

upon documentary evidence submitted by the harvesting nation and obtained from the Inter-American Tropical Tuna Commission (IATTC) and/or from the Department of State, the Assistant Administrator will determine whether the nation qualifies for an affirmative finding under section 101(a)(2)(B) of the MMPA. An affirmative finding allows for the importation into the United States of yellowfin tuna and yellowfin tuna products harvested by purse seine in the ETP after March 3, 1999. If a harvesting nation does not provide documentary evidence that shows that the nation meets the standards under section 101(a)(2)(B) of the MMPA, the Assistant Administrator must prohibit imports of yellowfin tuna harvested by purse seine vessels in the ETP.

The application procedures to request an affirmative finding are described in the interim final regulations implementing the International Dolphin Conservation Program Act (65 FR 30, January 3, 2000). Harvesting nations must submit documentary evidence directly to the Assistant Administrator demonstrating that they meet several conditions related to compliance with the International Dolphin Conservation Program (IDCP) and request an affirmative finding. To issue an affirmative finding, NMFS must receive the following information:

1. A statement requesting an affirmative finding;
2. Evidence of membership in the Inter-American Tropical Tuna Commission (IATTC);
3. Evidence that a nation is meeting its obligations to the IATTC, including financial obligations;
4. Evidence that a nation is complying with the IDCP. For example, national laws and regulations implementing the Agreement on the IDCP and information that the nation is enforcing those laws and regulations;
5. Evidence of a tuna tracking and verification program comparable to the U.S. tracking and verification regulations at 50 CFR 216.94;
6. Evidence that the national fleet dolphin mortality limits (DMLs) were not exceeded in the previous calendar year;
7. Evidence that the national fleet per-stock per-year mortality limits, if they are allocated to countries, were not exceeded in the previous calendar year;
8. Authorization for the IATTC to release to the Assistant Administrator complete, accurate, and timely information necessary to verify and inspect Tuna Tracking Forms; and
9. Authorization for the IATTC to release to the Assistant Administrator

information about whether a nation is meeting its obligations of membership to the IATTC and whether a nation is meeting its obligations under the IDCP, including managing (i.e., not exceeding) its national fleet DMLs or its national fleet per-stock per-year mortality limits.

To maintain the affirmative finding, the government of a harvesting nation must request an affirmative finding every 5 years and submit the required documentary evidence directly to the Assistant Administrator. A nation may opt to provide this information directly to NMFS on an annual basis or to authorize the IATTC to release the information to NMFS in years when NMFS will review and consider whether to issue an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f)(9) are no longer being met or that a nation is consistently failing to take enforcement actions on violations which diminish the effectiveness of the IDCP.

Until such time as the Assistant Administrator receives documentary evidence from the Republic of Peru demonstrating that it is in compliance with the IDCP and issues an affirmative finding, the ban on imports of yellowfin tuna harvested by purse seine in the ETP will continue. This action prohibits the importation into the United States of yellowfin tuna and yellowfin tuna products harvested by purse seine vessels in the ETP after March 3, 1999, and exported from the Republic of Peru.

Dated: May 17, 2002.

Rebecca Lent,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051402A]

New England Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The New England Fishery Management Council (Council) is

scheduling public meetings of its Monkfish Oversight Committee and Scallop Oversight and Advisory Panel in June, 2002. Recommendations from these committees will be brought to the full Council for formal consideration and action, if appropriate.

DATES: The meetings will be held between June 5, 2002 and June 11, 2002.

ADDRESSES: The meetings will be held at the Crowne Plaza Hotel at the Crossings 801 Greenwich Avenue, Warwick, RI 02886; telephone: (401) 732-6000.

Council address: New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council; (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Meeting Dates and Agendas:

Wednesday, June 5, 2002 at 10:00 a.m. and Thursday, June 6, 2002 at 8:30 a.m.—Monkfish Oversight Committee Meeting.

The Committee will review the report of the Scientific and Statistical Committee and the Plan Development Team on options for revising the overfishing definition reference points and status determination criteria. The Committee will finalize its recommendations to the Councils for management alternatives to be analyzed in the Amendment 2 Draft Supplemental Environmental Impact Statement. Alternatives designed to achieve the approved goals and objectives include, but are not limited to: Permit qualification criteria for vessels fishing south of 38°N; management program for a deepwater directed fishery in the southern fishery management area (SFMA); separation of monkfish days-at-sea (DAS) from multispecies and sea scallop DAS programs, including counting of monkfish DAS as 24-hour days; measures to minimize impacts of the fishery on endangered sea turtles; measures to minimize bycatch in directed in non-directed fisheries, including mesh size and other gear requirements; an exemption program for vessels fishing for monkfish outside of the exclusive economic zone (in the Northwest Atlantic Fisheries Organization (NAFO) Regulated Area); alternative areas for essential fish habitat (EFH) designation and measures to minimize impacts of the fishery on EFH; measures to improve data collection and research on monkfish, including mechanisms for funding cooperative research programs. The Committee may develop and

recommend other management alternatives not included in the list above. On Wednesday, Dr. Chris Chambers, Howard Laboratory, Northeast Fisheries Science Center (Sandy Hook), NMFS will speak on his Group's current research on monkfish. Their focus has been on reproductive ecology and behavior of adult monkfish, and the growth and distribution of young life-stages.

Monday, June 10, 2002 at 9:00 a.m.—Scallop Oversight and Advisory Panel Meeting and Tuesday, June 11, 2002 at 9:00 a.m.—Scallop Oversight Committee only.

The Oversight Committee will review analyses of potential impacts associated with Draft Amendment 10 alternatives, consider recommendations from the Advisory Committee, and choose preferred alternatives for recommendation to the Council. They may recommend additional analyses or amendments to the alternatives when the Council approves the documents for public hearing. Due to scheduling conflicts for some Oversight Committee members, the committee meeting on June 10 may run late into the evening and the June 11 meeting would be cancelled or shortened if the committee finishes its business early.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting dates.

Dated: May 14, 2002.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 02-12871 Filed 5-21-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051602D]

Marine Mammals; File No.981-1578-01

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

ACTION: Receipt of application for amendment to a permit.

SUMMARY: Notice is hereby given that Peter L. Tyack, Ph.D., Woods Hole Oceanographic Institution, Woods Hole, MA 02543, has requested an amendment to scientific research Permit No. 981-1578-01.

DATES: Written or telefaxed comments must be received on or before June 21, 2002.

ADDRESSES: The amendment request 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;

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371;

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320; and

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

Written comments or requests for a public hearing on this request should be submitted 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 amendment 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 other electronic media.

FOR FURTHER INFORMATION CONTACT: Tammy Adams or Ruth Johnson, (301)713-2289.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 981-

1578, issued on August 31, 2000 (65 FR 57319) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 981-1578-01 authorizes the permit holder to: tag cetaceans in the Mediterranean and Ligurian Seas, as well as in the Gulf of Mexico and off the coasts of the Azores in the North Atlantic, with an advanced digital sound recording tag that can record the acoustic stimuli an animal hears, and measure vocal, behavioral, and physiological responses to sound played back at maximum received levels of 120-160 dB re 1 micronPa. The permit holder requests authorization to: increase the maximum received level for non-airgun sounds to 180 dB re 1 micronPa; test a whale-finding sonar's ability to detect gray whales migrating past the central California coast, and add playbacks of the coda sounds of sperm whales as a control stimulus for controlled exposure experiments involving human-made sounds.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

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

Dated: May 17, 2002.

Eugene T. Nitta,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051502D]

Marine Mammals; File Application No. 1004-1656

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and