

Dated: October 3, 2003.

**Jeffrey May,**

*Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 092603A]

#### **Incidental Take of Marine Mammals; Taking of Marine Mammals Incidental to Operation of a Low Frequency Sound Source by the North Pacific Acoustic Laboratory**

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

**ACTION:** Notice of issuance of a letter of authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), as amended, notification is hereby given that a letter of authorization to take several species of marine mammals incidental to operation of a low frequency sound source by the North Pacific Acoustic Laboratory (NPAL) was issued on October 3, 2003, to the University of California San Diego, Scripps Institution of Oceanography (Scripps).

**DATES:** This letter of authorization is effective from October 3, 2003, through October 2, 2004.

**ADDRESSES:** The application and letter is available for review in the Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Skrupky, NMFS, (301) 713-2322, ext 163.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers 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 by NMFS and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a

negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking incidental to operation of a low frequency sound source by NPAL, were published on August 17, 2001 (66 FR 43442), and remain in effect until September 17, 2006.

Issuance of the letter of authorization to Scripps is based on findings made in the preamble to the final rule that the total takings by this project would result in only small numbers (as the term is defined in 50 CFR 216.103) of marine mammals being taken. In addition, the resultant incidental harassment would have no more than a negligible impact on the affected marine mammal stocks or habitats and would not have an unmitigable adverse impact on Arctic subsistence uses of marine mammals. NMFS also finds that the applicant will meet the requirements contained in the implementing regulations and Letter of Authorization (LOA), including monitoring and reporting requirements. This LOA will be renewed annually based on a review of the activity, completion of monitoring requirements and receipt of reports required by the LOA.

Dated: October 3, 2003.

**Laurie K. Allen,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 100603B]

#### **Gulf of Mexico Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council will convene public meetings of the Reef Fish Advisory Panel (AP) and the Standing and Special Reef Fish Scientific and Statistical Committee (SSC) from October 28 through October 29, 2003.

**DATES:** The Council's Reef Fish AP and SSC will convene jointly at 1 p.m. on Tuesday, October 28, 2003, to receive presentations. The AP and SSC will hold separate meetings to discuss the issues and make recommendations beginning at 8:30 a.m. on Wednesday, October 29, 2003, and will conclude by 5 p.m.

**ADDRESSES:** The meetings will be held at the Hilton Tampa Airport Westshore Hotel, 2225 Lois Avenue, Tampa, FL; telephone: 813-877-6688.

*Council address:* Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

**FOR FURTHER INFORMATION CONTACT:** Mr. Steven Atran, Population Dynamics Statistician, the Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619; telephone 813-228-2815.

**SUPPLEMENTARY INFORMATION:** The AP and the SSC will convene to review a yellowtail snapper stock assessment and a revised Reef Fish Secretarial Amendment 1 (red grouper rebuilding plan).

A yellowtail snapper stock assessment was prepared by the Florida Marine Research Institute (FMRI) on behalf of the Florida Fish and Wildlife Conservation Commission, the Gulf of Mexico Fishery Management Council, and the South Atlantic Fishery Management Council. The assessment was conducted using a process known as Southeast Data Assessment and Review (SEDAR). Under this process, a SEDAR Data Workshop was held on March 3-7, 2003, to bring researchers, managers, fishermen and environmental organization representatives together to review the available scientific information on yellowtail snapper, goliath grouper and vermilion snapper. A SEDAR Assessment Workshop was then held on June 9-13, 2003, to again bring researchers, managers, fishermen and environmental representatives together to conduct the actual assessment. A draft stock assessment from that workshop was presented to a SEDAR Assessment Review Workshop held in Tampa July 28-31, 2003. The review workshop, in addition to convening researchers, managers, fishermen and environmental organization representatives, also included several assessment experts