

observed reactions, and documentation of any apparent effects on accessibility of marine mammals to subsistence hunters.

BP also proposes to submit a single comprehensive report on the monitoring results from mid-2005 to mid-2009 no later than 240 days prior to expiration of the regulations, i.e., by September 2009. That date assumes the regulations will become effective in May 2005 and expire in May 2010.

If specific mitigation is required for activities on the sea ice initiated after 20 March (requiring searches with dogs for lairs), or during the operation of strong sound sources (requiring visual observations and shut-down), then a preliminary summary of the activity, method of monitoring, and preliminary results would be submitted within 90 days after the cessation of that activity. The complete description of methods, results and discussion would be submitted as part of the annual report.

Any observations concerning possible injuries, mortality, or an unusual marine mammal mortality event would be transmitted to NMFS within 48 hours.

#### Request for Information

This notice is being published in conformance with NMFS regulations at 50 CFR 104(b)(1)(ii). NMFS requests interested persons to submit comments, information, and suggestions concerning the request and the structure and content of the regulations to allow the taking. NMFS will consider this information in developing proposed regulations. Prior to submitting comments, NMFS recommends reviewers of this document first read the responses to comments for the current regulations (see 65 FR 34014, May 25, 2000 and 66 FR 65923, December 21, 2001). If NMFS proposes regulations to allow this take, interested parties would be provided with a 45-day comment period within which to submit comments on the proposed rule.

Dated: September 17, 2004.

**Laurie K. Allen,**

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

[FR Doc. 04-21400 Filed 9-22-04; 8:45 am]

**BILLING CODE 3510-22-S**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[I.D. 091604B]

##### Endangered Species; File No. 1486 and File No. 1505

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

**ACTION:** Receipt of applications for permits.

**SUMMARY:** Notice is hereby given of the following actions regarding permits for scientific research on shortnose sturgeon (*Acipenser brevirostrum*): NMFS has received a permit application from the South Carolina Department of Natural Resources, Freshwater Fisheries Section (Mr. Doug Cooke, Principal Investigator), P.O. Drawer 190, 305 Black Oak Road, Bonneau, SC 29431 (File No. 1505). NMFS has received a request to modify a permit application from Mr. Harold M. Brundage, Environmental Research and Consulting, Inc., 112 Commons Court, Chadds Ford, PA 19317 (File No. 1486).

**DATES:** Written or telefaxed comments must be received on or before October 25, 2004.

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

All documents: 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.

For File No. 1486: Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371; and

For File No. 1505: Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

Written comments or requests for a public hearing on these applications should be mailed 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 the particular 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.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: either File No. 1486 or File No. 1505.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Jefferies or Dr. Tammy Adams, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permits are requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 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).

**File No. 1510:** The South Carolina Department of Natural Resources seeks authorization to sample and track shortnose sturgeon in South Carolina coastal waters. Annually, up to 50 fish would be captured via gill nets, trot lines, and trawls, measured, weighed, PIT and dart tagged, tissue sampled for genetic testing and the fish subsequently released. A subset of 20 fish annually would also have a fin ray removed for aging studies, be outfitted with a radio/sonic transmitter and tracked and/or have gastric lavage performed on them. Additionally, the researchers would utilize drift nets and deploy buffer pads to collect up to 200 shortnose sturgeon eggs annually. A second study would be conducted specifically in the Santee-Cooper River system: annually, up to 48 fish would be captured via gill nets, trot lines, and trawls, measured, weighed, PIT and dart tagged, tissue sampled for genetic testing, blood sampled, sexed via laparascopy and the fish subsequently released. This research would be conducted for five years from issuance of the permit. A total of 2 incidental mortalities annually are requested.

**File No. 1486:** A notice of receipt of an application from Mr. Harold Brundage to conduct scientific research on shortnose sturgeon was published on May 27, 2004 (69 FR 30287). Mr. Brundage sought authorization to sample and track shortnose sturgeon in the Delaware River/Bay and Chesapeake Bay for five years. Annually, up to 3,500 fish in the Delaware system and up to 130 fish in the Chesapeake Bay were to be captured via gill nets and trawls, measured, weighed, PIT and floy T-bar tagged, tissue sampled, and the fish subsequently released. Additionally, up to 60 of the total fish sampled annually

in the Delaware system only were to also receive an internal sonic transmitter. The permit has not been issued yet but Mr. Brundage has amended his application to include the use of laparoscopic techniques to assess the health and determine the sex of up to 50 fish annually in the Delaware system and Chesapeake Bay. This number is the total requested across both systems and is a subset of the fish listed above for capture. The laparoscopic activities would be in addition to the activities listed above.

Dated: September 17, 2004.

**Stephen L. Leathery,**

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

[FR Doc. 04-21401 Filed 9-22-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 091304B]

#### Marine Mammals; File No. 87-1743

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

**ACTION:** Issuance of permit and notice of request for additional species.

**SUMMARY:** Notice is hereby given that Dr. Daniel Costa, Department of Biology and Institute of Marine Sciences, University of California, Santa Cruz, California 95064 has been issued a permit to conduct scientific research on northern elephant seals (*Mirounga angustirostris*). Notice is also given that California sea lions (*Zalophus californianus*) may be incidentally harassed during the research, and this activity is requested for inclusion in the permit.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before October 25, 2004.

**ADDRESSES:** The application 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.

Written comments or requests for a public hearing should be mailed 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 request would be appropriate.

Comments may also be submitted by facsimile to (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.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the applicable document identifier: File No. 87-1743.

#### FOR FURTHER INFORMATION CONTACT:

Amy Sloan or Ruth Johnson, 301/713-2289.

**SUPPLEMENTARY INFORMATION:** On April 7, 2004, notice was published in the **Federal Register** (69 FR 18352) that a request for a scientific research permit to take northern elephant seals had been submitted by the above-named individual. 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). The original notice and application did not include incidental harassment of California sea lions, which is requested for inclusion in the permit.

The permit authorizes continuation of a long-term study examining northern elephant seal population growth and status, mating and reproductive strategies, behavioral and physiological

adaptations for diving, general physiology and metabolism, energetics of reproduction and foraging, sleep apnea, and sensory capacities. The permit will expire five years after the date of issuance.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the research activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Dated: September 17, 2004.

**Stephen L. Leathery,**

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

[FR Doc. 04-21402 Filed 9-22-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 04-31]

#### 36(b)(1) Arms Sales Notification

**AGENCY:** Department of Defense, Defense Security Cooperation Agency.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. J. Hurd, DSCA/OPS-ADMIN, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 04-31 with attached transmittal and policy justification.

Dated: September 17, 2004.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 5001-06-M**