

APPENDIX.—SUBSIDY PROGRAMS ON CHEESE SUBJECT TO AN IN-QUOTA RATE OF DUTY—Continued

Country	Program(s)	Gross ¹ subsidy	Net ² subsidy
Canada	Export Assistance on Certain Types of Cheese	26.1¢/lb.	26.1¢/lb.
Denmark	EU Restitution Payments	35.8¢/lb.	35.8¢/lb.
Finland	EU Restitution Payments	34.1¢/lb.	34.1¢/lb.
France	EU Restitution Payments	33.4¢/lb.	33.4¢/lb.
Germany	EU Restitution Payments	36.0¢/lb.	36.0¢/lb.
Greece	EU Restitution Payments	0.00¢/lb.	0.00¢/lb.
Ireland	EU Restitution Payments	38.1¢/lb.	38.1¢/lb.
Italy	EU Restitution Payments	71.5¢/lb.	71.5¢/lb.
Luxembourg	EU Restitution Payments	32.1¢/lb.	32.1¢/lb.
Netherlands	EU Restitution Payments	31.8¢/lb.	31.8¢/lb.
Norway	Indirect (Milk) Subsidy	19.4¢/lb.	19.4¢/lb.
	Consumer Subsidy	43.1¢/lb.	43.1¢/lb.
	62.5¢/lb.	62.5¢/lb.
Portugal	EU Restitution Payments	30.9¢/lb.	30.9¢/lb.
Spain	EU Restitution Payments	42.7¢/lb.	42.7¢/lb.
Switzerland	Deficiency Payments	187.1¢/lb.	187.1¢/lb.
U.K.	EU Restitution Payments	34.6¢/lb.	34.6¢/lb.

¹ Defined in 19 U.S.C. 1677(5).² Defined in 19 U.S.C. 1677(6).

[FR Doc. 96-7465 Filed 3-27-96; 8:45 am]

BILLING CODE 3510-DS-P

Intent To Revoke Countervailing Duty Order

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of intent to revoke countervailing duty order.

SUMMARY: The Department of Commerce (the Department) is notifying the public of its intent to revoke the countervailing duty order listed below. Domestic interested parties who object to revocation of this order must submit their comments in writing not later than the last day of April 1996.

EFFECTIVE DATE: March 28, 1996.

FOR FURTHER INFORMATION CONTACT: Brian Albright or Cameron Cardozo, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230; telephone: (202) 482-2786.

SUPPLEMENTARY INFORMATION:**Background**

The Department may revoke a countervailing duty order if the Secretary of Commerce concludes that it is no longer of interest to interested parties. Accordingly, as required by the Department's regulations (at 19 C.F.R. 355.25(d)(4)), we are notifying the public of our intent to revoke the countervailing duty order listed below, for which the Department has not

received a request to conduct an administrative review for the most recent four consecutive annual anniversary months.

In accordance with section 355.25(d)(4)(iii) of the Department's regulations, if no domestic interested party (as defined in sections 355.2(i)(3), (i)(4), (i)(5), and (i)(6) of the regulations) objects to the Department's intent to revoke this order pursuant to this notice, and no interested party (as defined in section 355.2(i) of the regulations) requests an administrative review in accordance with the Department's notice of opportunity to request administrative review, we shall conclude that the countervailing duty order is no longer of interest to interested parties and proceed with the revocation. However, if an interested party does request an administrative review in accordance with the Department's notice of opportunity to request administrative review, or a domestic interested party does object to the Department's intent to revoke pursuant to this notice, the Department will not revoke the order.

Countervailing duty order	
Peru: Pompon Chrysanthemums . (C-333-601)	4/23/87 52 FR 13491

Opportunity To Object

Not later than the last day of April 1996, domestic interested parties may object to the Department's intent to revoke this countervailing duty order. Any submission objecting to the revocation must contain the name and

case number of the order and a statement that explains how the objecting party qualifies as a domestic interested party under sections 355.2(i)(3), (i)(4), (i)(5), or (i)(6) of the Department's regulations.

Seven copies of any such objections should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room B-099, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230.

This notice is in accordance with 19 CFR 355.25(d)(4)(i).

Dated: March 21, 1996.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 96-7466 Filed 3-27-96; 8:45 am]

BILLING CODE 3510-DS-P

National Oceanic and Atmospheric Administration

[I.D. 032296A]

Small Takes of Marine Mammals Incidental to Specified Activities; Haro Strait Oceanographic Experiment

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

ACTION: Notice of proposed authorization for a small take exemption; request for comments.

SUMMARY: NMFS has received a request from Prof. Henrik Schmidt of the Department of Engineering, Massachusetts Institute of Technology (DE/MIT), Cambridge, MA, for

authorization to take small numbers of marine mammals by harassment incidental to conducting a physical oceanography experiment that uses sound to study the flow field and mixing processes in Haro Strait, Puget Sound, WA. Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to authorize DE/MIT to incidentally take, by harassment, small numbers of marine mammals in the above-mentioned area between June 10, 1996, and July 5, 1996.

DATES: Comments and information must be received on or before April 29, 1996.

ADDRESSES: Comments on the application should be addressed to Chief, Marine Mammal Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. A copy of the application, a list of references used in this document, and/or a programmatic Environmental Assessment (EA) may be obtained by writing to this address or by telephoning one of the contacts listed below.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead, Office of Protected Resources at 301-713-2055, or Brent Norberg, Northwest Regional Office at 206-526-6733.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, upon request, the incidental, but not intentional, taking 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 and regulations are issued.

Permission may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s); will not have an unmitigable adverse impact on the availability of the

species or stock(s) for subsistence uses; and the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth.

On April 30, 1994, the President signed Public Law 103-238, the MMPA Amendments of 1994. One part of this law added a new subsection 101(a)(5)(D) to the MMPA to establish an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. The MMPA defines "harassment" as:

* * * any act of pursuit, torment, or annoyance which (a) has the potential to injure a marine mammal or marine mammal stock in the wild; or (b) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

New subsection 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny issuance of the authorization. Summary of Request

On January 31, 1996, NMFS received a complete application from DE/MIT requesting an authorization for the harassment of small numbers of marine mammals incidental to conducting a physical oceanography experiment that uses sound to study the flow field and mixing processes in Haro Strait, in the San Juan Island Archipelago (Puget Sound) WA, just south of Stuart Island (48°39'00" N, 123°11'00" W).

The experiment, which will be from June 10 through July 5, 1996, for a total of 26 days, is scheduled to take advantage of the extreme ebb tides that

occur only twice a year. The winter alternative is unacceptable, because weather conditions at that time of the year would make operations extremely difficult and would make marine mammal monitoring virtually impossible.

As described in the application, the experiment consists of three primary components: (1) A vertical array system, which consists of 5 vertical arrays that will be permanently moored to the bottom throughout the experiment; (2) two autonomous underwater vehicles (AUVs), which will be deployed for about 4 hours per day during maximum front formation. The AUVs are equipped for salinity, temperature and pressure sensing and have sound sources for acoustic modem communications as well as tomography sources; and (3) a set of drifters that will move with the flow field and map current speed profiles using Doppler-shift sonar methods. All systems will be integrated using the Autonomous Oceanographic Sampling Network (AOSN). Additional information on the experiment is available in the application. Information on the sound sources to be used during this experiment are provided in Table 1 of this notice.

Source D (the Long-Base-Line (LBL) transponder array) will be deployed on June 10 and will be operated (along with source E) for 4 hours/day until the end of the experiment. The vertical arrays will be deployed on June 11, and sources A, B, and C will operate daily from June 11 until the end of the experiment. Sources F and G will be used in conjunction with the AUVs on a few days before June 24 and will be used daily for 4 hours after June 24. Sources H and I, which are the Institute of Ocean Science's (IOS) side-scan sonars, will be used for 4 hours/day from June 23 until the end of the experiment on July 5, 1996.

TABLE 1.—LIST OF SOUND SOURCES TO BE USED IN THE HARO STRAIT EXPERIMENT¹

Source	Class	Frequency (kHz)	Amplitude (dB re 1μPa)	Duration (seconds(s))	Duty cycle	Location	Depth m.
Modems	A	13-18	170	2 s.	1/min	5-moor	30
Tomography	B	1-2	170	1 s.	1/min	5-moor	50
Array tracking	C	25-30	160	0.1 s.	1/min	5-moor	200
LBL transponders	D	8-12	192	0.01 s.	10 sec	4/5 trns/ship	100/7
Ultra short-base-line transponders.	E	18-22	184	0.001 s.	10 sec	ship and AUV
LF ADCP ²	F	115-125	194	0.0001 s.	5 sec	1 AUV	50
HF ADCP ³	G	295-305	194	0.0001 s.	5 sec	1 AUV	50
IOS imaging ⁴	H	90-110	195	0.0001	0.2 sec	1 AUV	30
IOS drifter ⁴	I	90-110	195	0.0001/10s	0.2 sec	1 AUV	30

TABLE 1.—LIST OF SOUND SOURCES TO BE USED IN THE HARO STRAIT EXPERIMENT¹—Continued

Source	Class	Frequency (kHz)	Amplitude (dB re 1μPa)	Duration (seconds(s))	Duty cycle	Location	Depth m.
Low frequency tomography.	J	0.06–0.3	160	1 s.	10 sec	ship	10

¹ Note that some sources are produced out of more than one transducer.

² Low frequency Doppler-shift current profiler.

³ High frequency Doppler-shift current profiler.

⁴ Side-scan Doppler-shift sonar onboard the AUVs (imaging) or the drifter.

The low-frequency tomography source (source J) will be used for 4 hours/day from June 18–June 20, 1996.

Description of Marine Mammals Affected by the Activity

The species of marine mammals that are likely to be present in the affected area at the time of the experiment include the harbor porpoise (*Phocoena phocoena*), killer whale (*Orcinus orca*), Dall's porpoise (*Phocoenoides dalli*), and harbor seal (*Phoca vitulina*). Additional species that are rare or only occasionally seen in the area at the time of the experiment include: Minke whale (*Balaenoptera acutorostrata*), elephant seal (*Mirounga angustirostris*); Pacific white-sided dolphin (*Lagenorhynchus obliquidens*), northern sea lion (*Eumetopias jubatus*), California sea lion (*Zalophus californianus*), humpback whale (*Megaptera novaengliae*), and gray whale (*Eschrichtius robustus*). General information on these species can be found in Barlow *et al.* (1995)⁵. More specific information on marine mammals species in Puget Sound waters can be found in the application, which is available upon request (see ADDRESSES), and does not need to be repeated here.

Potential Effects on Marine Mammals

The potential effects on marine mammals from sounds transmitted into the water include harassment, temporary or permanent hearing loss, and short-term habitat displacement. The most severe effect can be death or permanent hearing loss, with less severe effects including pain, masking of communication or echolocation signals, habitat avoidance, increased stress, and behavioral or social disruption (Richardson *et al.* 1991 as cited in the application). Of these reactions, permanent hearing loss and habitat exclusion are the primary effects that have the possibility of causing injury to an animal or group of animals. As

detailed below, for the Haro Strait experiment, hearing loss is extremely unlikely, because sources' amplitudes are not high enough to cause damage except at extremely close distances (< 1 m). The amount of habitat that may be excluded is likely to be small in comparison to the total range of these animals, and any observed harmful effects can be mitigated with an effective monitoring plan (described below), which will be in place prior to beginning the experiment.

Permanent Hearing Loss

In humans and other terrestrial mammals, permanent hearing loss may occur from exposure to very loud transient sounds. Lengthy exposure to lower amplitude sounds can also cause permanent hearing loss (Richardson *et al.* 1995). However, none of the sources listed in Table 1 is considered a continuous source. In humans and other terrestrial animals, an impulsive sound with a received sound level of 155 to 160 dB above absolute hearing thresholds may cause permanent hearing damage (Greenlaw 1987, Kryter 1985). While it is unknown if similar levels cause damage in marine mammals (Richardson *et al.* 1991, 1995), until better information is available for marine mammals, NMFS proposes to adopt this level as the onset of permanent hearing damage in marine mammals. NMFS clarifies, however, that both the source and the marine mammal's hearing need to be within the same frequency for this damage to potentially take place.

Using 155 dB above hearing threshold as a first approximation of the received level required for permanent hearing damage in marine mammals, the applicant calculated a radius within which each source (listed in Table 1 of this notice) might affect permanent hearing loss for those three species present in the area for which data is available (harbor porpoise/Dall's porpoise, harbor seal, and killer whale). Calculations indicate that marine mammals would need to be closer than .25 m to source D in order to potentially receive hearing damage; for other

sources, animals would need to be even closer (please refer to Table 3 in the application for actual distances). However, the applicant presumes that the near-field effects might cause the distance to be slightly greater (but less than 1 m, than calculated by spherical spreading alone. As a result, NMFS and the applicant believe that there is virtually no possibility of inflicting permanent hearing damage on any marine mammals.

Temporary Hearing Loss

Temporary threshold shift (TTS) is an increase in an individual animal's hearing threshold in response to a loud sound (ARPA, 1995). Until TTS dissipates (minutes to hours), and original hearing abilities return, an animal may not perceive low amplitude sounds that were normally within its hearing. This is expected to have only a negligible impact on those marine mammals in the immediate area of the experiment, as animals are expected to move away from sounds that inflict discomfort on them. Because there are no studies of TTS effects in marine mammals (Richardson *et al.* 1995), comparisons with data on humans may be useful and relevant. In humans, onset of TTS is approximately at 80–100 dB over threshold (ARPA 1995).

Incidental Harassment Takes

In addition to the zone of hearing loss or temporary impairment (mentioned above), Richardson *et al.* (1991, 1995) have identified three zones of influence that may have different effects on marine mammals.

(1) *Zone of audibility (ZOA)*. The ZOA is the region where a marine mammal can be expected to hear a sound. It will fluctuate based upon ambient noise level and the hearing threshold of the animal. Using spherical and cylindrical spreading models less absorption, the ZOA for killer whales, harbor porpoise and harbor seals are predicted to be limited to the line-of-sight between the animals and the source(s) for the loudest sources and up to 2 km for sources with lower sound pressure levels. It should be recognized,

⁵ A list of references used in this document can be obtained by writing to the address provided above (see ADDRESSES).

however, that NMFS does not consider simply hearing noise from an activity to mean that the animals are being harassed as marine mammals in the coastal environment are continually subject to noise from a number of sources, both natural and anthropogenic.

(2) *Zone of responsiveness (ZOR)*. The ZOR is the region where a marine mammal may (or may not) behaviorally respond to a sound source. For the sound sources listed in Table 1 of this notice, the predicted ZOR is less than 500 m of most sources except source A, which has a ZOR approximately 2.5 km for killer whales; source D, which has a ZOR approximately 6 km for killer whales and 4 km for harbor porpoise; and source E, which has a ZOR approximately 2 km for killer whales (Schmidt 1996). Because source A is located in five different locations, it will have a ZOR that comprises the entire area inside the arrays in addition to the 2.5 km outside exterior to each array. Table 6 in the application contains the estimated ZOR for each source.

It should be noted that these ZORs are based upon limited information. As a result, the ZORs may be larger or smaller than predicted, depending upon the marine mammal species, the level of background noise, habituation, and the behavioral state of the animals involved.

(3) *Zone of discomfort (ZOD)*. The ZOD is the region in which sound levels are expected to be uncomfortable to marine mammals. It is presumed that marine mammals will avoid this zone when the sources are operating and those within the ZOD will leave the area, although in some cases avoidance may not be possible, especially if geological features or water conditions make exiting the area impractical. To mitigate this possibility, the applicant has established a monitoring plan that is described below.

Based upon the level found to cause discomfort in humans (Greenlaw 1987), NMFS and the applicant, propose a contour of 90 dB above threshold hearing to define the ZOD. For killer whales and harbor porpoise, 90 dB above threshold is approximately 135–140 dB for a wide range of frequencies. At least for killer whales, this level is supported by observation (Bain 1995).

For the three species for which audiogram data are available, the applicant's model predicts a small ZOD (≤ 50 m) for all sources except for source A, which has a predicted ZOD of 173 m for killer whales, source D, with a ZOD of 386 m for killer whales and 220 m for harbor porpoise and source E, which has a ZOD of 158 m for killer whales. Table 7 in the application

contains the estimated ZOD for each source.

Habitat Exclusion

The area of the experiment is occupied regularly by harbor porpoise, Dall's porpoise, killer whales and harbor seals and to a significantly lesser extent, by minke whales, elephant seals, Pacific white-sided dolphin, northern sea lions, California sea lions, humpback whales, and gray whales. While sounds from the experiment may be audible to some or all of these species, behavioral effects should not be noticeable until the sounds reach some level of discomfort. As a result of this discomfort, there is the possibility that the research may cause some marine mammals to move out of their preferred habitat.

(1) *Harbor porpoise*. While the immediate area of the experiment does not appear to be primary habitat for harbor porpoise (Baird and Guenther 1994, Raum-Suryan pers. comm. as cited in Schmidt 1996) because of similarity to acoustic deterrent devices (Olesiuk *et al.* 1995), it is predicted that sources D and E will result in the temporary displacement of harbor porpoise, especially on the western side of Haro Strait (Schmidt 1996).

(2) *Killer whale*. Killer whales forage over a large area of water in northern Puget Sound (Schmidt 1996). Therefore, it is highly unlikely that exclusion from the relatively small area of the experiment would have more than a negligible impact on the stock. However, if the sources impeded north-south passage between Haro Strait and Boundary Pass, there might be reason for some concern. While this is not anticipated, mitigation measures are expected to preclude this occurrence.

(3) *Dall's porpoise*. While there is evidence that Dall's porpoise are less disturbed by boats than harbor porpoise are (Osmek *et al.* 1995), other information (McIntyre pers. comm. 1996) indicates that Dall's porpoise can be affected by sonar. Alternatively, other research results of sound effects on Dall's porpoise (Jones *et al.* 1986) are equivocal. As a result of this lack of evidence, and because of the similarity between Dall's porpoise and harbor porpoise, NMFS will presume that Dall's porpoise behavior to the experiment's sound sources will be similar to that observed for harbor porpoise.

(4) *Harbor seal*. The projected ZOR for harbor seal is less than 400 m and the ZOD is less than 40 m for even the loudest source (source D). Because these zones are small, and because the experiment will end prior to the main onset of pupping (Suryan 1995), NMFS

does not believe that this experiment would have more than a negligible impact on harbor seals.

(5) *Other marine mammal species*. The remaining marine mammal species identified in this section are considered uncommon in the area. As a result, while this experiment may result in the incidental harassment of an individual animal that might enter into the area of the experiment, the experiment itself is unlikely to result in more than a negligible impact on the species or stock of which the animal is a member.

Monitoring

A monitoring plan has been developed and will be conducted by Patrick Miller, Ph.D. candidate, Marine Bioacoustics Lab, Woods Hole Oceanographic Institution and the Department of Biology, MIT (DB/MIT). In addition, an advisory board for monitoring this activity's impacts on marine mammals has been established.

The goals of the monitoring plan are:

(1) *To document the number of Level B harassment takes by species and number*. To accomplish this task, a cliffside shore station will be established near the sound sources, and area surveys will be conducted using a small inflatable craft. Sampling from both the boat and the cliff site will be based on the schedule of usage of the sound sources to ensure an accurate estimate of the total number of animals present and potentially harassed by the sources. This requirement will vary depending upon which sound sources are activated, especially sources D and E, which are the sources with the largest ZOR. When sources D and E are not operating, the size of the ZOR is small (less than 1 km around each of the sound sources), and censusing animals in this area can be accomplished using a shore station on the western bluff of Spieden Island. When sources D and E are operating, the size of the ZOR is much larger, with a maximum radius of about 6 km around the D source (DE/MIT 1996). To accurately estimate the number of animals by species in an area of water this size will require the use of both the shore station on Spieden Island and a boat to conduct censuses in the area farthest away from Spieden Island. The boat will do point censusing according to NMFS-approved methodologies in several parts of the ZOR while the source is operating.

Acoustical behavior of killer whales will be studied using the vertical arrays, a hydrophone station on Spieden Island, and a towed hydrophone array from the killer whale boat. Specifically, DB/MIT will document changes in vocalization rates and repertoires when the sources

are operating from baseline activity in and around the area of the experiment. Any observed change in killer whale acoustical activity that is directly correlated to a sound produced by the experiment will be classified as a "take" by harassment.

(2) *To collect data to mitigate potential effects on marine mammals, especially habitat exclusion for harbor porpoise and killer whales.* To obtain a sufficient number of baseline observations needed to detect a large change in mean abundance of harbor porpoise within the time an animal would be expected to suffer deleterious effects, harbor porpoise observations will begin on May 16, 1996, (25 days prior to startup of the experiment) using a shore station to measure their abundance. To provide a good view of the ZOR on the western side of Haro Island, this shore station will be established on the bluff at Wymond Pt., Sidney Island.

For killer whales, in addition to analyzing data collected in previous years, DB/MIT will conduct a period of baseline observations on killer whale travel behavior in the area. DB/MIT will record the likelihood that killer whales pass from north to south given an approach to the study area.

(3) *To collect data on the effects of sound on those marine mammals present in or near the study area.* Data from shore stations and censusing vessels will be used to document the abundance and distribution of marine mammals in relation to the sound sources over a wide range of amplitude exposures. In addition, monitoring will determine the size of the ZOR for those species present near the sources, compare these measurements to the pre-test calculated ZOR size, and determine displacement for harbor porpoise, killer whales and harbor seals. For killer whales especially, behavior will be monitored by vessel, and data will be collected on swim direction and speed, and group spacing and arrangement. Finally, recovery periods for all species will be determined through a 3-week post-experiment monitoring program.

Mitigation

Mitigation measures include: (1) Developing and incorporating a ramp-up of sound sources A and C over 0.25 sec; (2) incorporating a coded sequence mechanism for shutting off source D; (3) hardwiring the maximum output of source A down from 185 dB (re 1μPa) to 170 dB @ 1 m. and (4) developing a protocol for shutting down sources upon the approach of killer whales in order to use the vertical arrays to record and analyze their sounds.

National Environmental Policy Act (NEPA)

NMFS has conducted a review of the potential impacts from the issuance of an incidental harassment authorization to DE/MIT and has determined that there will be no more than a short-term, negligible impact on marine mammals from the issuance of the harassment authorization. For that reason, NMFS has determined that issuance of an incidental harassment authorization to DE/MIT is categorically excluded (as defined in 40 CFR 1508.4) from the preparation of either an environmental impact statement or an EA under NEPA and section 6.02.c.3(i) of NOAA Administrative Order 216-6 for Environmental Review Procedures (published August 6, 1991).

A programmatic EA on issuing incidental harassment authorizations under section 101(a)(5)(D) of the MMPA, which was released in 1995, is available upon request (see ADDRESSES).

Conclusions

NMFS believes that most of the acoustic sources proposed for use in this experiment are of insufficient amplitude and duty cycle to warrant an incidental harassment authorization (literally thousands of similar acoustic devices are in use daily in U.S. waters on vessels as fish finders, bottom sonars, and as acoustic deterrent devices in commercial fisheries); however, because of recent public concern over Scripps Institution of Oceanography's acoustic thermometry of ocean climate, oceanographic researchers are correctly taking a cautious approach and applying for incidental harassment authorizations to ensure their projects go forward.

NMFS has determined preliminarily that the short-term impact on marine mammals from conducting a physical oceanography experiment between June 10 and July 5, 1996, using high-frequency sound to study the flow field and mixing processes in Haro Strait, Puget Sound, WA, may result in a short-term modification in behavior by certain species of cetaceans. While behavioral modifications may be made by these species of cetaceans to avoid noise, this behavioral change is expected to have only a negligible impact on the animals. However, the mitigation and monitoring measures that will be part of the authorization, if issued, would provide additional protection to ensure that the project's impact on marine mammals is at the lowest level practicable. NMFS has also determined that this experiment will not have an unmitigable adverse impact on the

availability of this stock for subsistence uses.

As a result, NMFS proposes to issue an incidental harassment authorization for approximately 60 days for the above described experiment and post-experiment monitoring, provided the above mentioned mitigation and monitoring requirements are incorporated.

Information Solicited

NMFS requests interested persons to submit comments, information, and suggestions concerning this request (see ADDRESSES).

Dated: March 22, 1996.
Patricia A. Montanio,
Deputy Director, Office of Protected
Resources, National Marine Fisheries Service.
[FR Doc. 96-7624 Filed 3-25-96; 4:31 pm]
BILLING CODE 3510-22-W

[I.D. 031996B]

Western Pacific 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 Western Pacific Fishery Management Council will hold its 89th meeting.

DATES: The meeting will be held on April 24-26, 1996. The Council's standing committees will meet from 8:00 a.m. to 5:00 p.m. on April 24. The full Council will meet from 8:30 a.m. to 5:00 p.m. on April 25-26. There will be a fishermen's forum from 4:00 p.m. to 6:00 p.m. on April 25.

ADDRESSES: The meeting will be held at the Ala Moana Hotel, Garden Lanai Room, 410 Atkinson Dr., Honolulu, HI; telephone: (808) 955-4811.

Council address: Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1405, Honolulu, HI, 96813.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; telephone: 808-522-8220.

SUPPLEMENTARY INFORMATION: The Council will discuss and may take action on the following agenda items:

1. Reports from the islands;
2. Reports from fishery agencies and organizations, including enforcement agencies, and plan to require a Vessel Monitoring System (VMS) on all foreign vessels;
3. Ecosystems and habitat, including:
 - (a) Report on ocean circulation model, and