

Acipenser brevirostrum, in the Altamaha River in Georgia. Annually, up to 200 fish will be taken via gill and trammel netting, measured, weighed, PIT and Carlin tagged, tissue and pectoral fin ray samples will be taken, and the fish subsequently released.

Additionally, up to 10 of the total fish sampled annually will also receive an internal radio-sonic transmitter. Dr. Peterson also proposes to deploy artificial substrate samplers from February to mid-March to collect up to 100 shortnose sturgeon eggs annually. The samplers will be checked and reset daily during the spawning season and the eggs collected and preserved for subsequent laboratory analysis to determine percent viability. Dr. Peterson seeks authorization to conduct the research for five years.

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

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

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

Dated: February 28, 2003.

Stephen L. Leathery,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 022103C]

Vessel Monitoring Systems; List of Approved Mobile Transmitting Units and Communications Service Providers

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

ACTION: Notice of vessel monitoring systems; approval.

SUMMARY: This document provides notice of the vessel monitoring systems (VMS) approved by NOAA for use by pelagic longline vessels in the Atlantic Highly Migratory Species (HMS) Fisheries and sets forth relevant features of each VMS. This notification is being issued to replace the approval notice published on September 9, 1999.

ADDRESSES: To obtain copies of the list of NOAA approved VMS mobile transmitting units and NOAA approved VMS communications service providers, or information regarding the status of VMSs being evaluated by NOAA for approval, write to NMFS Office for Law Enforcement (OLE), 8484 Georgia Avenue, Suite 415, Silver Spring, MD 20910.

To submit a completed and signed checklist, mail or fax it to NOAA Enforcement, 9721 Executive Center Drive North, Koger Building, St. Petersburg, FL 33702, fax 727-570-5375.

For more addresses regarding approved VMSs, see the **SUPPLEMENTARY INFORMATION** section, under the heading VMS Provider Addresses.

FOR FURTHER INFORMATION CONTACT: For current listing information Mark Oswell, Outreach Specialist, phone 301-427-2300, fax 301-427-2055. For questions regarding VMS installation, activation checklists, and status of evaluations, contact Jonathan Pinkerton, National VMS Program Manager, phone 301-427-2300, fax 301-427-2055. For questions regarding the checklist, contact Fred Kyle, Special Agent, NMFS Office for Law Enforcement, Southeast Division, phone 727-570-5344.

The public may acquire this notice, installation checklist, and relevant updates via the "fax-back" service, or at the OLE website <http://www.nmfs.noaa.gov/ole/vms.html> Telephone requests can be made by calling 301-427-2300.

SUPPLEMENTARY INFORMATION:

I. The VMS Requirement

The NMFS issued a regulation (64 FR 29090, May 28, 1999) codified at 50 CFR 635.69, requiring the use of VMS by vessels permitted to fish for HMS and that have pelagic longline gear onboard. Due to litigation, the requirement had been suspended until recently. The placement of VMS units on the fishing vessels in this fishery will enable NMFS to determine vessel locations and will complement the Agency's efforts to monitor and enforce compliance with applicable regulations.

This document provides notice of the VMS mobile transceiver units and the mobile communications service providers that have been approved by NOAA for use in the HMS Fisheries. This notice is being issued to replace the approval notice published on September 9, 1999 (64 FR 48988). The VMS consists of both the mobile transceiver unit placed on the vessel and the communications service provider that supplies the wireless link between the unit on the vessel and the shoreside data user. In the HMS Fisheries, the vessel owner is required to procure both VMS components. The two VMS components may, or may not, be provided by a single vendor. Thus, the vessel owner may need to procure the mobile transceiver unit and the mobile communications service separately.

To the extent that the use of VMS is required by applicable regulations, NMFS is considered to be the operator and user of the VMS mobile transceiver unit and the user of any required data, regardless of who is required to pay for the mobile transceiver unit onboard a vessel and for the associated communications services. Accordingly, NMFS will specify how the VMS mobile transceiver units must be configured, installed, and activated. This does not, however, preclude the vessel owner from procuring a VMS that provides additional services and capabilities used exclusively by the vessel owner and operator.

On September 23, 1993, NMFS published proposed VMS standards at 58 FR 49285. On March 31, 1994, NMFS published final VMS standards at 59 FR 15180. These documents stated that NMFS endorses the use of VMS and defined specifications and criteria for their use.

On September 8, 1998, NOAA published a request for information (RFI) in the Commerce Business Daily in which it stated the minimum VMS specifications necessary for NOAA's approval. The RFI requested that responses from interested VMS