

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 Environmental Assessment (EA) for the two Mid-Atlantic surveys. 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 impact of conducting two seismic surveys in the Mid-Atlantic Ocean will result, at worst, in a temporary modification in behavior by certain species of marine mammals. This activity 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. In addition, the proposed seismic program is not expected to interfere with any subsistence hunts, since operations in the whaling and sealing areas will be limited.

Proposed Authorization

NMFS proposes to issue an IHA to LDEO for conducting two seismic surveys in the Mid-Atlantic 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 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: September 11, 2003.

Laurie K. Allen,

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

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 080703A]

Marine Mammals; File No. 358-1585-04

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

ACTION: Issuance of permit amendment.

SUMMARY: Notice is hereby given that the Alaska Department of Fish and Game, P.O. Box 25526, Juneau, Alaska 99802-5526 [Principal Investigator: Robert Small, Ph.D.] has been issued an amendment to scientific research Permit No. 358-1585-02 as amended by a minor change [No. -03].

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Assistant Regional Administrator for Protected Resources, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7235; fax (907)586-7012.

FOR FURTHER INFORMATION CONTACT:

Ruth Johnson or Carrie Hubard, (301)713-2289.

SUPPLEMENTARY INFORMATION: On June 7, 2003, notice was published in the **Federal Register** (68 FR 33477) that an amendment of Permit No. 358-1585, issued September 30, 2002 (67 FR 64098), had been requested by the above-named organization. The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The amendment authorizes the Holder to conduct additional activities on harbor seals that include:

permanently marking females that receive implanted VHF transmitters to enable identification from a distance without further disturbance to determine if female has a pup; applying a Passive Integrated Transponder (PIT) tag to identify recaptured individuals to assess change in health or contaminant loads over time; using ultrasound to diagnose pregnancy and reproductive condition of females; attaching a sonic tag for realtime tracking of foraging behavior while simultaneously conducting acoustical surveys of prey availability; and attaching an Underwater Timed Picture Recorder (UTPR) with Time Depth Recorder to view prey selection and readily calculate pursuit and handling times.

Dated: September 9, 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**Notice of availability of a draft regional restoration plan**

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Availability of a Draft Regional Restoration Plan: Region 2, for the Louisiana Regional Restoration Planning Program.

SUMMARY: Notice is hereby given that a document entitled, "Draft Louisiana Regional Restoration Plan: Region 2" is available for public review and comment. This document has been prepared by the state and federal natural resource trustee agencies (National Oceanic and Atmospheric Administration (NOAA); U.S. Department of the Interior (DOI); Louisiana Oil Spill Coordinator's Office (LOSCO); and Louisiana Departments of Environmental Quality (LDEQ); Natural Resources (LDNR); and Wildlife and Fisheries (LDWF)) to address natural resource injuries resulting from discharges of oil in Region 2 of the State of Louisiana.

The draft Region 2 Restoration Plan (RRP-2) is the first of nine regional plans being prepared under the statewide Louisiana Regional Restoration Planning Program (RRP Program) developed by NOAA, DOI and the State of Louisiana. The purposes of the RRP Program include expediting restoration of natural resources injured by oil spills and reducing the cost of