

and may seek to recover those damages." Natural resource damage assessments are separate from the cleanup actions undertaken at a hazardous waste site, and provide a process whereby the Trustees can determine the proper compensation to the public for injury to natural resources.

Three natural resource trustees settled with the Potentially Responsible Parties for injuries to natural resources due to releases of hazardous substances from the Charles George Landfill Superfund Site: DOI recovered \$299,916 for injuries to migratory birds that use wetlands; the National Oceanic and Atmospheric Administration recovered \$134,624 for potential injuries to anadromous and catadromous fish in the Merrimack River; and the Commonwealth of Massachusetts recovered \$918,900 for injuries to wetlands and groundwater. The total recovery of damages and future oversight expenses for all the Trustees was \$1,353,440. The three Trustees signed a Memorandum of Agreement (MOA) in recognition of the common interests to restore, replace and/or acquire the equivalent natural resources which were injured, destroyed, or lost by the releases of hazardous substances. The MOA provides a framework for the development of a Trustee Council that cooperatively develops and implements a Restoration Plan.

The Draft RP/EA is being released in accordance with section 111(i) of CERCLA, 42 U.S.C. 9611(i) and the National Environmental Policy Act. The Draft RP/EA describes a number of natural resource restoration, acquisition, and protection alternatives identified by the Charles George Natural Resources Trustee Council (Trustee Council), and evaluates each of the possible alternatives based on all relevant considerations. The Trustee Council's Preferred Alternative has two parts: (1) The settlement funds will be used to protect properties adjacent to or near the areas of impact and; (2) the settlement funds will be used to contribute to the anadromous fish restoration effort in the Merrimack River Watershed through the funding of stocking and monitoring of alewife in the Concord River in Massachusetts, and contributing to the funding of the construction of a fish ladder at a dam on the Concord River which is an impediment to upstream migration of migratory fish. Details regarding the proposed projects are contained in the Draft RP/EA.

Interested members of the public are invited to review and comment on the Draft RP/EA. Copies of the Draft RP/EA are available from the Service's New

England Field Office c/o Great Meadows National Wildlife Refuge, Weir Hill Road, Sudbury, Massachusetts, 01776, or from the Tyngsborough Public Library, 25 Bryants Lane, Tyngsborough, Massachusetts, 01879. All comments received on the Draft RP/EA will be considered and a response provided either through revision of the Draft RP/EA and incorporation into the Final Restoration Plan and Environmental Assessment, or by letter to the commentator.

**Author:** The primary author of this notice is Laura Eaton-Poole, U.S. Fish and Wildlife Service, New England Field Office, c/o Great Meadows National Wildlife Refuge, Weir Hill Road, Sudbury, Massachusetts, 01776.

**Authority:** The authority for this action is the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 as amended, commonly known as Superfund, (42 U.S.C. 9601 *et seq.*).

Dated: October 10, 2001.

**Joseph J. Dowhan,**

*Acting Regional Director, Region 5, U.S. Fish & Wildlife Service.*

[FR Doc. 01-26988 Filed 10-29-01; 8:45 am]

**BILLING CODE 4310-55-P ]**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Candidate Conservation Agreement with Assurances and Permit Application for a Proposed Reintroduction of the Robust Redhorse**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The Fish and Wildlife Service has received an application from Georgia Power Company (Applicant) for an enhancement of survival permit (ESP) pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973 (U.S.C. 1531 *et seq.*), as amended (Act). With the assistance of the Georgia Department of Natural Resources (GDNR) and the Service, Georgia Power Company proposes to reintroduce the robust redhorse (*Moxostoma robustum*) into a portion of the upper Ocmulgee River in central Georgia and conduct related research and monitoring activities. We are announcing our receipt of the permit application as well as the availability of a proposed Candidate Conservation Agreement with Assurances (CCAA) for the robust redhorse that is intended to facilitate the implementation of conservation measures for the species by the

Applicant, GDNR, and the Service in support of on-going efforts to reintroduce the species into areas where it historically occurred.

**DATES:** Written comments on the CCAA and ESP application should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before November 29, 2001.

**ADDRESSES:** Persons wishing to review the CCAA and ESP application may obtain copies by writing the Service's Southeast Regional Office, Atlanta, Georgia. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or Field Supervisor, U.S. Fish and Wildlife Service, 247 South Milledge Avenue, Athens, Georgia 30605. Written data or comments concerning the CCAA or ESP application should be submitted to the Regional Office at the address listed above and must be submitted in writing to be adequately considered in the Service's decision-making process. Please reference permit number TE038547-0 in your comments, or in requests of the documents discussed herein.

**FOR FURTHER INFORMATION CONTACT:** Mr. Lee Andrews, Regional CCAA Coordinator, (see **ADDRESSES** above), telephone: 404/679-7217, facsimile: 404/679-7081; or Mr. Mark Bowers, Fish and Wildlife Biologist, Georgia Field Office, Athens, Georgia (see **ADDRESSES** above), telephone: 706/613-9493.

**SUPPLEMENTARY INFORMATION:** The robust redhorse is a large, rare sucker that was originally described from the Yadkin River, North Carolina, in 1869 by Edward Cope. Few specimens were collected and the species' status was uncertain until 1991 when a single population of robust redhorse was discovered by GDNR biologists along a 70-mile reach of the Oconee River in central Georgia. The robust redhorse is the largest North American sucker species and historically occurred in medium to large rivers of the South Atlantic Coastal Plain where it spawned on clean, rocky shoals. It is listed by the State of Georgia as endangered and is considered a species of management concern by the Service.

Since the rediscovery of the species, a number of management and conservation efforts for the robust redhorse have been implemented by the Robust Redhorse Conservation Committee (RRCC), which was established in 1995 through a

Memorandum of Understanding among State and Federal agencies, private interests, research scientists, industry, and conservation organizations. The RRCC works voluntarily and cooperatively to determine the status of known robust redhorse populations, establish additional populations, and implement necessary research and other actions to maintain or enhance the survival of this species within its historic range. The Applicant, GDNR, and the Service are each members of the RRCC.

The RRCC has made significant conservation advances relative to the robust redhorse since 1995, including the development of propagation techniques, progress in the understanding of the species' life history and habitat requirements, and the discovery of three additional natural populations. In addition, three refugial populations have been established based on techniques developed through this cooperative effort. The RRCC has also secured funding necessary to continue and expand collaborative conservation efforts and research for the robust redhorse.

The RRCC has also developed a Conservation Strategy for the robust redhorse that includes short- and long-term goals for the conservation of the species. The short-term goals of the Conservation Strategy include, but are not limited to: (1) Establishing refugial populations to reduce the impact of potential catastrophic events on the species' survival; (2) Determining habitat and life history requirements of robust redhorse; and (3) Establishing reintroduction plans or agreements to facilitate conservation actions for specific sites. The long-term goal of the Conservation Strategy is to establish or maintain at least six self-sustaining populations of robust redhorse distributed throughout the species' historic range. These conservation goals are based on the recommendations of the RRCC, fishery biologists, research scientists, and State and Federal resource agencies, and are based on research reviewed by members of the RRCC. The activities covered by the proposed CCAA complement the efforts of the RRCC and support the RRCC's goals of establishing refugial and self-sustaining populations throughout the species' historic range.

CCAAs encourage private and other non-Federal property owners to implement conservation efforts and reduce threats to unlisted but declining species by assuring those landowners that they will not be subjected to increased land and water use restrictions if a species covered by a

CCAA is listed in the future. By focusing on species which are not currently listed under the Act, including species proposed for listing, species which are formal candidates for listing, and species which may become proposed or candidate species in the future, CCAAs provide the opportunity to conserve declining species prior to or instead of listing. The robust redhorse is considered to be a species of management concern, and, as such, could become a proposed or candidate species in the future. Efforts such as those proposed in conjunction with the proposed CCAA will expedite reintroduction of robust redhorse into the Ocmulgee River by providing the Applicant with a regulatory incentive for participation that would not likely exist except for this CCAA. In this way, the proposed CCAA will address both the needs of the species and those of the Applicant.

The proposed CCAA represents a significant milestone in the cooperative conservation efforts for the species and is consistent with section 2(a)(5) of the Act, which encourages creative partnerships among public, private, and government entities to conserve imperiled species and their habitats. Consistent with our CCAA policy, the proposed CCAA is intended to facilitate conservation actions for robust redhorse that will remove or reduce the threats to the species. The CCAA is also intended to provide the Applicant with regulatory certainty related to its electric power generation operations at Lloyd Shoals Dam, which controls flows within that portion of the Ocmulgee River where the conservation actions will occur, should the robust redhorse become federally listed as threatened or endangered in the future.

The conservation measures in the CCAA would be implemented by the Applicant, with the assistance of GDNR and the Service, and would consist of reintroducing robust redhorse into a portion of the upper Ocmulgee River in central Georgia, monitoring the effectiveness of reintroduction efforts, conducting research on critical life history and habitat requirements for the species within the project area, and working collaboratively to identify and protect important robust redhorse habitats within the project area through existing laws and regulations. These objectives support the Conservation Strategy for the species developed by the RRCC.

The Applicant has committed to implement the conservation measures specified in the CCAA and requests issuance of the ESP in order to address the take prohibitions of section 9 of the

Act should the species become listed in the future. When determining whether to issue the requested ESP, the Service will consider a number of factors and information sources including the project's administrative record, any public comments received, and the application requirements and issuance criteria for CCAAs contained in 50 CFR part 17.22(d) and part 17.32(d). The Service will also evaluate whether the issuance of the ESP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, regulations, and public comments, will be used in the final analysis to determine whether or not to issue the requested ESP.

In a CCAA, we will provide that if any species covered by the CCAA is listed, and the CCAA has been implemented in good faith by the Applicant, we will not require additional conservation measures nor impose additional land, water, or resource use restrictions beyond those the property owner voluntarily committed to under the terms of the CCAA. We have made the preliminary determination that the Applicant's conservation measures will likely meet the intent of the CCAA policy, primarily due to the potential establishment of another self-sustaining population of the species within its historic range. The proposed CCAA would be in effect for a period of 22 years in that portion of the Ocmulgee River lying downstream of Lloyd Shoals Dam (river mile 250.2) and upstream of a low-head dam at Juliette, Georgia (river mile 230.9). Habitat conditions within this portion of the Ocmulgee River have been evaluated by the Applicant, GDNR, and the Service and are believed to be suitable for the robust redhorse such that there is a high likelihood that a refugial or reproducing population will become established.

We are providing this notice pursuant to section 10(c) of the Endangered Species Act and implementing regulations for the National Environmental Policy Act (40 CFR part 1506). We will not make our final determination until after the end of the 30-day comment period and will fully consider all comments received during the comment period. If the final analysis shows the CCAA to be consistent with the Service's policies and applicable regulations, the Service will sign the CCAA and issue the ESP. The proposed ESP would, in compliance with the CCAA policy, only become valid on such date as the robust redhorse is listed as a threatened or endangered species under the Act.

This notice also advises the public that the Service has made a preliminary determination that issuance of the ESP will not result in significant environmental, economic, social, historical or cultural impacts and is, therefore, categorically excluded from review under the National Environmental Policy Act of 1969, as amended (NEPA), pursuant to 516 Departmental Manual 2, Appendix 1 and 516 Departmental Manual 6, Appendix 1. This notice is provided pursuant to section 10 of the Act and our CCAA Policy (**Federal Register** Vol. 64, No. 116, June 17, 1999, pp. 32726–32736). The Service specifically requests information, views, and opinions from the public via this notice. Further, the Service is specifically soliciting information regarding the adequacy of the CCAA as measured against the Service's CCAA Policy.

Dated: October 22, 2001.

**H. Dale Hall,**

*Acting Regional Director.*

[FR Doc. 01–27213 Filed 10–29–01; 8:45 am]

**BILLING CODE 4310–55–P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Preparation of an Environmental Assessment for Shell Offshore Inc.'s Proposed Deepwater Development Plan Offshore Alabama (NaKika Project)

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Preparation of an environmental assessment.

**SUMMARY:** The Minerals Management Service (MMS) is preparing an environmental assessment (EA) for a proposed deepwater development plan to develop and produce hydrocarbon reserves 115–118 miles offshore Alabama in Mississippi Canyon Blocks 474 and 520.

This EA implements the tiering process outlined in 40 CFR 1502.20, which encourages agencies to tier environmental documents, eliminating repetitive discussions of the same issue. By use of tiering from the most recent Final Environmental Impact Statement (EIS) for the Gulf of Mexico Central Planning Area for Lease Sales 169, 172, 175, 178, and 182 and by referencing related environmental documents, this EA concentrates on environmental issues specific to the proposed action.

**FOR FURTHER INFORMATION CONTACT:** Minerals Management Service, Gulf of Mexico OCS Region, 1201 Elmwood

Park Boulevard, New Orleans, Louisiana 70123–2394, Mr. Clay Pilié', telephone (504) 736–2443.

**SUPPLEMENTARY INFORMATION:** The MMS GOM Region received an Initial Development Operations Coordination Document (DOCD) from Shell Offshore Inc. (Shell) that proposes to develop and produce hydrocarbon reserves using facilities located in Mississippi Canyon Blocks 474 and 520. The DOCD was assigned a plan control number of N–7166 and the project is referred to as the NaKika Project. Shell proposes to complete the previously drilled Mississippi Canyon Block 520 No. 1 Well (Herschel) and install the centrally-located floating semisubmersible-shaped host facility (NaKika) in Mississippi Canyon Block 474. The NaKika host facility will support the facilities, equipment, flowline risers, and export pipelines necessary to develop the reserves from 10 satellite subsea wells located in five independent fields—Kepler (Mississippi Canyon Block 383), Ariel (Mississippi Canyon 429 Unit), Fourier (Mississippi Canyon 522 Unit), Herschel (Mississippi Canyon 522 Unit), and East Anstey (Mississippi Canyon 607 Unit).

The NaKika host facility will be permanently moored by a 16-point, semi-taut wire rope, chain, and suction pile mooring system. The hull portion of the NaKika host facility is comprised of four square steel columns, 56 feet wide and 142 feet high, and four rectangular steel pontoons, 41 feet wide and 35 feet high, which connect the bottoms of the four columns. Topside facilities are comprised of four modules—quarters, process, east receiving, and west receiving. The quarters module will house up to 60 people.

The water depth at the NaKika host facility is approximately 6,340 feet. The project will use existing onshore support bases in Venice (air transportation) and Port Fourchon (marine transportation), Louisiana, to support the proposed activities.

Oil and gas produced at the NaKika project will be transported by right-of-way pipelines. These pipelines will connect with existing offshore infrastructure for final transport to shore.

The proposed action analyzed in the EA will be the development plan as proposed by Shell. Alternatives will include the proposed action with additional mitigations and no action (i.e., disapproval of the plan). The analyses in the EA will examine the potential environmental effects of the proposal and alternatives.

**Public Comments:** The MMS requests interested parties to submit comments

regarding issues that should be addressed in the EA to the Minerals Management Service, Gulf of Mexico OCS Region, Office of Leasing and Environment, Attention: Regional Supervisor (MS 5410), 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123–2394. Comments must be submitted no later than 30 days from the publication of this notice.

Dated: October 9, 2001.

**Chris C. Oynes,**

*Regional Director, Gulf of Mexico OCS Region.*

[FR Doc. 01–27253 Filed 10–29–01; 8:45 am]

**BILLING CODE 4310–MR–P**

## DEPARTMENT OF THE INTERIOR DEPARTMENT OF TRANSPORTATION

### National Park Service

#### Federal Aviation Administration

#### Membership in the National Parks Overflights Advisory Group

**AGENCY:** National Park Service, Interior, and Federal Aviation Administration, Transportation.

**ACTION:** Notice.

**SUMMARY:** The National Park Service (NPS) and Federal Aviation Administration (FAA) in accordance with the National Parks Air Tour Management Act of 2000; established the National Parks Overflights Advisory Group (NPOAG). The NPOAG was formed to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks. This notice informs the public of the addition of three new members to the NPOAG.

**FOR FURTHER INFORMATION CONTACT:** Howard Nesbitt, Flight Standards Service, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591, telephone: (202) 493–4981, or Marvin Jensen, Soundscapes Office, National Park Service, 1201 Oak Ridge Drive, Suite 200, Ft. Collins, Colorado, 80525, telephone: (970) 225–3563.

**SUPPLEMENTARY INFORMATION:** The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106–181. The Act required the establishment of the advisory group within 1 year after its enactment. The advisory group is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes.