

The revised final technical report, including all monitoring results during the authorization, will be due 90 days after the end of the 1-year IHA period.

Consultation

NAWCWD Point Mugu has not requested the take of any listed species. Therefore, NMFS has determined that a section 7 consultation under the Endangered Species Act is not required at this time.

Although sea otters are not within the jurisdiction of NMFS, the U.S. Fish and Wildlife Service (FWS) established an experimental population of California sea otters at SNI. The FWS, for purposes of defense-related actions within the SNI translocation zone, has designated sea otters as an experimental population that are to be treated as if they were proposed for listing under the ESA and are subject to the informal consultation process under section 7(a)(4) of the ESA. The Navy has consulted with FWS regarding the take of sea otters incidental to missile launch operations on San Nicolas Island. However, no takes of sea otters are expected as a result of launch activities.

National Environmental Policy Act (NEPA)

In July 2000, NAWCWD Point Mugu issued a Draft Environmental Impact Statement/Overseas Environmental Impact Statement (DEIS) to assess the effects of its ongoing and proposed operations in the Sea Range off Point Mugu. While this DEIS analyzes other activities beyond the scope of this IHA request, Section 4.7 describes launches of target missiles from SNI and notes that these launches sometimes cause pinnipeds hauled out on beaches on the western end of SNI to move into the water. Accordingly, the U.S. Navy determined that it should request this 1-year IHA to ensure that its planned missile launch operations are conducted in full compliance with the MMPA.

An Environmental Assessment (EA) has been prepared that examines the environmental consequences of issuing an IHA for take by harassment of small numbers of several pinniped species incidental to conducting 20 missile and target launch operations from San Nicolas Island, California for a 1-year period (2001-2002). This environmental review process has led NMFS to conclude that issuance of an IHA for these activities will not have a significant effect on the human environment. Therefore, preparation of an environmental impact statement on these actions is not required by Section 102(2) of the National Environmental Policy Act or its implementing

regulations. Copies of the EA and the Finding of No Significant Impact are available upon request (see **ADDRESSES**).

Coastal Zone Management Act Consistency

On February 14, 2001, by a unanimous vote, the State of California Coastal Commission concluded that, with the monitoring and mitigation commitments the Navy has incorporated into their various testing and training activities on the Point Mugu Sea Range, including activities on San Nicolas Island, and including the commitment to enable continuing Commission staff review of finalized monitoring plans and ongoing monitoring results, the activities are consistent with the marine resources, environmentally sensitive habitat and water quality policies (Sections 30230, 30240, and 30231) of the California Coastal Act.

Determinations

Based on the evidence provided in the application, the EA, and this document, and taking into consideration the comments submitted on the application and proposed authorization notice, NMFS has determined that there will be no more than a negligible impact on marine mammals from the issuance of the harassment authorization to NAWCWD Point Mugu. NMFS is assured that the short-term impact of conducting missile launch operations from SNI in the Channel Islands off southern California will result, at worst, in a temporary modification in behavior by certain species of pinnipeds. While behavioral modifications may be made by these species as a result of launch activities, this behavioral change is expected to have a negligible impact on the pinniped species and stocks.

Since the number of potential harassment takings of northern elephant seals, harbor seals, California sea lions, and northern fur seals is estimated to be small, 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 and required under the IHA, NMFS has determined that the requirements of section 101(a)(5)(D) of the MMPA have been met and the authorization can be issued.

Authorization

NMFS has issued an IHA to NAWCWD Point Mugu for 15 launches of Vandal (or similar) missiles and 5 launches of smaller subsonic targets from San Nicolas Island, CA for a 1-year period, provided the mitigation,

monitoring, and reporting requirements described in this document and the IHA are undertaken.

Dated: August 1, 2001.

Donald Knowles,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 080101B]

Marine Mammals; File No. 774-1634-00

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

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that Dr. Stephen B. Reilly, Director, IDCPA Research Program, Southwest Fisheries Science Center, National Marine Fisheries Service, P.O. Box 271, La Jolla, California 92038 (Principal Investigator: Dr. Karin Forney), has been issued a permit to take spinner dolphins (*Stenella longirostris*) and Pantropical spotted dolphin (*S. attenuata graffmani*), and other small cetaceans for purposes of scientific research.

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

Permits and Documentation 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

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018.

FOR FURTHER INFORMATION CONTACT: Ruth Johnson, Tammy Adams (301) 713-2289, and Nicole Le Boeuf (301) 713-2322.

SUPPLEMENTARY INFORMATION: On June 6, 2001, notice was published in the **Federal Register** (66 FR 30428) that a request for a scientific research permit to take species listed above had been submitted by the above-named organization. The requested permit has been issued 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).

Dated: August 3, 2001.

Ann D. Terbush,

*Chief, Permits and Documentation Division,
Office of Protected Resources, National
Marine Fisheries Service.*

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COMMODITY FUTURES TRADING COMMISSION

Privacy Act of 1974; Systems of Records; Biennial Publication

AGENCY: Commodity Futures Trading
Commission.

ACTION: Publication of annual notice of
the existence and character of each
system of records that the Commodity
Futures Trading Commission
("Commission") maintains that contains
information about individuals.

SUMMARY: The purpose of this notice is
to announce the existence and character
of the systems of records of the
Commodity Futures Trading
Commission as required by the Privacy
Act of 1974, Public Law 93-579, 5
U.S.C. 552a.

Pursuant to 5 U.S.C. 552a(f), the
Commission, on August 8, 1975,
promulgated rules relating to records
maintained by the Commission
concerning individuals (40 FR 41056).
The rules as amended (17 CFR part 146)
address an individual's rights to know
what information the Commission has
in its files concerning the individual; to
have access to those records; to petition
the Commission to have inaccurate or
incomplete records amended or
corrected; and not to have personal
information disseminated to
unauthorized persons. The full text of
the Commission's rules implementing
the Privacy Act can be found in 17 CFR
part 146.

Under 17 CFR 146.11(a), the
Commission is required to publish
biennially a notice of the existence and
character of each system of records it
maintains that contains information
about individuals. This notice
implements this requirement and, when
read together with the Commission's
rules, will provide individuals with the
information that they need to exercise
fully their rights under the Privacy Act.

FOR FURTHER INFORMATION CONTACT:
Edward W. Colbert, Deputy Secretary to
the Commission, Freedom of
Information Act, Privacy Act and
Government in the Sunshine Act
Compliance Office, (202) 418-5105, or
Stacy Dean Yochum, Counsel to the
Executive Director, (202) 418-5157,
Commodity Futures Trading

Commission, Three Lafayette Centre,
1155 21st Street, NW., Washington, DC
20581.

SUPPLEMENTARY INFORMATION:

Content of Systems Notices

Each of the notices contains the
following information:

1. The name of the system;
2. The location of the system;
3. The categories of individuals on
whom records are maintained in the
system;
4. The categories of records
maintained in the system;
5. The authority for maintaining the
system;
6. The routine uses of records
maintained in the system, including the
categories of users and the purposes of
such uses;
7. The policies and practices for
storing, retrieving, accessing, retaining,
and disposing of records in the system;
8. The title and business address of
the system manager, the agency official
who is responsible for the system of
records;
9. The agency procedures by which an
individual can find out whether the
system of records contains a record
pertaining to him, how he may gain
access to any record pertaining to him
contained in the system of records, and
how he can contest the content of the
records; and
10. The categories of sources of
records in the system.

The following four systems of records
have been exempted, as set forth in the
descriptions of these systems of records,
from certain requirements of the Privacy
Act, as authorized under 5 U.S.C.
552a(k):

CFTC-9 Confidential information
obtained during employee
background investigations.

CFTC-10 Investigatory materials
compiled for law enforcement
purposes.

CFTC-31 Information pertaining to
individuals discussed at closed
Commission meetings.

CFTC-32 Investigatory materials
compiled by the Office of the
Inspector General.

The Location of Systems of Records

The Commission offices are in the
following locations:

- Three Lafayette Centre, 1155 21st
Street, NW., Washington, DC 20581,
Telephone: (202) 418-5000;
- 300 Riverside Plaza, Suite 1600 North,
Chicago, Illinois 60606, Telephone:
(312) 353-5990;
- 4900 Main Street, Suite 721, Kansas
City, Missouri 64112, Telephone:
(816) 931-7600;

- One World Trade Center, Suite 3747,
New York, New York 10048,
Telephone: (212) 466-2061;
- Murdock Plaza, 10900 Wilshire Blvd,
Suite 400, Los Angeles, California
90024, Telephone: (310) 235-6783;
and
- 510 Grain Exchange Building,
Minneapolis, Minnesota 55415,
Telephone: (612) 370-3255.

Where a system of records is stored in
multiple locations, the notice merely
identifies the offices and refers to this
introductory section for each address.
The Commission's headquarters office is
in Washington, DC, and is referred to in
the systems notice as the "principal
office." The Commission maintains
regional offices in Chicago and New
York and smaller offices in Kansas City,
Minneapolis and Los Angeles. For
purposes of this notice, the regional
offices and smaller offices are referred to
collectively as the "regional offices."
"All CFTC offices" means the
headquarters office, the regional offices
and the smaller offices.

In many cases, records within a
system are not available at each of the
offices listed in the system notice. For
example, case files are maintained in
the office where the investigation is
conducted, but certain information may
be maintained in other offices as well.
It is the Commission's responsibility,
unless otherwise specified in the system
notice, to determine where the
particular records being sought are
located. However, if the individual
seeking the records in fact knows the
location, it would be helpful to the
Commission if the requester would
indicate that location.

Scope and Content of Systems of Records

The Privacy Act applies to personal
information about individuals. Personal
information subject to the provisions of
the Privacy Act may sometimes be
found in a system of records that might
appear to relate solely to commercial
matters. For example, the system of
records concerning registration of the
various categories of registrants (CFTC-
20) contains primarily business
information. However, a firm's
application for registration contains a
few items of personal information
concerning key personnel. Because the
capability exists through the National
Futures Association's computer system
to retrieve information from this system
of records not only by use of the name
of the firm but also by the use of the
name of these individuals, this
information is within the purview of the
Privacy Act. See the definition of system