

sonar developed by a North Atlantic Treaty Organization (NATO) undersea research lab in Italy. The sonar uses a non-directional sound source and a sophisticated directional receiver. This permit application covers research to test how well this whale finder detects whales in the Mediterranean Sea.

Project 1 will involve applying DTAGs to a variety of whale and dolphin species to study the baseline behavior of animals tagged throughout the North Atlantic. The endangered species that the applicant plans to tag are: humpback (*Megaptera novaeangliae*), sei (*Balaenoptera borealis*), fin (*Balaenoptera physalus*), blue (*Balaenoptera musculus*), and sperm (*Physeter macrocephalus*) whales. There are three main goals of Project 1: (1) to obtain continuous sampling of marine mammal vocal and motor behavior, (2) to determine correction factors that can be applied to visual sighting data to better estimate population and stock abundance, and (3) to serve as a control group for Projects 2 and 3, described below.

The goals of Project 2 are: (1) To validate the effectiveness of a high-frequency whale-finding sonar developed by a NATO research lab to detect marine mammals based on species, size, and orientation of the animal in the water, and (2) to determine what sound levels heard by an animal may cause a change in its behavior. Project 2 research will be conducted in the Mediterranean Sea and will focus on sperm whales, however, other species of whales such as fin and minke (*Balaenoptera acustostrata*) and dolphin species will also be tagged. For Project 2, DTAG-tagged animals will be exposed to sounds at received levels of 120–160 dB re 1 μ Pa rms for testing short sounds of a whale-finding sonar. Pre-recorded sperm whale vocalizations (codas) will also be transmitted to serve as control playbacks. Because monitoring techniques for loud operations such as rig removal and ship shock trials have typically consisted of visual observations and passive acoustic listening, and these methods are not 100 percent effective (e.g., at night, during poor weather, when animals are silent), there is a need for a more effective tool to detect the presence of marine mammals in the vicinity of such loud noises. This need for a detection tool has led to the development of low power, mid or high frequency sonars that can detect marine mammals within a range of 1–2 km. If found to be effective this whale-finding sonar could be used to search an area for marine mammals, similar to the sonar used to locate schools of fish. If animals are

detected in the vicinity of a potentially harmful operation, such as an underwater explosion, the event could be halted until the animals are safely out of range.

In Project 3, the applicant will study the responses of tagged sperm whales to short impulses from airgun arrays in the Gulf of Mexico. Technological advances in the oil and gas industry are allowing exploration and drilling in much deeper waters than in the past, which may have an increased impact on deep diving marine mammals such as sperm whales. Most projections predict strong expansion of industry activities into deep waters of the Gulf of Mexico where sperm whales reside. The seismic industry uses arrays of airguns to direct sound energy downwards into geological strata below the seafloor. Because sperm whales spend most of their time below the surface it is not known how they react to the sounds of the seismic surveying. The applicant proposes to use the DTAG to study how likely sperm whales are to silence, move away, or show other disruption of behavior when they are exposed to impulse sounds from an airgun array versus natural control sounds. Animals will be exposed to airgun sounds at received levels no higher than 180 dB re 1 μ Pa rms. Sperm whale codas will serve as the control playbacks. This project will involve visual observations of surfacing sperm whales, passive acoustic tracking of diving sperm whales, and tagging sperm whales with DTAGs. 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.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application and the draft environmental assessment to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: April 18, 2003.

Stephen L. Leathery,

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

[FR Doc. 03-10072 Filed 4-22-03; 8:45 am]

BILLING CODE 3510-22-S

CONSUMER PRODUCT SAFETY COMMISSION

Public Field Hearing Concerning All-Terrain Vehicles

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of public field hearing.

SUMMARY: The Consumer Product Safety Commission ("CPSC" or "Commission") will conduct a public field hearing in Morgantown, West Virginia on June 5, 2003 to obtain information and views from the public concerning all-terrain vehicles ("ATVs"). The Commission conducted several field hearings on ATVs in 1985.

From 1997 to 2001 the estimated number of ATV-related injuries treated in hospital emergency rooms rose from 54,700 to 111,700 (a 104% increase). Deaths have also been increasing and the Commission staff has estimated that there were 547 deaths associated with the use of ATVs in 2000. From 1997 to 2001 the estimated number of ATV drivers rose from 12 million to 16.3 million (a 36% increase), the estimated total number of driving hours rose from 1575 million to 2364 million (a 50% increase), and the estimated number of ATVs rose from 4 million to 5.6 million (a 40% increase). None of the increases in these measures of exposure to the risk of operating ATVs accounts for the increases in the number of injuries during the same time period.

The Commission requests members of the public to participate in this hearing. The Commission is particularly interested in participation from users of ATVs (both recreational and occupational); persons who have been involved in accidents or have been injured while riding ATVs; state and local government officials or organizations involved with ATVs; medical professionals and emergency service providers; safety and design engineers; and manufacturers, distributors and dealers of ATVs.

DATES: The hearing will be held on June 5, 2003, beginning at 10 a.m. and will continue until 7 p.m. The Commission will recess for lunch on or about 12 noon. Requests to make oral presentations, and 10 copies of the text of the presentation, must be received by