

sufficient accuracy to be used for this purpose without complementary visual observations.

Taking into consideration the additional costs of prohibiting nighttime operations and the likely impact of the activity (including all mitigation and monitoring), NMFS has determined that the mitigation and monitoring requirements ensure that the activity will have the least practicable impact on the affected species or stocks. Marine mammals will have sufficient notice of a vessel approaching with operating seismic airguns, thereby giving them an opportunity to avoid the approaching array; if ramp-up is required, two marine mammal observers will be required to monitor the safety radii using shipboard lighting or NVDs for at least 30 minutes before ramp-up begins and verify that no marine mammals are in or approaching the safety radii; ramp-up may not begin unless the entire safety radii are visible. Therefore as mentioned earlier, it is likely that the 3 GI-airgun array will not be ramped-up from a shut-down at night when in waters shallower than 100 m (328 ft).

#### Reporting

L-DEO will submit a report to NMFS within 90 days after the end of the cruise, which is currently predicted to occur during November and December, 2004. The report will describe the operations that were conducted and the marine mammals that were detected. The report must provide full documentation of methods, results, and interpretation pertaining to all monitoring tasks. The report will summarize the dates and locations of seismic operations, marine mammal sightings (dates, times, locations, activities, associated seismic survey activities), and estimates of the amount and nature of potential take of marine mammals by harassment or in other ways.

#### Endangered Species Act (ESA)

NMFS has issued a biological opinion regarding the effects of this action on ESA-listed species and critical habitat under the jurisdiction of NMFS. That biological opinion concluded that this action is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. A copy of the Biological Opinion is available upon request (see **ADDRESSES**).

#### National Environmental Policy Act (NEPA)

The NSF made a FONSI determination on June 24, 2004, based on information contained within its EA,

that implementation of the subject action is not a major Federal action having significant effects on the environment within the meaning of NEPA. NSF determined, therefore, that an environmental impact statement would not be prepared. On September 30, 2004 (69 FR 58396), NMFS noted that the NSF had prepared an EA for the ETPO surveys and made this EA available upon request. In accordance with NOAA Administrative Order 216-6 (Environmental Review Procedures for Implementing the National Environmental Policy Act, May 20, 1999), NMFS has reviewed the information contained in NSF's EA and determined that the NSF EA accurately and completely describes the proposed action alternative, and the potential impacts on marine mammals, endangered species, and other marine life that could be impacted by the preferred alternative and the other alternatives. Accordingly, NMFS adopted the NSF EA under 40 CFR 1506.3 and made its own FONSI. The NMFS FONSI also takes into consideration additional mitigation measures required by the IHA that are not in NSF's EA. Therefore, it is not necessary to issue a new EA, supplemental EA or an environmental impact statement for the issuance of an IHA to L-DEO for this activity. A copy of the EA and the NMFS FONSI for this activity is available upon request (see **ADDRESSES**).

#### Determinations

NMFS has determined that the impact of conducting the seismic survey in the ETPO off Central America may result, at worst, in a temporary modification in behavior by certain species of marine mammals. This activity is expected to result in no more than a negligible impact on the affected species or stocks.

For reasons stated previously in this document, this determination is supported by (1) the likelihood that, given sufficient notice through slow ship speed and ramp-up, marine mammals are expected to move away from a noise source that is annoying prior to its becoming potentially injurious; (2) recent research that indicates that TTS is unlikely (at least in delphinids) until levels closer to 200-205 dB re 1 microPa are reached rather than 180 dB re 1 microPa; (3) the fact that 200-205 dB isopleths would be well within 100 m (328 ft) of the vessel even in shallow water; and (4) the likelihood that marine mammal detection ability by trained observers is close to 100 percent during daytime and remains high at night to that distance from the seismic vessel. As a result, no

take by injury or death is anticipated, and the potential for temporary or permanent hearing impairment is very low and will be avoided through the incorporation of the mitigation measures mentioned in this document.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the vicinity of the survey activity, the number of potential harassment takings is estimated to be small. In addition, the proposed seismic program will not interfere with any legal subsistence hunts, since seismic operations will not take place in subsistence whaling and sealing areas and will not affect marine mammals used for subsistence purposes.

#### Authorization

NMFS has issued an IHA to L-DEO to take marine mammals, by harassment, incidental to conducting seismic surveys in the ETPO for a 1-year period, provided the mitigation, monitoring, and reporting requirements are undertaken.

Dated: December 7, 2004.

#### Stephen L. Leathery,

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

[FR Doc. 04-27266 Filed 12-10-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 050304A]

#### Endangered Species; File No.1375

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

**ACTION:** Issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Dr. Thomas J. Kwak, U.S. Geological Survey has been issued a modification to scientific research Permit No. 1375.

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

**FOR FURTHER INFORMATION CONTACT:** Jennifer Jefferies (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On December 12, 2003, notice was published in the **Federal Register** (68 FR 69388) that an modification of Permit No. 1375, issued March 27, 2003 (68 FR 16002), had been requested by the above-named individual. The requested modification has been granted 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).

Permit No. 1375 authorized the permit holder to deploy 1,000 hatchery-reared juvenile shortnose sturgeon (*Acipenser brevirostrum*) in cages at 10 test sites within the Roanoke/Albemarle River system for 28 days. Afterwards the fish will be euthanized and their tissue analyzed for contaminants. The results of this study will provide needed information to determine if water quality is a factor limiting the ecological success of shortnose sturgeon in this river system. When the initial study was conducted, however, high water temperatures and low dissolved oxygen contributed to a shortened experiment time. With the issuance of this modification the permit holder will be authorized to obtain an additional 1000 fish to repeat the experiment in more favorable conditions. The modification will also extend the expiration date until December 31, 2005.

Issuance of this modification, as required by the ESA was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: December 8, 2004.

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

[FR Doc. 04–27270 Filed 12–10–04; 8:45 am]

**BILLING CODE 3510–22–S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 120304E]

#### Guidelines for Producing the Climate Change Science Program Synthesis and Assessment Products

**AGENCY:** National Oceanic and  
Atmospheric Administration (NOAA),  
Commerce.

**ACTION:** Notice.

**SUMMARY:** The United States Climate Change Science Program (CCSP) is announcing the Guidelines for Producing the CCSP Synthesis and Assessment Products, which are described in the Strategic Plan for the U.S. Climate Change Science Program. The synthesis and assessment products are intended to provide useful information for a variety of users about key climate change topics. The products include reports, data sets, and evaluations of the uses and limits of climate information for decisionmaking.

**ADDRESSES:** The CCSP website is at: <http://www.climatechange.gov>. The finalized guidelines are available on the CCSP web site at: <http://www.climatechange.gov/Library/sap/sap-guidelines.htm>. The draft guidelines and a collation of comments submitted are available on the CCSP web site at:

<http://www.climatechange.gov/Library/sap/sap-guidelines-29mar2004.pdf> and <http://www.climatechange.gov/Library/sap/sap-guidelines-comments/default.htm>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandy MacCracken, U.S. Climate Change Science Program, Suite 250, 1717 Pennsylvania Ave., N.W., Washington, DC 20006, 1–202–419–3483 (voice), 1–202–223–3065 (fax), [smaccrac@usgcrp.gov](mailto:smaccrac@usgcrp.gov) (e-mail).

**SUPPLEMENTARY INFORMATION:** The Climate Change Science Program is an interagency endeavor, with 13 participating Federal agencies and departments. One or more of the agencies that comprise CCSP will have the lead responsibility for preparing each product. The national and international research community is anticipated to play a major role in preparation of many of the products. See Chapter 2 of the Strategic Plan for the U.S. Climate Change Science Program for a detailed description of the products.

To ensure consistency and transparency in the processes that will be used by the lead and supporting CCSP agencies in preparing the products, the guidelines describe the roles of different parties and the steps to be followed in each of three phases of the preparation process—developing the prospectus, drafting and revising the document, and final approval and publication of each product. This process of product development will facilitate involvement of the research community and the public in ensuring that the products meet the highest standards of scientific excellence. The guidelines also encourage transparency

by ensuring that public information about the status of the products will be provided on the CCSP web site (see **ADDRESSES**).

Comments on the draft guidelines were solicited during a public comment period from 29 March 2004 to 7 May 2004. The guidelines have been revised extensively in response to these comments and input from the National Research Council (NRC) provided during a meeting of the NRC's Coordinating Committee on Global Change held in Washington, DC on 8–9 April 2004.

Dated: December 6, 2004.

**James R. Mahoney,**  
Assistant Secretary of Commerce for Oceans  
and Atmosphere and Director, U.S. Climate  
Change Science Program.

[FR Doc. 04–27264 Filed 12–10–04; 8:45am]

**BILLING CODE 3510–22–S**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Entry of Shipments of Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Apparel in Excess of 2004 Agreement Limits or Certain China Safeguard Limits

December 9, 2004.

**AGENCY:** The Committee for the  
Implementation of Textile Agreements  
(CITA).

**ACTION:** Directive to Commissioner,  
Customs and Border Protection.

**FOR FURTHER INFORMATION CONTACT:** Ross  
Arnold, International Trade Specialist,  
Office of Textiles and Apparel, U.S.  
Department of Commerce, (202) 482–  
3400.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Executive Order 11651 of March  
3, 1972, as amended; Section 204 of the  
Agricultural Act of 1956, as amended (7  
U.S.C. 1854).

In a **Federal Register** Notice published on June 25, 2004, CITA announced that it had come to CITA's attention that some textile and apparel products may be shipped in excess of agreed quota limits in 2004 with the expectation that those shipments will be allowed entry upon the expiration of the limits, and CITA noted that shipments exported in excess of agreed limits are a violation of the terms of those agreements. (69 FR 35586) In that Notice, CITA expressly reserved the right to deny entry to goods that have been shipped in excess of agreed limits or to stage entry for goods exported in excess of agreed limits. In order to carry