

SUPPLEMENTARY INFORMATION: In November 2002, the Islander East Pipeline Company, L.L.C. (Islander East) filed a notice of appeal with the Department of Commerce, pursuant to the Coastal Zone Management Act of 1972 (CZMA), as amended, asking that the Secretary of Commerce override the State of Connecticut's objection to Islander East's proposed natural gas pipeline. The pipeline would extend from near North Haven, Connecticut, across the Long Island Sound to a terminus in Suffolk County (Long Island), New York. Connecticut's objection is based on the project's potential effects on the natural resources or land and water uses of Connecticut's coastal zone.

On March 14, 2003, Islander East requested, on behalf of itself and the State of Connecticut, that the Department's processing of the appeal be stayed in order to allow settlement negotiations to occur between the parties. The requested stay on March 17, 2003.

In addition to announcing the stay, this **Federal Register** notice provides information concerning procedural aspects of the Islander East appeal that are affected by the stay. The public comment period, which runs through May 8, 2003, will remain open during the stay. The federal agency comment period, which is scheduled to close on April 14, 2003, will remain open and be extended through May 1, 2003. After processing of the appeal resumes, both comment periods will be extended for a period generally commensurate with the length of the stay, taking into account the filing date for the State of Connecticut's initial brief. (The State's brief had been due on March 24, 2003. In light of the stay, the State's brief is now due 45 days after the appeal has recommenced.)

The scheduling of a public hearing on the appeal will be delayed until after processing of the appeal resumes, consistent with the request of Islander East and the State. A previous **Federal Register** notice indicated the location and date for the hearing would be announced in early March 2003. See 68 FR 5620.

A summary of relevant issues as well as additional background on the appeal appears in a January 24, 2003 **Federal Register** announcement, 68 FR 3513, a copy of which can be found at the Department of Commerce CZMA appeals Web site, <http://www.ogc.doc.gov/czma/htm>. The Web site also provides access to documents from the appeal record, such as the request to stay the proceedings of Islander East's appeal, and general

information concerning the appeal process.

Questions about the stay for the Islander East appeal may be sent to NOAA via e-mail (GCOS.inquiries@noaa.gov) or made by telephone (301-713-2967, extension 186).

(Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance)

Dated: March 19, 2003.

James R. Walpole,

General Counsel.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 030403B]

Small Takes of Marine Mammals Incidental to Specified Activities; Taking of Ringed and Bearded Seals Incidental to On-ice Seismic Activities

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

ACTION: Notice of issuance of an incidental harassment authorization.

SUMMARY: In accordance with provisions of the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that an Incidental Harassment Authorization (IHA) has been issued to ConocoPhillips Alaska Inc. (CPA) to take small numbers of ringed and bearded seals, by harassment, incidental to conducting on-ice seismic operations in the Beaufort Sea during oil and gas exploration activities.

DATES: This authorization is effective from March 19, 2003, through July 1, 2003.

ADDRESSES: A copy of the application and/or a list of references used in this document may be obtained by writing to the Chief, Marine Mammal Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, or by telephoning one of the contacts listed here.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Hollingshead, Office of Protected Resources, NMFS, (301) 713-2055, ext 128, or Bradley Smith, Alaska Region (907) 271-5006.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

Permission may be granted if NMFS finds that the taking will have no more than a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses and that the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth.

On April 10, 1996 (61 FR 15884), NMFS published an interim rule establishing, among other things, procedures for issuing IHAs under section 101(a)(5)(D) of the MMPA for activities in Arctic waters. For additional information on the procedures to be followed for this authorization, please refer either to that document or to 50 CFR 216.107.

Description of the Activity

Background

Deep seismic surveys use the "reflection" method of data acquisition. Reflection seismic exploration is the process of gathering information about the subsurface of the earth by measuring acoustic (sound or seismic) waves, which are generated on or near the surface. Acoustic waves reflect at boundaries in the earth that are characterized by acoustic impedance contrasts. The acoustic impedance of a rock layer is its density multiplied by its acoustic velocity. Geologists and geophysicists commonly attribute different acoustic impedances to different rock characteristics. Seismic exploration uses a controlled energy source to generate acoustic waves that travel through the earth (including sea ice and water, as well as subsea geologic formations), and then uses ground sensors to record the reflected energy transmitted back to the surface. Energy that is directed into the ground takes on numerous forms. When acoustic energy is generated, compression (p) and shear (s) waves form and travel in and on the earth. The compression and shear waves are affected by the geological formations