993 through June 30, 1993.

Effective on May 21, 1993, you are directed, pursuant to a Memorandum of Understanding (MOU) dated April 28, 1993 between the Governments of the United States and Indonesia, to combine the restraint periods December 30, 1992 through March 29, 1993 and March 30, 1993 through June