

# NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 09/20/2006

Department of Commerce  
National Oceanic and Atmospheric Administration  
FOR CERTIFYING OFFICIAL: Barry West  
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 06/13/2006

ACTION REQUESTED: Extension without change of a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 200606-0648-003  
TITLE: National Estuaries Restoration Inventory  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change  
OMB CONTROL NUMBER: 0648-0479

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 09/30/2009

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	1,000	3,000	0
New	234	787	0
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	-766	0	0
Change due to Agency Adjustment	0	-2,213	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official:

John F. Morrall III  
Acting Deputy Administrator,  
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
National Estuaries Restoration Inventory			

# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT  
NATIONAL ESTUARIES RESTORATION INVENTORY  
OMB CONTROL NO.: 0648-0479**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

This renewal request for an existing information collection is needed to assist in the administration of the Estuary Restoration Act Database (ERAD). The Estuary Restoration Act (ERA) of 2000 was signed into law in November 2000 and makes restoring our nation's estuaries a national priority. The Act promotes the restoration of one million acres of estuarine habitat by 2010 by leveraging limited federal resources with state, local, and private funding. As part of the Act, National Oceanic and Atmospheric Administration (NOAA) is required to develop and maintain the ERAD, a database of estuary restoration projects. The purpose of the database is to provide information to improve restoration methods, provide information for reports transmitted to Congress (Section 108 (b)), and track the acres of habitat restored toward the million-acre goal. Project information collected and maintained is made available to the public through various queries and reports. The database contains project information for projects funded through the ERA as well as non-ERA project data that meet quality control requirements and data standards established under the Act. This information collection is a requirement only for those parties receiving ERA funds. The entry of project information is optional for projects that are not funded through the ERA but meet project requirements for the ERAD.

This renewal includes a request to modify the title of the information collection. The title of the original information collection was "Estuary Restoration Act Database Projects". The application has since been renamed to the "National Estuaries Restoration Inventory" (NERI) so we propose revising the title of the collection to be consistent with the new name.

The NERI was originally developed using another project tracking database housed in the NOAA Fisheries' Restoration Center. The existing Restoration Center Database (RCDB) was developed to track habitat restoration projects implemented and/or funded by the NOAA Restoration Center. Many projects within the RCDB meet the project requirements for the National Estuaries Restoration Inventory. Therefore, relevant data fields from the Restoration Center database are copied into NERI on an annual basis to avoid duplication of effort and unnecessary burden to respondents. This process will be automated in Fiscal Years 2006-07. A separate Paperwork Reduction Act (PRA) request for the Restoration Center's Community-based Restoration Program (CRP) was approved on April 3, 2003 under Office of Management and Budget (OMB) number 0648-0472, and is currently undergoing the renewal process. This request requires recipients of CRP funding to provide information regarding the status and success of funded projects in the form of periodic performance reports and final reports. Information collected by this request will be tracked using the RCDB. Details on the CRP request are available in Item 4.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection**

**complies with all applicable Information Quality Guidelines.**

The purpose of the NERI is to collect information on estuary habitat restoration projects to track project success and to improve restoration methods. The information collected by the database has been used by NOAA Restoration Center staff and the ERA Work Group for reports transmitted to Congress, briefings to the ERA Council, as well as responses to other inquiries for data. Reports to Congress take place every two years, beginning in the fall of 2003. Reports to Congress consist of an overview of the status of the database including acres of habitat restored, monitoring information, and database maintenance efforts. The initial Report to Congress provided only a briefing of the status of the inventory, as it was still in development. Since then, NERI data, e.g. sum of acres restored, has been used in presentations at several ERA Council meetings. Requests for information have also been made by upper level NOAA management, other federal agencies, nonprofit organizations, and members of the public.

To facilitate these requests for information, the information contained in NERI is accessible to the public via on-line query forms and reports on the NERI Web site.

Parties receiving ERA funds will be required to enter information into NERI on-line through the NERI Web site (<https://neri.noaa.gov>). A summary of the questions asked for the database is below.

Data entry is optional for all other parties with projects eligible to be submitted to NERI. Efforts are also underway to dynamically import eligible project data from existing federal databases, including NOAA's RCDB and the U.S. Fish and Wildlife Service's Habitat Information Tracking System (HabITS) tracking system.

NOAA is actively working to promote the use of the inventory via outreach to the habitat restoration community. This will consist of: (1) presentations at various conferences, meetings, etc., (2) approaching restoration practitioners via professional list serves, phone calls, etc., (3) announcing and promoting use of published spatial data through various data catalogs and mapping services (Geospatial One-Stop, state and local mapping applications, etc.).

The information collection by NERI consists of:

(a) General Information – Basic project information such as project title, whether the project is funded by the ERA and if not, whether it meets the specific requirements to be counted as an ERA project, a topic sentence describing the project, the current status of the project including the date planning was initiated, implementation start and completion dates, and the size of the project. In addition, this area identifies specific questions for ERA-funded projects such as the primary partner, lead federal agency, date of the funding agreement, and whether the project qualifies as an innovative technology project, which is defined by the Estuary Restoration Act.

(b) Abstract – a detailed description of the project with background about the site, historic impacts to the site, project information, and additional information about partners, acres restored, timeline, etc.

(c) Contact Information – basic details necessary to identify and contact project managers such as name, title, address, organization, city, state, zip code, phone and fax numbers, e-mail, and URL for Web sites.

(d) Geographic Location – details on the physical location of the project site including city, county, state/territory/province (for Canadian projects), region, zip code, USGS HUC code, longitude, latitude, USGS topographic quadrangle, congressional district, and whether a GIS layer is available for the project boundary.

(e) Project Benefits – details on expected benefits of the restoration project including descriptions of benefits, whether the benefit has been achieved, and additional comments.

(f) Habitat Types – a listing of habitat types restored as well as number of acres restored (by acres created, re-established, or rehabilitated) and benefited (acres enhanced or protected) for each habitat type, as well as stream miles, and methods used for obtaining acreage and stream mile values. The method for obtaining acreage and stream miles is an important field because it helps to determine the reliability of a reported value.

(g) Restoration Techniques – list of techniques used in the project. Detailed descriptions of each technique and its success are also provided to highlight the benefits and pitfalls of using various restoration methods. This information will be used to improve restoration methods as a whole.

(h) Monitoring and Success Criteria – list of monitoring parameters used in the project. Detailed monitoring information will also be provided including monitoring frequency, methods, start and end dates, as well as success criteria used for determining project success.

(i) Restoration Plans – Title, date, lead organizations, URL, and type of restoration plan that the project contributes to.

(j) Project Budget – project support provided by Federal and non-Federal entities as well as the original proposed cost estimate for the project, and the final actual cost of the restoration. This information will allow restoration practitioners to compare the costs of project implementation and how actual costs exceed projections.

(k) Project Partners – details on support (e.g. planning, funding, technical assistance) provided by other organizations including partner name, type of partner, and URL.

(l) Project Photos – Images showing the progress of the project such as before, during and after pictures of the restoration. Each image will contain a caption, credit, and date. These pictures will be used for dynamic project Web pages that will be available on the NERI Web site.

All of the information collected by NERI will be made available to the public on-line through the NERI Web site. Therefore, the Section 515 Information Quality Guidelines apply to this information collection and comply with all applicable information quality guidelines, i.e., OMB, Department of Commerce, and NOAA guidelines. Several measures will be taken to ensure compliance. The database will be a publicly accessible site but will be password protected and limited to users with eligible projects to enter into the database. Several business rules have also been created to ensure that information entered into the database cannot be tampered with by



other users (e.g. unless permissions are otherwise granted, restoration practitioners can only edit projects that they originally entered into the database). New projects will first undergo a screening process where they must meet a few basic requirements prior to being accepted into the database. Database administrators will review all new projects prior to accepting them into the database. Upon acceptance, restoration practitioners can edit and update project information.

The information collected by NERI will undergo an additional QA/QC process prior to being disseminated to the public for queries and reports. For manually-entered projects, each individual project will be reviewed by database administrators prior to being made available to the public. For projects imported through existing tracking systems such as NOAA's RCDB or U.S. Fish and Wildlife's HabITS databases, the quality of project information is ensured by the source data administrator (through NOAA or U.S. FWS) and inspected by NERI admin prior to being disseminated. Data from these sources will be imported on an annual basis after undergoing quality assurance/quality control procedures specific to each agency. This process will be repeated whenever a project is updated.

Projects in NERI are not a comprehensive list of all restoration projects occurring in the nation. Data is limited to projects funded through existing Federal programs that have been incorporated into the application, as well as those to be submitted voluntarily by project proponents. Therefore, much of the data is not completely generated by NOAA, but originates from the project manager or another Federal database. A description of the data collection, information sources, QA/QC, and dissemination processes as well as an overview of data sources and limitations will be made available upon request and is also provided on the NERI Web site.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The collection of information for the National Estuaries Restoration Inventory (NERI) is completely automated. Restoration practitioners electronically submit project information via an online data entry form located on the NERI Web site. Restoration practitioners enter project information into the NERI from Federal, State, local and tribal governments, not-for-profit institutions, and other entities across the country. Restoration practitioners may have different levels of technical expertise. Therefore, NERI is designed to be easily accessible and has a user-friendly, intuitive interface for both data queries and data entry via the Internet. It will allow restoration practitioners (i.e., data entry users) to update project entries without specific technical database training. The database contains a comprehensive on-line user's guide, a data dictionary, specific instructions, and examples for each field. Restoration practitioners use personal computers to access the data entry form and enter project information. Restoration practitioners have the option of using a PDF form to assist them in collecting project information for the database. The purpose of this form is to assist restoration practitioners in information collection and is not intended to be a substitute for entering information into the database. This form is available for saving and printing on the NERI Web site. All the information collected is made available for querying and reports on the NERI Web site without the need for a username and password.

The PRA statement, with the OMB Approval Number, Expiration Date, and additional information about the collection, will be available for respondents on both the PDF form as well as the NERI Web site.

To obtain project coordinate information (longitude and latitude), restoration practitioners may choose to use hand-held Global Positioning Systems (GPS) or numerous on-line mapping applications, but these options are not required for projects. However, users must state how acreage and stream mile measurements were obtained (e.g. GPS, land surveys, aerial photography) in the data entry form.

**4. Describe efforts to identify duplication.**

NOAA Fisheries' Restoration Center maintains an existing database of restoration projects that is used to track projects funded and implemented by the Restoration Center. Restoration Center staff using materials from progress reports and direct conversations with restoration practitioners populates this database. A separate PRA request for the Restoration Center's CRP was approved on April 3, 2003 under OMB number 0648-0472 and is currently undergoing the renewal process. This request requires recipients of CRP funding to provide information regarding the status and success of funded projects in the form of periodic performance reports and final reports. The information is used to populate the Restoration Center's existing database (RCDB). Many projects within the RCDB meet the project requirements for the National Estuaries Restoration Inventory. Therefore, relevant data fields from the Restoration Center database are copied into NERI on an annual basis to avoid duplication of effort and unnecessary burden to respondents. This process will be automated in Fiscal Year 2006-07. The NERI information request is a similar request for information but since it is a different program, it does not encompass the same projects or the same data fields as the CRP request. Therefore, a separate request is needed for NERI.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

Only projects funded through the Estuary Restoration Act are required to submit project information into NERI. A pre-formatted PDF of the data fields is provided to assist in the collection of information prior to being entered into the database. Specific instructions and definitions for data fields are also provided on the data entry form and the NERI web site. Technical support is also available via e-mail. The information to be collected is very basic and should not be a burden for small entities receiving ERA funding to produce.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If the information is not collected it will be impossible to provide accountability on the expenditure of Federal funds for estuary habitat restoration activities under the ERA or to validate performance measures, and timely responses to any Freedom of Information Act requests would be inhibited. Progress reports are to be submitted annually. No less frequent collection is feasible for providing sufficient information to monitor awards to ensure Federal monies are properly used.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

The proposed collection of information will be conducted in a manner that is consistent with OMB guidelines.

**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A *Federal Register* notice (attached) published February 6, 2006 solicited public comment on this application to renew the existing information collection. No comments were received.

Consultations with interested and affected persons are an integral part of this information collection. We have been in coordination with national and regional restoration entities such as Restore America's Estuaries, the Gulf of Maine Council on the Marine Environment, and the Gulf of Mexico Foundation, to ensure the application meets their tracking needs. Although these entities are not required to submit their project information since they have not received ERA funding, they are all interested in using data from the application to show restoration efforts at the national and regional levels. In addition, members of the ERA Working Group which consist of other federal agencies such as the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Natural Resource Conservation Service, and the Environmental Protection Agency, have provided input on how to improve the information collection and these suggestions will be incorporated into the application in FY2006-2007. Most of these suggestions involve formatting changes to remove less critical data elements that will reduce data entry burden on respondents. No other additions or changes to the information collection will occur.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts will be provided to any respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

The information collection does not request any proprietary or confidential information. No confidentiality is provided.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No information of a sensitive nature is collected.

**12. Provide an estimate in hours of the burden of the collection of information.**

Annual burden hours for this collection are estimated to be 787 hours as detailed below. However, it should be noted that data collected for the NERI database is intended to provide information to restoration practitioners throughout the country, including those entering the data. Therefore, the burden of data collection is expected to be offset (and in some cases exceeded) by the benefits accrued to restoration practitioners from having access to a national database for project tracking and data queries.

For the Fiscal Year 2005, \$1 million in funding is available through the ERA for estuary habitat restoration projects. NOAA expects no more than 10 restoration projects to be awarded ERA funding in FY2006. Assuming continued project funding under the ERA, NOAA expects between 1-10 new awards to be made annually. NOAA estimates that up to 150 additional projects will be entered to the database annually on a voluntary basis. In addition, respondents will be required to return to NERI in the following year to update their entries. Updates are required for mandatory records, but of the 150 voluntary records submitted, 100 are expected to be updated after initial entry. Using these assumptions and assuming that one project is entered or updated by a single respondent, NOAA estimates that in year one, 160 new projects will be entered into the database. In year two, an additional 160 projects will be entered into the database and an existing 110 projects will be updated. In year three, another 160 projects will be added to the database and an existing 110 projects will be updated. Annualizing over three years (160, 160 + 110, 160 + 110), there would be 234 respondents and responses per year.

For new projects, the total response time per project is estimated at four hours: approximately three hours spent collecting project information and writing the project abstract and one hour for entering information into the database. For projects that are already in the database and are being updated, the total response time per project is estimated at two hours: 1 hour and 30 minutes for collecting new project information and 30 minutes to update the information in the database. Assuming approximately 160 new projects being entered into the database each year and 110 existing projects updated the second and third years, the total annualized burden would be 787 hours per year (160 x 4 hours = 640 for the first year, 640 + 110 x 2 (220) hours for the second and third years).

These totals include the time for reviewing instructions, searching existing data sources, and gathering and maintaining project information needed to answer database questions based on information that awardees should have readily available, and the one-time need to use a GPS or internet URL to determine latitude and longitude coordinates of project sites.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

No capital or start-up costs are expected to result from this collection by the respondents. Operations and maintenance costs are expected to be limited to Internet and computer access for submitting project information to the NERI database. It is expected that existing computer equipment and Internet connections will be used by respondents at little to no additional cost. Therefore, there is no total annual cost burden to respondents.

**14. Provide estimates of annualized cost to the Federal government.**

It is anticipated that one contractor will devote 100% of his/her time annually to project information QA/QC, as well as coordination of outreach activities (see Question 2 for details) to build more interest in the application. One full-time employee (FTE) will devote no more than 10% of his/her time annually for oversight. One ORACLE database contractor will devote 25% of his/her time to implement changes and maintain the application. With an annual average salary of \$50,000 for the contractor at 100% time (\$50,000), an annual salary of \$60,000 for an FTE at 10% time (\$6,000), and an annual salary for an ORACLE database contractor of \$75,000 at 25% time (\$18,750), the annualized cost to the Federal government to conduct this information collection is estimated to be \$74,750. No significant equipment, overhead, printing or other costs should be involved with the processing of this information collection.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

This is a renewal to an existing information collection. The current estimate of burden (800 hours annually) for the information collection renewal is 2,190 hours less than the original burden estimate of 3,000 hours. This estimated decrease is a result of an initial overestimate of the original burden, due to the following reasons: (1) To date, four projects have been funded through the Estuary Restoration Act (ERA), but none of those projects are at implementation stage, and have not yet created entries in the application. Approximately \$1M has been allocated for funding in FY06. Since there is now funding for projects, it is estimated that up to five projects will be funded on an annual basis, and required to submit project information. (2) Very few voluntary submissions have been provided, in part, because NOAA is mainly pursuing data for existing projects funded by Federal agencies. Most of the projects that had been submitted already have project entries in the database. Although a few non-federal groups have inquired about submitting data, we have held off on allowing them to do so due to issues with double counting of projects that may already be in the inventory, which are currently being resolved. (3) Currently, all of the data in the inventory is from an existing NOAA database that is populated by NOAA staff, using information provided by our applicants (some of which is provided via a separate PRA collection). The time required to input this data does not fit under our burden hours since our NOAA staff are doing the primary data collection and data entry.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

The results of this collection will not be published.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

Not applicable.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

There are no exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

**1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g. establishments, State and local governmental units, households, or persons) in the universe and the corresponding sample are to be provided in tabular form. The tabulation must also include expected response rates for the collection as a whole. If the collection has been conducted before, provide the actual response rate achieved.**

Although this collection will not employ statistical methods, responses are being provided in this section in the event that issues are raised during the review process. The potential respondent universe of this collection consists of mandatory responses by entities receiving funding through the Estuary Restoration Act (ERA), as well as optional responses for all other parties with projects eligible to be submitted to NERI. Although the number of mandatory responses can be estimated on an annual basis, optional responses are extremely difficult to quantify. The NERI does not aim to be a complete inventory of all estuary habitat restoration projects occurring throughout the country. Instead, it aims to track project information and make it available to restoration practitioners in order to improve restoration methods, as well as to track acreage restored toward the million-acre goal of the Estuary Restoration Act.

Respondents receiving ERA-funding may include not-for-profit organizations, state, local, and tribal governments, and other Federal agencies. As of March 2006, nine projects have been approved by the ERA Council, three of which have received funding. As part of the Estuary Restoration Act, each of these funded projects are to be tracked through the National Estuaries Restoration Inventory (NERI) once project implementation begins. The amount of funding allocated to projects each Fiscal Year will depend upon the funding available through the ERA, which will vary each year. Assuming continued level project funding under the ERA, NOAA expects less than 10 new awards to be made annually.

The other universe of respondents consists of optional responses by restoration practitioners who are implementing projects eligible to be submitted to NERI. This set of respondents is difficult to quantify as habitat restoration projects occur at a wide scale, with efforts occurring at Federal, regional, state, and local levels. In addition, these efforts often overlap each other with projects being implemented through multiple combinations of entities. The amount of work that gets completed may also be driven by the amount of funding available, which also varies at the Federal, regional, state, and local levels. Therefore, it is extremely difficult to quantify the amount of restoration projects that would be voluntarily submitted to the NERI.

**Table 1: Summary of the Universe of Respondents and Response Rate for Mandatory and Optional Responses to the National Estuaries Restoration Inventory (Annual)**

<b>Category of Responses</b>	<b>Universe of Respondents</b>	<b>Expected Response Rates</b>	<b>Actual Response Rates</b>
Optional	Unable to quantify	Unable to quantify	Less than 5 requests for submission received but denied due to issues with data overlap.

Mandatory	1-10 projects	100%	3 projects have received funding. Data to be submitted to NERI once implementation begins.
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**2. Describe the procedures for the collection, including: the statistical methodology for stratification and sample selection; the estimation procedure; the degree of accuracy needed for the purpose described in the justification; any unusual problems requiring specialized sampling procedures; and any use of periodic (less frequent than annual) data collection cycles to reduce burden.**

*Procedures for collecting information:*

For mandatory projects, nine projects have been approved for funding through the Estuary Restoration Act (ERA) to date, but none of those projects are at implementation stage, and have not yet created entries in the application. Assuming funding levels will remain consistent, it is estimated that up to ten projects will be funded on an annual basis, and required to submit project information.

Very few voluntary submissions have been provided, in part, because NOAA is currently focused on data for existing projects funded by Federal agencies. Currently, all of the data in the inventory is copied from an existing NOAA database that is populated by NOAA staff, using information provided by our applicants (some of which is provided via a separate PRA collection). Therefore, much of the data is not completely generated by NOAA, but originates from the project manager or another Federal database. This process of populating NERI with NOAA's information will be automated in Fiscal Year 2006-07. In addition, data from the existing U.S. Fish and Wildlife Service's HabITS database will also be dynamically incorporated into NERI.

*Unusual problems requiring specialized sampling procedures:*

Projects in NERI are not a comprehensive list of all restoration projects occurring in the nation. Although a few non-federal groups have inquired about submitting data, many projects were found to exist in NERI. In addition, to address issues with double counting of projects that may already be in the inventory, NOAA is focusing initial efforts on the collection of project information from existing Federal resources, described above.

*Degree of accuracy:*

The majority of information collected is summary information so the degree of accuracy is not critical to achieve the goals of the information collection. In addition, the information obtained from NERI is used for informational purposes to identify successful techniques and provide information to practitioners who are looking for other activities that have occurred in their region. The primary information being tracked is the acres of estuarine habitat restored toward the million-acre goal of the Estuary Restoration Act. Although this is a measure of quantity, a statistical analysis of this information is not relevant because the amount of habitat restored is influenced by many parameters, which are not consistent for all projects. These parameters may include project cost, site conditions, techniques used, and materials/resources available. Other information tracked by NERI is summary information that is used to describe project activities,

results, and lessons learned.

The quality of project information from the existing NOAA or U.S. FWS databases is ensured by the source data administrator, who applies quality assurance procedures to project information submitted to NERI. In addition, NERI administrators regularly provide additional review of data as needed. Data from these sources will be imported at a minimum of an annual basis after undergoing quality assurance/quality control procedures specific to each agency. This process will be repeated whenever a project is updated. Any projects that are voluntarily submitted will be inspected by NERI admin prior to dissemination.

**3. Describe the methods used to maximize response rates and to deal with nonresponse. The accuracy and reliability of the information collected must be shown to be adequate for the intended uses. For collections based on sampling, a special justification must be provided if they will not yield "reliable" data that can be generalized to the universe studied.**

To increase response rates, NOAA is actively working to promote the use of the inventory via outreach to the habitat restoration community. This will consist of: (1) presentations at various conferences, meetings, etc., (2) approaching restoration practitioners via professional listserves, phone calls, etc., (3) announcing and promoting use of published spatial data through various data catalogs and mapping services (Geospatial One-Stop, state and local mapping applications, etc.).

In addition, the database is being populated using data from an existing NOAA database of restoration projects. This process will soon be automated, along with the additional incorporation of data from a U.S. Fish and Wildlife Service database. Having current project information in the NERI will provide more information to restoration practitioners, and possibly encourage them to voluntarily respond to the information collection.

**4. Describe any tests of procedures or methods to be undertaken. Tests are encouraged as effective means to refine collections, but if ten or more test respondents are involved OMB must give prior approval.**

No tests of procedures or methods are to be undertaken at this time. NOAA will instead invite feedback on the utility of the NERI to track information from respondents and make adjustments as needed to refine the collection of information.

**5. Provide the name and telephone number of individuals consulted on the statistical aspects of the design, and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.**

Nancy Lou  
NOAA Restoration Center  
[Nancy.Lou@noaa.gov](mailto:Nancy.Lou@noaa.gov)  
(206) 526-4601

Marti McGuire  
NOAA Restoration Center  
[Marti.McGuire@noaa.gov](mailto:Marti.McGuire@noaa.gov)  
(301) 713-0174



**NOAA's National Estuaries Restoration Inventory**  
Project Data Form

OMB Control No.: 0648-0479

Expiration Date: 07/31/2006

- \* Mandatory field for *Planning or Implementation* projects
- \*\* Mandatory field for *Completed* projects

**GENERAL INFORMATION**

**What is the name of this project?**

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**What type of project is this?**

- Funded under the Estuary Restoration Act
- Compensatory (required by state or federal law)
- All other projects

\*1. Provide a topic sentence summarizing this project.

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\*2. Does this project include monitoring to gauge the success of restoration efforts?

- Yes
- No

\*3. Does this project's monitoring plan meet ERA Council Monitoring Standards?

- Yes
- No

4. If monitoring data are available on the web, please provide a URL (web address).

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\*5. What is the status of this project? Select One:

- Planning Stage
- Implementation Stage
- Implementation Complete
- Project Terminated

6. Provide the dates for each stage of this project as it occurs.

**Note:** For projects in the planning stage, provide estimated implementation stage start date.

- Planning start date: \_\_\_\_\_ (MM/YYYY)
- \*Actual implementation start date: \_\_\_\_\_ (MM/YYYY)
- \*\*Implementation completion date: \_\_\_\_\_ (MM/YYYY)

**\*\*\*Questions for ERA-funded projects only:\*\*\***

7. What is the size of the area which was/will be directly manipulated?

\_\_\_\_\_ (Acres)

8. What is the overall size of the area being monitored?

\_\_\_\_\_ (Acres)

9. How were the measurements in questions 6 & 7 obtained (e.g. aerial photography, GIS, land surveys, etc)?

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10. Provide the name of the primary non-federal sponsor/interest to the ERA funding agreement.

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11. Provide the name of the lead federal agency. Select One:

- Army Corps of Engineers (ACE)
- National Oceanic and Atmospheric Administration (NOAA)
- U.S. Department of Agriculture (USDA)
- U.S. Environmental Protection Agency (EPA)
- U.S. Fish and Wildlife Service (FWS)
- Department of Transportation (DOT)

12. Provide the date of the ERA funding agreement.

\_\_\_\_\_ (MM/YYYY)

13. Has this project qualified as an innovative technology project as defined by the Council's Strategy?

- Yes
- No

If yes, please briefly describe the innovative technology.

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14. Provide the ERA project number. \_\_\_\_\_

**\*\*ABSTRACT**

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**CONTACT INFORMATION**

Provide information for up to two primary project contacts.

1. Information for Contact 1

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Position Title: \_\_\_\_\_  
Office: \_\_\_\_\_  
Address 1: \_\_\_\_\_  
Address 2: \_\_\_\_\_  
City: \_\_\_\_\_ State/Territory/Province: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Agency/organization/project Web site address: \_\_\_\_\_

2. Information for Contact 1

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Position Title: \_\_\_\_\_  
Office: \_\_\_\_\_  
Address 1: \_\_\_\_\_  
Address 2: \_\_\_\_\_  
City: \_\_\_\_\_ State/Territory/Province: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Agency/organization/project Web site address: \_\_\_\_\_

**PROJECT LOCATION**

1. Where is this project located?

\*State/Territory/Province: \_\_\_\_\_

\*County/Parish: \_\_\_\_\_

\*City: \_\_\_\_\_

Tribe: \_\_\_\_\_

\*Region (see map in user guide): \_\_\_\_\_

Zip Code (+4 if known): \_\_\_\_\_

USGS 8-digit HUC: \_\_\_\_\_

\*Latitude/Longitude (center of project site in decimal degrees):

X coordinate (longitude) \_\_\_\_\_

Y coordinate (latitude) \_\_\_\_\_

USGS Topographic Quadrangle: \_\_\_\_\_

Congressional District: \_\_\_\_\_

2a. Is there a GIS data layer (polygon) showing the boundaries of the area (to be) restored?

Yes  No

2b. If yes and GIS contact is not listed as the primary project contact, please provide:

Contact first name \_\_\_\_\_ Contact last name \_\_\_\_\_

Contact phone number \_\_\_\_\_ Contact e-mail \_\_\_\_\_

**PROJECT BENEFITS**

Please provide information on this project's goals.

1. Project Benefits (see Table 1)	2. Description of Benefit	3. If implemented, has this Benefit been met?	4. Comments
		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not yet known	
		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not yet known	
		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not yet known	
		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not yet known	

**HABITAT TYPES AND ACREAGE RESTORED**

Please provide information on the habitat types which have been restored and/or will be restored by this project. Since a given project may restore multiple habitat types, please provide information for each habitat type restored.

* 1. Habitat Type Restored (see Table 2) <sup>1</sup>	2. Tidal influence of habitat type:	3. Specifically describe this habitat type (e.g. comments on tidal influence, photic/aphotic, location in estuary, etc.)	* 4. Estimated acreage to be restored:	For acres already restored, how many acres were:				
				** 5. Restored			6. Benefited (not counted toward million acre goal)	
				Created	Re-established	Rehabilitated	Enhanced <sup>2</sup>	Protected <sup>2</sup>
	<input type="checkbox"/> subtidal <input type="checkbox"/> intertidal <input type="checkbox"/> supratidal/spray zone <input type="checkbox"/> not applicable							
	<input type="checkbox"/> subtidal <input type="checkbox"/> intertidal <input type="checkbox"/> supratidal/spray zone <input type="checkbox"/> not applicable							
	<input type="checkbox"/> subtidal <input type="checkbox"/> intertidal <input type="checkbox"/> supratidal/spray zone <input type="checkbox"/> not applicable							
	<input type="checkbox"/> subtidal <input type="checkbox"/> intertidal <input type="checkbox"/> supratidal/spray zone <input type="checkbox"/> not applicable							

**NOTES:**

<sup>1</sup> For projects providing fish passage, please provide acreage information for habitat actually restored (e.g. via stream channel, restructuring, placement of woody debris, best management practices, etc.).

<sup>2</sup> Acres reported in the "Enhanced" and "Protected" categories should not duplicate acres reported in the "Restored" category. If the same project acreage has been enhanced or protected as well as restored, report those acres only in the "Restored" category.

7. What method (e.g. aerial photography, GIS, land surveys) was used to determine the number of acres reported above as created, re-established, rehabilitated, enhanced and/or protected?

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**\*\*\* In-Stream projects only \*\*\***

8. If this project provided fish passage, how many stream miles were opened to anadromous fish?

\_\_\_\_\_ (Miles)

**RESTORATION TECHNIQUES**

Please add restoration techniques used in this project.

<b>** 1. Restoration technique</b> (see Table 2)	<b>2. Description of Technique</b> (e.g. materials used, plant spacing)	<b>3. Success of this technique</b>	<b>4. Comments on success</b>
		<input type="checkbox"/> Very successful <input type="checkbox"/> Somewhat successful <input type="checkbox"/> Not successful <input type="checkbox"/> Not yet known	
		<input type="checkbox"/> Very successful <input type="checkbox"/> Somewhat successful <input type="checkbox"/> Not successful <input type="checkbox"/> Not yet known	
		<input type="checkbox"/> Very successful <input type="checkbox"/> Somewhat successful <input type="checkbox"/> Not successful <input type="checkbox"/> Not yet known	
		<input type="checkbox"/> Very successful <input type="checkbox"/> Somewhat successful <input type="checkbox"/> Not successful <input type="checkbox"/> Not yet known	

**MONITORING AND SUCCESS CRITERIA**

Please provide information on the monitoring parameters and success criteria for this project.

<b>** 1. Monitoring Parameter</b> (see Table 3)	<b>2. Description</b> (e.g. methods, frequency, etc.)	<b>3. Monitoring start date</b> (MM/YYYY)	<b>4. Monitoring end date</b> (MM/YYYY)	<b>5. Quantitative Success Criteria</b> (e.g. water depth > x for x hours/day)	<b>6. Have the success criteria been met?</b>	<b>7. Comments on success criteria</b>
					<input type="checkbox"/> Not yet known <input type="checkbox"/> All <input type="checkbox"/> Some <input type="checkbox"/> None	
					<input type="checkbox"/> Not yet known <input type="checkbox"/> All <input type="checkbox"/> Some <input type="checkbox"/> None	
					<input type="checkbox"/> Not yet known <input type="checkbox"/> All <input type="checkbox"/> Some <input type="checkbox"/> None	
					<input type="checkbox"/> Not yet known <input type="checkbox"/> All <input type="checkbox"/> Some <input type="checkbox"/> None	

**RESTORATION PLANS**

If this project is being carried out in support of an existing restoration plan please provide the following plan information:

1. Plan Title	2. Date (MM/YYYY)	3. Lead Organizations	4. Type of Plan	5. Plan URL

**BUDGET INFORMATION**

1. Provide the original proposed project cost estimate.

\_\_\_\_\_

2. Of the total cost estimate, how much will go towards project monitoring?

\_\_\_\_\_

3. If project implementation is complete, provide the total actual cost (planning and implementation only) of this project. *(For ERA-funded projects only)*

\_\_\_\_\_

4. List amount(s) for all applicable funding sources:

Federal		Non-Federal	
\$	Cash	\$	Cash
\$	In-kind	\$	In-kind
\$	Lands, easements, etc.	\$	Lands, easements, etc.
TOTAL		TOTAL	

**PARTNER INFORMATION**

Add the following information for project partners:

* 1. Project Partner	2. Type of Partner (select one)	3. Web site URL	4. Additional information
	<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Non-profit <input type="checkbox"/> Business <input type="checkbox"/> Tribal <input type="checkbox"/> Private citizen		
	<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Non-profit <input type="checkbox"/> Business		

National Estuaries Restoration Inventory - Project Data Form

	<input type="checkbox"/> Tribal <input type="checkbox"/> Private citizen		
	<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Non-profit <input type="checkbox"/> Business <input type="checkbox"/> Tribal <input type="checkbox"/> Private citizen		
	<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Non-profit <input type="checkbox"/> Business <input type="checkbox"/> Tribal <input type="checkbox"/> Private citizen		

**PROJECT PICTURES**

You may upload up to 3 pictures of your restoration project to the ERA Database. These photos will be used in dynamic project pages that will appear on the ERA Database web site once your project record has been approved. For each picture, please provide the following information:

1. Picture File Name	2. Caption	3. Credit	4. Date of Picture (MM/YYYY)



## NOTICE

Responses to this collection are required of grant recipients to support the Estuary Restoration Act. Collection of estuary habitat restoration project information will be undertaken in order to populate a restoration project database mandated by the Estuary Restoration Act of 2000. The database is intended to provide information to improve restoration methods, provide the basis for required reports to Congress, and track estuary habitat acreage restored. Estuary habitat restoration project information will be submitted by habitat restoration project managers through an interactive web site, and will be accessible to the public via Internet for data queries and project reports. Responses to this information collection are required to retain funding provided by the Estuary Restoration Act and optional for projects that are not funded through the ERA but meet project requirements for the National Estuaries Restoration Inventory (NERI). Confidentiality will not be maintained – the information will be available to the public. Public reporting burden for this collection of information is estimated to average four hours for new responses and two hours to update existing responses in the database, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to the NOAA Fisheries Office of Habitat Conservation, Restoration Division, F/HC3, 1315 East West Highway, Silver Spring, MD 20910.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

The information collected will be reviewed for compliance with the NOAA Section 515 Guidelines established in response to the Treasury and General Government Appropriations Act, and certified before dissemination.

**Public Law 106–457**  
**106th Congress**

**An Act**

To encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes.

Nov. 7, 2000  
 [S. 835]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Estuaries and Clean Waters Act of 2000”.

(b) **TABLE OF CONTENTS.**—

Estuaries and  
 Clean Waters Act  
 of 2000.  
 33 USC 2901  
 note.

Sec. 1. Short title; table of contents.

**TITLE I—ESTUARY RESTORATION**

- Sec. 101. Short title.
- Sec. 102. Purposes.
- Sec. 103. Definitions.
- Sec. 104. Estuary habitat restoration program.
- Sec. 105. Establishment of Estuary Habitat Restoration Council.
- Sec. 106. Estuary habitat restoration strategy.
- Sec. 107. Monitoring of estuary habitat restoration projects.
- Sec. 108. Reporting.
- Sec. 109. Funding.
- Sec. 110. General provisions.

**TITLE II—CHESAPEAKE BAY RESTORATION**

- Sec. 201. Short title.
- Sec. 202. Findings and purposes.
- Sec. 203. Chesapeake Bay.

**TITLE III—NATIONAL ESTUARY PROGRAM**

- Sec. 301. Addition to national estuary program.
- Sec. 302. Grants.
- Sec. 303. Authorization of appropriations.

**TITLE IV—LONG ISLAND SOUND RESTORATION**

- Sec. 401. Short title.
- Sec. 402. Innovative methodologies and technologies.
- Sec. 403. Assistance for distressed communities.
- Sec. 404. Authorization of appropriations.

**TITLE V—LAKE PONTCHARTRAIN BASIN RESTORATION**

- Sec. 501. Short title.
- Sec. 502. Lake Pontchartrain basin.

**TITLE VI—ALTERNATIVE WATER SOURCES**

- Sec. 601. Short title.
- Sec. 602. Pilot program for alternative water source projects.

**TITLE VII—CLEAN LAKES**

- Sec. 701. Grants to States.

Sec. 702. Demonstration program.

TITLE VIII—TIJUANA RIVER VALLEY ESTUARY AND BEACH CLEANUP

Sec. 801. Short title.

Sec. 802. Purpose.

Sec. 803. Definitions.

Sec. 804. Actions to be taken by the Commission and the Administrator.

Sec. 805. Negotiation of new treaty minute.

Sec. 806. Authorization of appropriations.

TITLE IX—GENERAL PROVISIONS

Sec. 901. Purchase of American-made equipment and products.

Sec. 902. Long-term estuary assessment.

Sec. 903. Rural sanitation grants.

## TITLE I—ESTUARY RESTORATION

Estuary  
Restoration Act  
of 2000.  
33 USC 2901  
note.

### SEC. 101. SHORT TITLE.

This title may be cited as the “Estuary Restoration Act of 2000”.

33 USC 2901.

### SEC. 102. PURPOSES.

The purposes of this title are—

(1) to promote the restoration of estuary habitat;

(2) to develop a national estuary habitat restoration strategy for creating and maintaining effective estuary habitat restoration partnerships among public agencies at all levels of government and to establish new partnerships between the public and private sectors;

(3) to provide Federal assistance for estuary habitat restoration projects and to promote efficient financing of such projects; and

(4) to develop and enhance monitoring and research capabilities through the use of the environmental technology innovation program associated with the National Estuarine Research Reserve System established by section 315 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1461) to ensure that estuary habitat restoration efforts are based on sound scientific understanding and innovative technologies.

33 USC 2902.

### SEC. 103. DEFINITIONS.

In this title, the following definitions apply:

(1) COUNCIL.—The term “Council” means the Estuary Habitat Restoration Council established by section 105.

(2) ESTUARY.—The term “estuary” means a part of a river or stream or other body of water that has an unimpaired connection with the open sea and where the sea water is measurably diluted with fresh water derived from land drainage. The term also includes near coastal waters and wetlands of the Great Lakes that are similar in form and function to estuaries, including the area located in the Great Lakes biogeographic region and designated as a National Estuarine Research Reserve under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) as of the date of enactment of this Act.

(3) ESTUARY HABITAT.—The term “estuary habitat” means the physical, biological, and chemical elements associated with an estuary, including the complex of physical and hydrologic features and living organisms within the estuary and associated ecosystems.

(4) ESTUARY HABITAT RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term “estuary habitat restoration activity” means an activity that results in improving degraded estuaries or estuary habitat or creating estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape.

(B) INCLUDED ACTIVITIES.—The term “estuary habitat restoration activity” includes—

(i) the reestablishment of chemical, physical, hydrologic, and biological features and components associated with an estuary;

(ii) except as provided in subparagraph (C), the cleanup of pollution for the benefit of estuary habitat;

(iii) the control of nonnative and invasive species in the estuary;

(iv) the reintroduction of species native to the estuary, including through such means as planting or promoting natural succession;

(v) the construction of reefs to promote fish and shellfish production and to provide estuary habitat for living resources; and

(vi) other activities that improve estuary habitat.

(C) EXCLUDED ACTIVITIES.—The term “estuary habitat restoration activity” does not include an activity that—

(i) constitutes mitigation required under any Federal or State law for the adverse effects of an activity regulated or otherwise governed by Federal or State law; or

(ii) constitutes restoration for natural resource damages required under any Federal or State law.

(5) ESTUARY HABITAT RESTORATION PROJECT.—The term “estuary habitat restoration project” means a project to carry out an estuary habitat restoration activity.

(6) ESTUARY HABITAT RESTORATION PLAN.—

(A) IN GENERAL.—The term “estuary habitat restoration plan” means any Federal or State plan for restoration of degraded estuary habitat that was developed with the substantial participation of appropriate public and private stakeholders.

(B) INCLUDED PLANS AND PROGRAMS.—The term “estuary habitat restoration plan” includes estuary habitat restoration components of—

(i) a comprehensive conservation and management plan approved under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330);

(ii) a lakewide management plan or remedial action plan developed under section 118 of the Federal Water Pollution Control Act (33 U.S.C. 1268);

(iii) a management plan approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); and

(iv) the interstate management plan developed pursuant to the Chesapeake Bay program under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

(7) INDIAN TRIBE.—The term “Indian tribe” has the meaning given such term by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) NON-FEDERAL INTEREST.—The term “non-Federal interest” means a State, a political subdivision of a State, an Indian tribe, a regional or interstate agency, or, as provided in section 104(f)(2), a nongovernmental organization.

(9) SECRETARY.—The term “Secretary” means the Secretary of the Army.

(10) STATE.—The term “State” means the States of Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, Washington, and Wisconsin, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, American Samoa, and Guam.

33 USC 2903.

**SEC. 104. ESTUARY HABITAT RESTORATION PROGRAM.**

(a) ESTABLISHMENT.—There is established an estuary habitat restoration program under which the Secretary may carry out estuary habitat restoration projects and provide technical assistance in accordance with the requirements of this title.

(b) ORIGIN OF PROJECTS.—A proposed estuary habitat restoration project shall originate from a non-Federal interest consistent with State or local laws.

(c) SELECTION OF PROJECTS.—

(1) IN GENERAL.—The Secretary shall select estuary habitat restoration projects from a list of project proposals submitted by the Estuary Habitat Restoration Council under section 105(b).

(2) REQUIRED ELEMENTS.—Each estuary habitat restoration project selected by the Secretary must—

(A) address restoration needs identified in an estuary habitat restoration plan;

(B) be consistent with the estuary habitat restoration strategy developed under section 106;

(C) include a monitoring plan that is consistent with standards for monitoring developed under section 107 to ensure that short-term and long-term restoration goals are achieved; and

(D) include satisfactory assurance from the non-Federal interests proposing the project that the non-Federal interests will have adequate personnel, funding, and authority to carry out items of local cooperation and properly maintain the project.

(3) FACTORS FOR SELECTION OF PROJECTS.—In selecting an estuary habitat restoration project, the Secretary shall consider the following factors:

(A) Whether the project is part of an approved Federal estuary management or habitat restoration plan.

(B) The technical feasibility of the project.

(C) The scientific merit of the project.

(D) Whether the project will encourage increased coordination and cooperation among Federal, State, and local government agencies.

(E) Whether the project fosters public-private partnerships and uses Federal resources to encourage increased private sector involvement, including consideration of the amount of private funds or in-kind contributions for an estuary habitat restoration activity.

(F) Whether the project is cost-effective.

(G) Whether the State in which the non-Federal interest is proposing the project has a dedicated source of funding to acquire or restore estuary habitat, natural areas, and open spaces for the benefit of estuary habitat restoration or protection.

(H) Other factors that the Secretary determines to be reasonable and necessary for consideration.

(4) PRIORITY.—In selecting estuary habitat restoration projects to be carried out under this title, the Secretary shall give priority consideration to a project if, in addition to meriting selection based on the factors under paragraph (3)—

(A) the project occurs within a watershed in which there is a program being carried out that addresses sources of pollution and other activities that otherwise would re-impair the restored habitat; or

(B) the project includes pilot testing of or a demonstration of an innovative technology having the potential for improved cost-effectiveness in estuary habitat restoration.

(d) COST SHARING.—

(1) FEDERAL SHARE.—Except as provided in paragraph (2) and subsection (e)(2), the Federal share of the cost of an estuary habitat restoration project (other than the cost of operation and maintenance of the project) carried out under this title shall not exceed 65 percent of such cost.

(2) INNOVATIVE TECHNOLOGY COSTS.—The Federal share of the incremental additional cost of including in a project pilot testing of or a demonstration of an innovative technology described in subsection (c)(4)(B) shall be 85 percent.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of an estuary habitat restoration project carried out under this title shall include lands, easements, rights-of-way, and relocations and may include services, or any other form of in-kind contribution determined by the Secretary to be an appropriate contribution equivalent to the monetary amount required for the non-Federal share of the activity.

(4) OPERATION AND MAINTENANCE.—The non-Federal interests shall be responsible for all costs associated with operating, maintaining, replacing, repairing, and rehabilitating all projects carried out under this section.

(e) INTERIM ACTIONS.—

(1) IN GENERAL.—Pending completion of the estuary habitat restoration strategy to be developed under section 106, the Secretary may take interim actions to carry out an estuary habitat restoration activity.

(2) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration activity before the completion of the estuary habitat restoration strategy shall not exceed 25 percent of such cost.

## (f) COOPERATION OF NON-FEDERAL INTERESTS.—

(1) IN GENERAL.—The Secretary may not carry out an estuary habitat restoration project until a non-Federal interest has entered into a written agreement with the Secretary in which the non-Federal interest agrees to—

(A) provide all lands, easements, rights-of-way, and relocations and any other elements the Secretary determines appropriate under subsection (d)(3); and

(B) provide for maintenance and monitoring of the project.

(2) NONGOVERNMENTAL ORGANIZATIONS.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)), for any project to be undertaken under this title, the Secretary, in consultation and coordination with appropriate State and local governmental agencies and Indian tribes, may allow a nongovernmental organization to serve as the non-Federal interest for the project.

(g) DELEGATION OF PROJECT IMPLEMENTATION.—In carrying out this title, the Secretary may delegate project implementation to another Federal department or agency on a reimbursable basis if the Secretary, upon the recommendation of the Council, determines such delegation is appropriate.

33 USC 2904.

**SEC. 105. ESTABLISHMENT OF ESTUARY HABITAT RESTORATION COUNCIL.**

(a) COUNCIL.—There is established a council to be known as the “Estuary Habitat Restoration Council”.

(b) DUTIES.—The Council shall be responsible for—

(1) soliciting, reviewing, and evaluating project proposals and developing recommendations concerning such proposals based on the factors specified in section 104(c)(3);

(2) submitting to the Secretary a list of recommended projects, including a recommended priority order and any recommendation as to whether a project should be carried out by the Secretary or by another Federal department or agency under section 104(g);

(3) developing and transmitting to Congress a national strategy for restoration of estuary habitat;

(4) periodically reviewing the effectiveness of the national strategy in meeting the purposes of this title and, as necessary, updating the national strategy; and

(5) providing advice on the development of the database, monitoring standards, and report required under sections 107 and 108.

(c) MEMBERSHIP.—The Council shall be composed of the following members:

(1) The Secretary (or the Secretary’s designee).

(2) The Under Secretary for Oceans and Atmosphere of the Department of Commerce (or the Under Secretary’s designee).

(3) The Administrator of the Environmental Protection Agency (or the Administrator’s designee).

(4) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (or such Secretary’s designee).

(5) The Secretary of Agriculture (or such Secretary’s designee).

(6) The head of any other Federal agency designated by the President to serve as an ex officio member of the Council.

(d) PROHIBITION OF COMPENSATION.—Members of the Council may not receive compensation for their service as members of the Council.

(e) CHAIRPERSON.—The chairperson shall be elected by the Council from among its members for a 3-year term, except that the first elected chairperson may serve a term of fewer than 3 years.

(f) CONVENING OF COUNCIL.—

(1) FIRST MEETING.—The Secretary shall convene the first meeting of the Council not later than 60 days after the date of enactment of this Act for the purpose of electing a chairperson.

Deadline.

(2) ADDITIONAL MEETINGS.—The chairperson shall convene additional meetings of the Council as often as appropriate to ensure that this title is fully carried out, but not less often than annually.

(g) COUNCIL PROCEDURES.—The Council shall establish procedures for voting, the conduct of meetings, and other matters, as necessary.

(h) PUBLIC PARTICIPATION.—Meetings of the Council shall be open to the public. The Council shall provide notice to the public of such meetings.

(i) ADVICE.—The Council shall consult with persons with recognized scientific expertise in estuary or estuary habitat restoration, representatives of State agencies, local or regional government agencies, and nongovernmental organizations with expertise in estuary or estuary habitat restoration, and representatives of Indian tribes, agricultural interests, fishing interests, and other estuary users—

(1) to assist the Council in the development of the estuary habitat restoration strategy to be developed under section 106; and

(2) to provide advice and recommendations to the Council on proposed estuary habitat restoration projects, including advice on the scientific merit, technical merit, and feasibility of a project.

**SEC. 106. ESTUARY HABITAT RESTORATION STRATEGY.**

33 USC 2905.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Council, shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to maximize benefits derived from estuary habitat restoration projects and to foster the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

Deadline.

(b) GOAL.—The goal of the strategy shall be the restoration of 1,000,000 acres of estuary habitat by the year 2010.

(c) INTEGRATION OF ESTUARY HABITAT RESTORATION PLANS, PROGRAMS, AND PARTNERSHIPS.—In developing the estuary habitat restoration strategy, the Council shall—

(1) conduct a review of estuary management or habitat restoration plans and Federal programs established under other laws that authorize funding for estuary habitat restoration activities; and

(2) ensure that the estuary habitat restoration strategy is developed in a manner that is consistent with the estuary management or habitat restoration plans.



(d) **ELEMENTS OF THE STRATEGY.**—The estuary habitat restoration strategy shall include proposals, methods, and guidance on—

(1) maximizing the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects and the use of Federal resources to encourage increased private sector involvement in estuary habitat restoration activities;

(2) ensuring that the estuary habitat restoration strategy will be implemented in a manner that is consistent with the estuary management or habitat restoration plans;

(3) promoting estuary habitat restoration projects to—

(A) provide healthy ecosystems in order to support—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed; and

(ii) fish and shellfish, including commercial and recreational fisheries;

(B) improve surface and ground water quality and quantity, and flood control;

(C) provide outdoor recreation; and

(D) address other areas of concern that the Council determines to be appropriate for consideration;

(4) addressing the estimated historic losses, estimated current rate of loss, and extent of the threat of future loss or degradation of each type of estuary habitat;

(5) measuring the rate of change for each type of estuary habitat;

(6) selecting a balance of smaller and larger estuary habitat restoration projects; and

(7) ensuring equitable geographic distribution of projects funded under this title.

Federal Register,  
publication.

(e) **PUBLIC REVIEW AND COMMENT.**—Before the Council adopts a final or revised estuary habitat restoration strategy, the Secretary shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

(f) **PERIODIC REVISION.**—Using data and information developed through project monitoring and management, and other relevant information, the Council may periodically review and update, as necessary, the estuary habitat restoration strategy.

33 USC 2906.

**SEC. 107. MONITORING OF ESTUARY HABITAT RESTORATION PROJECTS.**

(a) **UNDER SECRETARY.**—In this section, the term “Under Secretary” means the Under Secretary for Oceans and Atmosphere of the Department of Commerce.

(b) **DATABASE OF RESTORATION PROJECT INFORMATION.**—The Under Secretary, in consultation with the Council, shall develop and maintain an appropriate database of information concerning estuary habitat restoration projects carried out under this title, including information on project techniques, project completion, monitoring data, and other relevant information.

(c) **MONITORING DATA STANDARDS.**—The Under Secretary, in consultation with the Council, shall develop standard data formats for monitoring projects, along with requirements for types of data collected and frequency of monitoring.

(d) **COORDINATION OF DATA.**—The Under Secretary shall compile information that pertains to estuary habitat restoration projects from other Federal, State, and local sources and that meets the quality control requirements and data standards established under this section.

(e) **USE OF EXISTING PROGRAMS.**—The Under Secretary shall use existing programs within the National Oceanic and Atmospheric Administration to create and maintain the database required under this section.

(f) **PUBLIC AVAILABILITY.**—The Under Secretary shall make the information collected and maintained under this section available to the public.

**SEC. 108. REPORTING.**

33 USC 2907.

(a) **IN GENERAL.**—At the end of the third and fifth fiscal years following the date of enactment of this Act, the Secretary, after considering the advice and recommendations of the Council, shall transmit to Congress a report on the results of activities carried out under this title.

(b) **CONTENTS OF REPORT.**—A report under subsection (a) shall include—

(1) data on the number of acres of estuary habitat restored under this title, including descriptions of, and partners involved with, projects selected, in progress, and completed under this title that comprise those acres;

(2) information from the database established under section 107(b) related to ongoing monitoring of projects to ensure that short-term and long-term restoration goals are achieved;

(3) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(4) a review of how the information described in paragraphs (1) through (3) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(5) a review of efforts made to maintain an appropriate database of restoration projects carried out under this title; and

(6) a review of the measures taken to provide the information described in paragraphs (1) through (3) to persons with responsibility for assisting in the restoration of estuary habitat.

**SEC. 109. FUNDING.**

33 USC 2908.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **ESTUARY HABITAT RESTORATION PROJECTS.**—There is authorized to be appropriated to the Secretary for carrying out and providing technical assistance for estuary habitat restoration projects—

(A) \$40,000,000 for fiscal year 2001;

(B) \$50,000,000 for each of fiscal years 2002 and 2003;

(C) \$60,000,000 for fiscal year 2004; and

(D) \$75,000,000 for fiscal year 2005.

Such sums shall remain available until expended.

(2) **MONITORING.**—There is authorized to be appropriated to the Under Secretary for Oceans and Atmosphere of the Department of Commerce for the acquisition, maintenance, and management of monitoring data on restoration projects carried out under this title, \$1,500,000 for each of fiscal years 2001 through 2005. Such sums shall remain available until expended.

(b) SET-ASIDE FOR ADMINISTRATIVE EXPENSES OF THE COUNCIL.—Not to exceed 3 percent of the amounts appropriated for a fiscal year under subsection (a)(1) or \$1,500,000, whichever is greater, may be used by the Secretary for administration and operation of the Council.

33 USC 2909.

**SEC. 110. GENERAL PROVISIONS.**

(a) AGENCY CONSULTATION AND COORDINATION.—In carrying out this title, the Secretary shall, as necessary, consult with, cooperate with, and coordinate its activities with the activities of other Federal departments and agencies.

(b) COOPERATIVE AGREEMENTS; MEMORANDA OF UNDERSTANDING.—In carrying out this title, the Secretary may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

(c) FEDERAL AGENCY FACILITIES AND PERSONNEL.—Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this title, and may provide facilities and personnel, for the purpose of assisting the Council in carrying out its duties under this title.

(d) IDENTIFICATION AND MAPPING OF DREDGED MATERIAL DISPOSAL SITES.—In consultation with appropriate Federal and non-Federal public entities, the Secretary shall undertake, and update as warranted by changed conditions, surveys to identify and map sites appropriate for beneficial uses of dredged material for the protection, restoration, and creation of aquatic and ecologically related habitats, including wetlands, in order to further the purposes of this title.

(e) STUDY OF BIOREMEDIATION TECHNOLOGY.—

Deadline.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, with the participation of the estuarine scientific community, shall begin a 2-year study on the efficacy of bioremediation products.

(2) REQUIREMENTS.—The study shall—

(A) evaluate and assess bioremediation technology—

(i) on low-level petroleum hydrocarbon contamination from recreational boat bilges;

(ii) on low-level petroleum hydrocarbon contamination from stormwater discharges;

(iii) on nonpoint petroleum hydrocarbon discharges; and

(iv) as a first response tool for petroleum hydrocarbon spills; and

(B) recommend management actions to optimize the return of a healthy and balanced ecosystem and make improvements in the quality and character of estuarine waters.

*Estimated Total Annual Cost:*  
\$180,000.00.

*Respondent's Obligation:* Voluntary.  
*Legal Authority:* Title 13 United States Code, Section 161.

#### IV. Request for Comments

*Comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) The accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: January 31, 2006.

**Madeleine Clayton,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E6-1533 Filed 2-3-06; 8:45 am]

BILLING CODE 3510-07-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement, Article 1904; NAFTA Panel Reviews; Request for Panel Review

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of First Request for Panel Review.

**SUMMARY:** On January 30, 2006, Mittal Canada Inc. (formerly Ispat Sidbec Inc.) filed a First Request for Panel Review with the United States Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the final results of the antidumping duty administrative review made by the United States Department of Commerce, International Trade Administration, respecting Carbon and Certain Alloy Steel Wire Rod from Canada. This determination was published in the **Federal Register**, (71 FR 3822) on January 24, 2006. The NAFTA

Secretariat has assigned Case Number USA-CDA-2006-1904-04 to this request.

#### FOR FURTHER INFORMATION CONTACT:

Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A first Request for Panel Review was filed with the United States Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on January 30, 2006, requesting panel review of the final determination described above.

The Rules provide that:

(a) A Party of interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is March 1, 2006);

(b) A Party, investigating authority, or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is March 16, 2006); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: January 31, 2006.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*

[FR Doc. 06-1042 Filed 2-3-06; 8:45am]

BILLING CODE 3510-GT-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Estuary Restoration Act Database Projects

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before April 7, 2006.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Perry Gayaldo, NMFS Restoration Center, 1315 East-West Highway, Silver Spring, MD 20910 or [Perry.Gayaldo@noaa.gov](mailto:Perry.Gayaldo@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

Estuary habitat restoration project information (e.g., location, habitat type, goals, status, monitoring information) is collected in order to populate a restoration project database mandated by the Estuary Restoration Act (ERA) of 2000. The Estuary Restoration Act Database (ERAD) contains information for estuary habitat restoration projects funded through the ERA as well as non-ERA project data that meet quality control requirements and data standards established under the Act. The database provides information to improve restoration methods, provides the basis for required reports to Congress, and tracks estuary habitat acreage restored. It is accessible to the public via the Internet for data queries and project reports. Recipients of ERA funds are

required to submit specific information on habitat restoration projects into the ERAD database through an interactive Web site available over the Internet. The projects that are not funded through the ERA can be voluntarily entered into the database by project managers. Other federal agency and private grant programs may also require recipients to enter project information in the ERAD database.

## II. Method of Collection

Project managers will electronically submit estuary restoration project information via NOAA's Estuary Restoration Act Database Web site (<https://neri.noaa.gov/>). The Web site contains a user-friendly data entry interface for project managers to enter and submit project information to the ERAD database. The data entry interface consists of a series of screens, containing several pull-down menus and text boxes, where users can enter specific project information (e.g. location, acreage restored, contacts, monitoring information). To facilitate the collection of information through the data entry interface, NOAA Fisheries provides worksheets containing database fields that can be downloaded and printed from the Web site. These worksheets can be used by project managers to guide information collection, and can then serve as a reference as project managers enter project information through the Web site. The reporting forms are also available in paper format to be sent to project managers as necessary.

## III. Data

*OMB Number:* 0648-0479.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Not-for-profit institutions; state, local, and tribal governments; and businesses or other for-profit (limited to organizations in the above categories engaging in estuary habitat restoration).

*Estimated Number of Respondents:* 255.

*Estimated Time Per Response:* Four hours for new projects submitted; and two hours for updates to current projects.

*Estimated Total Annual Burden Hours:* 810.

*Estimated Total Annual Cost to Public:* None.

## IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have

practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: January 31, 2006.

### Gwellnar Banks,

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E6-1532 Filed 2-3-06; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Submission for OMB Review; Comment Request; Correction

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).

**SUMMARY:** This corrects the title of the information collection (*OMB Control No. 0648-471*) submitted to the Office of Management and Budget for review.

The notice was published on January 17, 2006 (Vol. 71, No. 10, page 2514).

#### Correction

The title of the information collection was listed as "Deep Seabed Mining Exploration Licenses." The correct title is "Highly Migratory Species Scientific Research Permits, Exempted Fishing Permits, and Letters of Authorization".

Dated: January 31, 2006.

### Gwellnar Banks,

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E6-1534 Filed 2-3-06; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 013006A]

#### New England Fishery Management Council; Atlantic Sea Scallop; Scoping Process

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

**ACTION:** Notice of intent to prepare a supplemental environmental impact statement (SEIS) and notice of re-initiation of scoping process; request for comments.

**SUMMARY:** The New England Fishery Management Council (Council) announces its intent to prepare an amendment to the Atlantic Sea Scallop Fishery Management Plan (FMP) (*Placopecten magellanicus (Gmelin)*) and to prepare an SEIS to analyze the impacts of any proposed management measures. The Council is also formally re-initiating a public process to determine the scope of alternatives to be addressed in the amendment and SEIS. The purpose of this notification is to alert the interested public of the re-commencement of the scoping process and to provide for public participation in compliance with environmental documentation requirements.

**DATES:** The Council will discuss and take scoping comments at public meetings in February 2006. For specific dates and times of the scoping meetings, see **SUPPLEMENTARY INFORMATION**. Written scoping comments must be received on or before 5 p.m., local time, March 6, 2006.

**ADDRESSES:** The Council will take scoping comments at public meetings in New Hampshire, Massachusetts, and New Jersey. For specific locations, see **SUPPLEMENTARY INFORMATION**.

Written comments should be submitted by any of the following methods:

- Mail: Paul J. Howard, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950. Mark the outside of the envelope, "Scoping Comments on Amendment 11 to the Scallop FMP."

- E-mail: [Scallopscoping@noaa.gov](mailto:Scallopscoping@noaa.gov)
- Fax: (978) 465-3116.

Requests for copies of the scoping document and other information should be directed to Paul J. Howard, Executive Director, New England Fishery Management Council, 50 Water Street,