

Results from the vessel-based observations will provide (1) The 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.

Acoustical Measurements

The acoustic measurement program is designed to verify the safety radii that will be used to determine when the air guns will be shut down to prevent marine mammals from being exposed to seismic sounds 180 (cetaceans) or 190 dB re 1 μ Pa (rms) (pinnipeds)(see Mitigation). It will also provide the specific acoustic data needed to document the seismic sounds to which marine mammals are exposed at various distances from the seismic source, as necessary to improve the estimates of potential take by harassment and to interpret the observations of marine mammal distribution, behavior, and headings. It appears most likely that acoustical measurements will be conducted in the Gulf of Mexico during June when LDEO's vessel will be in that area for other purposes. Acoustic studies will obtain data on characteristics of the seismic survey sounds as a function of distance in deep and shallow water.

Additional details about the methods, timing and location of the acoustical verification study are provided in the LDEO application; additional information on monitoring will be provided by LDEO in an addendum to its application as plans for this effort become more specific. That addendum will address the marine mammals that might be exposed to airgun sounds during the verification study.

A report will be submitted to NMFS within 90 days after the end of the seismic program in the Hess Deep area. The end of the Hess Deep program is predicted to occur on or about July 28, 2003. The report will cover the seismic surveys in the Hess Deep area and will be submitted to NMFS, providing full documentation of methods, results, and interpretation pertaining to all monitoring tasks. 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 Hess Deep survey. 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 seismic survey program in the Hess Deep portion of the Eastern Equatorial Pacific Ocean 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 seismic survey program in the Hess Deep portion of the Eastern Equatorial Pacific Ocean, 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).

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Laurie K. Allen,

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National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 032502D]

Notice of Availability of Final Stock Assessment Reports

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

ACTION: Notice of completion and availability of final marine mammal stock assessment reports; response to comments.

SUMMARY: NMFS has incorporated public comments into revisions of marine mammal stock assessment reports (SARs). The 2002 final SARs are now complete and available to the public.

ADDRESSES: Send requests for printed copies of reports to: Chief, Marine Mammal Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: Stock Assessments.

Copies of the Alaska Regional SARs may be requested from Robyn Angliss, Alaska Fisheries Science Center (F/AKC), NMFS, 7600 Sand Point Way, NE BIN 15700, Seattle, WA 98115-0070, e-mail Robyn.Angliss@noaa.gov.

Copies of the Atlantic and Gulf of Mexico Regional SARs may be requested from Janeen Quintal, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543, e-mail Janeen.Quintal@noaa.gov or Steven Swartz, Southeast Fisheries Science Center, 75 Virginia Beach Dr., Miami, FL 33149, e-mail Steven.Swartz@noaa.gov.

Copies of the Pacific Regional SARs may be requested from Cathy Campbell, Southwest Regional Office (F/SWO3), NMFS, 501 West Ocean Boulevard, Long Beach, CA 90802-4213, e-mail Cathy.E.Campbell@noaa.gov.