

**FOR FURTHER INFORMATION CONTACT:** Jill Lewandowski or Carrie Hubard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The proposed research is a continuation of behavioral ecology studies of bottlenose dolphins in the Gulf of Mexico along the Texas and Louisiana coastline. The applicant is specifically requesting to take bottlenose dolphins by close approach for photo-id, behavioral observation and biopsy sampling. Proposed takes include 1,000 individuals for photo-identification and behavioral observation annually and 250 takes of juveniles/adults by biopsy sampling over the course of the Permit. Calves would not be biopsy sampled.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or by other electronic media.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: June 11, 2003.

**Stephen L. Leathery,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 030530140-3140-01; I.D. 060903D]

### Final Guidance for the Coastal and Estuarine Land Conservation Program

**AGENCY:** National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), Commerce  
**SUMMARY:** Notice is hereby given of the availability of Final Guidelines for the Coastal and Estuarine Land Conservation Program (CELCP). The Fiscal Year 2002 Appropriations Act for the Departments of Commerce, Justice and State directed the Secretary of Commerce to establish a Coastal and Estuarine Land Conservation Program "for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses," giving priority to lands which can be effectively managed and protected and which have significant ecological value. The law further directed the Secretary to issue guidelines for this program delineating the criteria for grant awards and to distribute funds in consultation with the States' Coastal Zone Managers' or Governors' designated representatives based on demonstrated need and ability to successfully leverage funds.

These guidelines: outline a planning process for states to identify the conservation needs and priorities within each state; provide the information necessary for eligible coastal states to develop land conservation plans and nominate projects to a national competitive selection process; and delineate the criteria for grant awards.

The Final Guidance for the Coastal and Estuarine Land Conservation Program, published below, can also be found on NOAA's website at <http://www.ocrm.nos.noaa.gov/landconservation.html> or may be obtained upon request via the contact information listed below.

**FOR FURTHER INFORMATION CONTACT:** Elaine Vaudreuil, NOAA's Ocean Service, Office of Ocean and Coastal Resource Management, 1305 East-West Highway (N/ORM), Silver Spring, MD 20910; tel. 301-713-3155, extension 103; e-mail: [Elaine.Vaudreuil@noaa.gov](mailto:Elaine.Vaudreuil@noaa.gov).

**SUPPLEMENTARY INFORMATION:** (1) Program Authorities: Specific authority for this Announcement is found in 16 U.S.C. 1456d. (2) Federal Domestic

Assistance Catalog Number 11.419 Coastal Zone Management Program Administration

### Response to Comments

NOAA made the draft guidelines available for a 30-day public comment period and received 20 sets of comments. The comments ask NOAA to:

- clarify which elements of the guidelines would apply to earmarks versus competitive grants;
- be flexible throughout the grant process to account for the nature of real estate transactions and private, willing seller landowners;
- enable local governments or watershed organizations to apply directly to the national competitive process;
- make non-governmental organizations eligible to apply for grants and hold title to land;
- clarify that the definition of "acquisition" includes other conservation options, such as the purchase of conservation easements;
- clarify that all land secured through CELCP be held in public ownership and provide conservation in perpetuity;
- clarify the relevance of the term "Project Areas" and how it differs from "priority areas", and "types of land";
- include timelines or deadlines, as well as instructions for applying for funds, such as the anticipated number of grants and their amounts, in order to solicit meaningful project applications;
- clarify eligibility and the application process for planning funds;
- seek the lead agency's approval before making direct grants to other state agencies or local governments;
- lower the percentage of required non-federal match; clarify whether planning funds require non-federal match;
- clarify a waiver of match for U.S. insular areas for projects up to \$200,000, in accordance with 48 U.S.C. 1469a(d);
- exercise its discretion to waive the match for underserved communities in specific circumstances, such as areas without public access;
- clarify whether the 5 percent limit on administrative costs refers to state, Federal, or combined program administration, and address state indirect costs that are incurred for grant administration;
- extend the 2-year period for land stewardship costs to a 5-year period and limit costs to 5 percent of the total grant award;
- make land acquisition the only eligible use of funds under the CELCP, and not program administration and stewardship costs, but rather allow these costs as state match contributions;