

document and, on July 18, 1996, NMFS concluded that neither implementation of the proposed authorization for the harassment of small numbers of several species of marine mammals incidental to conducting seismic surveys during the open water season in the U.S. Beaufort Sea nor the alternatives to that action would significantly affect the quality of the human environment. As a result, the preparation of an environmental impact statement on this action is not required by section 102(2) of NEPA or its implementing regulations.

While this year's activity is a continuation of the seismic work conducted between 1996 and 1998, NMFS determined that a new EA was warranted based on the proposed construction of the Northstar project, the collection of data from 1996 through 1998 on Beaufort Sea marine mammals and the impacts of seismic activities on these mammals, and the analysis of scientific data indicating that bowheads avoid nearshore seismic operations by up to about 20 km (10.8 nm).

Accordingly, a review of the impacts expected from the issuance of an IHA has been assessed in detail in the EA and in this document, and NMFS has preliminarily determined that there will be no more than a negligible impact on marine mammals from the issuance of the harassment authorization and that there will not be any unmitigable impacts to subsistence communities, provided the mitigation measures required under the authorization are implemented.

### Conclusions

NMFS has preliminarily determined that the short-term impact of conducting seismic surveys in the U.S. Beaufort Sea will result, at worst, in a temporary modification in behavior by certain species of cetaceans and possibly pinnipeds. While behavioral modifications may be made by these species to avoid the resultant noise, this behavioral change is expected to have a negligible impact on the animals.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals (which vary annually due to variable ice conditions and other factors) in the area of seismic operations, due to the distribution and abundance of marine mammals during the projected period of activity and the location of the proposed seismic activity in waters generally too shallow and distant from the edge of the pack ice for most marine mammals of concern, the number of potential harassment takings is estimated to be small. In addition, no

take by injury and/or death is anticipated, and the potential for temporary or permanent hearing impairment will be avoided through the incorporation of the mitigation measures mentioned in this document. No rookeries, mating grounds, areas of concentrated feeding, or other areas of special significance for marine mammals occur within or near the planned area of operations during the season of operations.

Because bowhead whales are east of the seismic area in the Canadian Beaufort Sea until late August/early September, seismic activities are not expected to impact subsistence hunting of bowhead whales prior to that date. After September 4, 1999, aerial survey flights for bowhead whale assessments will be initiated. Appropriate mitigation measures to avoid an unmitigable adverse impact on the availability of bowhead whales for subsistence needs will be the subject of consultation between Western Geophysical and subsistence users.

Also, while open-water seismic exploration in the U.S. Beaufort Sea has some potential to influence seal hunting activities by residents of Nuiqsut, because (1) the peak sealing season is during the winter months, (2) the main summer sealing is off the Colville Delta, and (3) the zone of influence by seismic sources on beluga and seals is fairly small, NMFS believes that Western Geophysical's seismic survey will not have an unmitigable adverse impact on the availability of these stocks for subsistence uses.

### Proposed Authorization

NMFS proposes to issue an IHA for the 1999 Beaufort Sea open water season for a seismic survey provided the above mentioned mitigation, monitoring, and reporting requirements are incorporated. NMFS has preliminarily determined that the proposed seismic activity would result in the harassment of only small numbers of bowhead whales, beluga whales, ringed seals, bearded seals, and possibly spotted seals and gray whales; would have a negligible impact on these marine mammal stocks; and would not have an unmitigable adverse impact on the availability of marine mammal stocks for subsistence uses.

### Information Sought

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

Dated: May 21, 1999.

**Hilda Diaz-Soltero,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 052499A]

### Atlantic Highly Migratory Species and Billfish Advisory Panels; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** NMFS will hold a joint meeting of the Atlantic Highly Migratory Species (HMS) and Billfish Advisory Panels (APs) to discuss management issues under consideration.

**DATES:** The joint HMS/Billfish AP meeting will be held on Thursday, June 10, 1999, from 1:00 p.m. to 4:00 p.m., and from 8:00 a.m. to 4:00 p.m. on Friday, June 11, 1999. A public comment session will be held from 4:00 p.m. to 6:00 p.m. on Thursday, June 10, 1999.

**ADDRESSES:** The APs will meet at the NOAA Science Center, 1301 East-West Highway, Silver Spring, Maryland 20910. Informational materials related to the AP meetings are available from Alicon Morgan, Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, Maryland 20910. The public comment session will be held at the same location.

**FOR FURTHER INFORMATION CONTACT:** Alicon Morgan or Pat Wilbert at 301-713-2347, or Jenny Lee at 727-570-5447.

**SUPPLEMENTARY INFORMATION:** The HMS and Billfish APs were established under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1901 *et seq.* The APs assist the Secretary of Commerce in collecting and evaluating information relevant to the management of Atlantic tunas, swordfish, and sharks, and Billfish. All AP meetings are open to the public and are attended by members of the AP, including appointed members, representatives of the five fishery management councils that work with Atlantic HMS, and the Chair, or his or

her representative, of the U.S. Advisory Committee to the International Commission for the Conservation of Atlantic Tunas (ICCAT).

Agenda items for the joint AP meeting will include:

1. Analysis of time/area closures to protect HMS;
2. Bluefin Tuna purse seine quota allocation; and
3. Other issues.

The public is reminded that NMFS expects members of the public to conduct themselves appropriately for the duration of the meeting. At the beginning of the public comment session, a NMFS representative will explain the ground rules (e.g. alcohol in the meeting room is prohibited, attendees will be called to give their comments in the order in which they registered to speak, each attendee will have an equal amount of time to speak, and attendees should not interrupt one another). The NMFS representative will attempt to structure the session so that all attending members of the public are able to comment, if they so choose, regardless of the controversiality of the subject(s). Attendees are expected to respect the ground rules, and if they do not, they will be asked to leave the meeting.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Alicon Morgan (see **FOR FURTHER INFORMATION CONTACT**) at least 7 days prior to the meeting.

Dated: May 21, 1999.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 051899D]

#### 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 Council (Council) will hold its 100th meeting in Honolulu, HI.

**DATES:** The full Council meeting will be held on June 16-18, 1999. The Council's Standing Committees will meet on June 15, 1999. See SUPPLEMENTARY INFORMATION for specific times.

**ADDRESSES:** The 100th Council meeting will be held at the Hibiscus Ballroom, Ala Moana Hotel, 410 Atkinson Road Honolulu, HI; telephone: (808) 955-4811.

*Council address:* Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813.

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

#### SUPPLEMENTARY INFORMATION:

##### June 15, 1999

- 7:30 a.m. to 9:30 a.m.—Enforcement/Vessel Monitoring System (VMS)
- 9:30 a.m. to 11:30 a.m.—International Fisheries/Pelagics Fisheries
- 10:00 a.m. to 11:30 a.m.—Bottomfish Fisheries
- 1:00 p.m. to 3:00 p.m.—Ecosystem & Habitat
- 1:30 p.m. to 3:00 p.m.—Native and Indigenous Rights
- 3:00 p.m. to 4:00 p.m.—Precious Corals Fisheries
- 3:00 p.m. to 4:00 p.m. -- Crustaceans Fisheries, and
- 4:00 p.m. to 6:00 p.m. -- Executive/Budget & Program.

The full Council will meet on June 16, 17 and 18, 1999, from 8:30 a.m. to 5:00 p.m., each day.

##### June 16-18, 1999

The agenda during the full Council meeting will include the items here. The order in which agenda items will be addressed can change. The Council will meet as late as necessary to complete its scheduled business.

1. Introductions
2. Approval of Agenda
3. Approval of 99th Meeting Minutes
4. Island Reports
  - A. American Samoa
  - B. Guam
  - C. Hawaii
  - D. Northern Mariana Islands (NMI)
5. Enforcement
  - A. U.S. Coast Guard enforcement activities
  - B. NMFS enforcement activities and status of violations
  - C. Cooperative agreements for Guam
  - D. Illegal immigration related to the foreign fishing fleet
  - E. Update on U.S. Customs harassment of fishermen
6. VMS
  - A. Hawaii VMS report
  - B. Report on Marine Fisheries Advisory Committee meeting

C. Report on Forum Fisheries Agency Monitoring, Control and Surveillance Working Group Meeting

D. Advisory Panel recommendations regarding VMS

7. Ecosystems and Habitat

A. Draft Coral Reef Ecosystem Fishery Management Plan (FMP), including review of first draft and representative maps for Essential Fish Habitat. The Council may take initial action to select preferred management alternatives for various permit requirements, prohibitions, allowable practices, marine protected areas and framework process; preliminary identification of management unit species/taxa, management unit areas, essential fish habitat and habitat areas of particular concern.

B. Scientific and Statistical Committee (SSC) recommendations

8. Native and Indigenous Rights issues

A. Marine conservation plans for American Samoa and Guam

B. Native and Indigenous Rights Advisory Panel recommendations relating to an amendment to the Endangered Species Act so that a take of green sea turtles for cultural purposes is permitted in Hawaii, American Samoa, Guam and the NMI; set aside for Western Pacific Community Development Programs consisting of 30 Hawaii longline limited access permits and/or 20 percent of the annual harvest guideline for the Northwestern Hawaiian Islands (NWHI) lobster fishery; and an amendment to the Magnuson-Stevens Act which would require that representatives of the indigenous peoples of the Western Pacific be appointed to the Council.

9. Pelagic FMP issues

A. 1st quarter reports for Hawaii and American Samoa longline fisheries

B. Akule and opelu study

C. Yellowfin and bigeye tagging in Hawaii

D. Council authority with respect to remote Pacific insular areas

E. Issues relating to shark incidental catch and shark finning/utilization in the Hawaii-based longline fishery

F. The Council will assess whether the bottom longline gear currently being used to harvest coastal sharks in Hawaii is detrimental to conservation and management efforts. The Council may decide to proceed with further action concerning the use of this gear.

G. Albatross/longline interactions in the Hawaii-based longline fishery, including the recommendations from the 1998 Blackfooted Albatross Population Dynamics Workshop. The Council will review the results of NMFS and Council longline-albatross