

basis for real-time mitigation (airgun shutdown); (2) information needed to estimate the number of marine mammals potentially taken by harassment, which must be reported to NMFS; (3) data on the occurrence, distribution, and activities of marine mammals in the area where the seismic study is conducted; (4) information to compare the distance and distribution of marine mammals relative to the source vessel at times with and without seismic activity; and (5) data on the behavior and movement patterns of marine mammals seen at times with and without seismic activity.

#### *Vessel-based Passive Acoustic Monitoring*

A towed hydrophone array will be deployed during the airgun measurements in the GOM. The acoustical array will be monitored during airgun operations to detect, locate and identify marine mammals near the Ewing, insofar as this is possible via passive acoustic methods. The acoustical array will provide additional ability to detect, locate and identify marine mammals over and above that provided by visual observations. The acoustical data will be integrated, in real time, with the visual observations to ensure that marine mammals do not enter the 180-dB safety radius.

#### *Acoustical Measurements of Airgun Sounds*

The acoustic measurement program is designed to document the received levels of the airgun sounds, relative to distance, during operation of each standard configuration of airgun array deployed from the *Ewing*. In particular, these data will be used to verify or refine present estimates of the safety radii. Those radii are used to determine when the airguns need to be shut down to prevent exposure of cetaceans to received levels  $\geq 180$  dB. Sound measurements will be made and reported as discussed previously in this document. LDEO will use the standard methods that have been used and reported during other recent studies of seismic and marine mammals (Greene *et al.*, 1997; McCauley *et al.*, 1998, 2000a,b).

#### **Reporting**

A report will be submitted to NMFS within 90 days after the end of the acoustic measurement program in the GOM. The report will describe the operations that were conducted, the marine mammals that were detected near the operations, and at least some of the results of the acoustical

measurements to verify the safety radii. (Data from the LDEO spar buoy are expected to be available quickly, but it is uncertain how quickly the EARS data will be available given the nature of the EARS buoys.) The report will be submitted to NMFS, providing full documentation of methods, results, and interpretation pertaining to all monitoring tasks with the possible exception of the backup EARS data. The 90-day report will summarize the dates and locations of seismic operations, sound measurement data, marine mammal sightings (dates, times, locations, activities, associated seismic survey activities), and estimates of the amount and nature of potential take of marine mammals by harassment or in other ways.

#### **Endangered Species Act (ESA)**

Under section 7 of the ESA, NMFS has begun consultation on the proposed issuance of an IHA under section 101(a)(5)(D) of the MMPA for this activity. Consultation will be concluded prior to the issuance of an IHA.

#### **National Environmental Policy Act (NEPA)**

The NSF has prepared an EA for the GOM calibration study. NMFS is reviewing this EA and will either adopt it or prepare its own NEPA document before making a determination on the issuance of an IHA. A copy of the NSF EA for this activity is available upon request (see ADDRESSES).

#### **Preliminary Conclusions**

NMFS has preliminarily determined that the short-term impact of conducting a short-term calibration study of the seismic airgun array onboard the *Ewing* in the northern GOM in 2003, will result, at worst, in a temporary modification in behavior by certain species of marine mammals. While behavioral modifications may be made by these species as a result of seismic survey activities, this behavioral change is expected to result in no more than a negligible impact on the affected species.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the vicinity of the survey activity, the number of potential harassment takings is estimated to be small. In addition, no take by injury and/or death is anticipated, and the potential for temporary or permanent hearing impairment is low and will be avoided through the incorporation of the mitigation measures mentioned in this document.

#### **Proposed Authorization**

NMFS proposes to issue an IHA to LDEO for conducting a calibration study of the seismic airgun arrays onboard the *Ewing* in the northern GOM provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. NMFS has preliminarily determined that the proposed activity would result in the harassment of only small numbers of marine mammals; would have no more than a negligible impact on the affected marine mammal stocks; and would not have an unmitigable adverse impact on the availability of stocks for subsistence uses.

#### **Information Solicited**

NMFS requests interested persons to submit comments and information concerning this request (see ADDRESSES).

Dated: April 7, 2003.

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*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*

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#### **DEPARTMENT OF COMMERCE**

#### **National Oceanic and Atmospheric Administration**

[I.D. 040403A]

#### **Advisory Committee to the U.S. Section to the International Commission for the Conservation of Atlantic Tunas (ICCAT); Spring Species Working Group Workshop**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Advisory Committee to the U.S. Section to ICCAT announces its spring meeting with its Species Working Group Technical Advisors, April 30–May 1, 2003.

**DATES:** The open sessions of the Committee meeting will be held on April 30, 2003, from 9:30 a.m. to 12:30 p.m., and on May 1, 2003, from 10:30 a.m. to 1:30 p.m. Closed sessions will be held on April 30, 2003, from 1:45 p.m. to approximately 6 p.m., and on May 1, 2003, from 8:30 a.m. to 10:30 a.m.

**ADDRESSES:** The meeting will be held at the Hilton Hotel Silver Spring, 8727 Colesville Road, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Kim Blankenbaker at (301) 713-2276.