

**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-337-802]

**Notice of Postponement of Time Limit for Countervailing Duty Investigation: Fresh Atlantic Salmon From Chile**

**AGENCY:** International Trade Administration/Import Administration/Department of Commerce.

**EFFECTIVE DATE:** July 28, 1997.

**FOR FURTHER INFORMATION CONTACT:** Rosa Jeong or Marian Wells, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 3099, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230; telephone: (202) 482-1278 or 482-6309, respectively.

**Postponement**

On July 2, 1997, the Department of Commerce ("the Department") initiated the countervailing duty investigation of Fresh Atlantic Salmon from Chile. Respondents have indicated that they will be cooperating in the investigation. In addition, we are investigating a large number of potentially complex alleged countervailable subsidy practices. Accordingly, as detailed in our July 15, 1997, Memorandum to the File, we deem this investigation to be extraordinarily complicated. Therefore, pursuant to section 703(c)(1) of the Tariff Act of 1930, as amended ("the Act"), we are postponing the preliminary determination in this investigation no later than November 10, 1997.

This notice is published pursuant to section 703(c)(2) of the Act.

Dated: July 18, 1997.

**Robert S. LaRussa,**

*Acting Assistant Secretary for Import Administration.*

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

[I.D. 043097B]

**Small Takes of Marine Mammals Incidental to Specified Activities; Lockheed Launch Vehicles at Vandenberg Air Force Base, CA**

**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 to take small numbers of harbor seals by harassment incidental to launches of Lockheed-Martin's launch vehicles (LMLVs) at Space Launch Complex 6 (SLC-6), Vandenberg Air Force Base, CA (Vandenberg) has been issued.

**EFFECTIVE DATE:** This authorization is effective from July 18, 1997, through July 17, 1998.

**ADDRESSES:** The application and authorization are available for review in the following offices: Marine Mammal Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, and the Southwest Region, NMFS, 501 West Ocean Blvd. Long Beach, CA 90802.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Hollingshead, Office of Protected Resources at 301-713-2055, or Irma Lagomarsino, Southwest Regional Office at 310-980-4016.

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, upon request, the incidental, but not intentional, taking 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 regulations are issued.

Permission may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses, and the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth.

The MMPA Amendments of 1994 established an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. The MMPA defines "harassment" as:

\*\*\* any act of pursuit, torment, or annoyance which (a) has the potential to injure a marine mammal or marine mammal stock in the wild; or (b) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

New subsection 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and

comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny issuance of the authorization.

**Summary of Request**

On March 21, 1997, NMFS received an application from the U.S. Air Force, Vandenberg, requesting continuation of an authorization for the harassment of small numbers of harbor seals incidental to launches of LMLVs at SLC-6, Vandenberg. These launches would place commercial payloads into low earth orbit. Because of the requirements for circumpolar trajectories of the LMLV and its payloads, the use of SLC-6 is the only feasible alternative for LMLV launches within the United States. As a result of the noise associated with the launch itself and the resultant sonic boom, these noises have the potential to cause a startle response to those harbor seals which haul out on the coastline south and southwest of Vandenberg and may be detectable to marine mammals west of the Channel Islands. Launch noise would be expected to occur over the coastal habitats in the vicinity of SLC-6 while low-level sonic booms could be heard west of the Channel Islands.

Background information on the activity, the authorization request, and affected marine mammals can be found in the proposed authorization notice (62 FR 26779, May 15, 1997) and previous notices (60 FR 24840, May 10, 1995; 60 FR 38308, July 26, 1995) on LMLV launches. Therefore this information is not repeated here. These documents are available from NMFS (see ADDRESSES).

**Comments and Responses**

A notice of receipt of the application and the proposed authorization was published on May 15, 1997 (62 FR 26779) and a 30-day public comment period was provided on the application and proposed authorization. No comments were received during the comment period.

**Conclusion**

For reasons discussed in the notice of proposed authorization, since NMFS is assured that the taking will not result in more than the harassment (as defined by the MMPA Amendments of 1994) of a small number of harbor seals, would have only a negligible impact on the species, and would result in the least practicable impact on the stock, NMFS has determined that the requirements of