

other acoustic signals at various ranges from their sources.

New to the acoustic measurement program for 1997 is a plan to test the feasibility to use the hydrophones in the OBC to measure received levels and characteristics of airgun pulses over a large area (about 3.3X5.9 km) simultaneously. If practical, this would provide more comprehensive data while at the same time reducing the need for labor-intensive boat-based acoustic measurements.

Estimates of Marine Mammal Take

Estimates of takes by harassment will be made through vessel and aerial surveys. Preliminarily, BPXA will estimate the number of: (a) marine mammals observed within the area ensnified strongly by the seismic vessel; (b) marine mammals observed showing apparent reactions to seismic pulses (e.g., heading away from the seismic vessel in an atypical direction); (c) marine mammals subject to take by type (a) or (b) above when no monitoring observations were possible; and (d) bowheads displaced seaward from the main migration corridor.

Reporting

BPXA will provide an initial report on 1997 activities to NMFS within 90 days of the completion of the seismic program. This report will provide dates and locations of seismic operations, details of marine mammal sightings, estimates of the amount and nature of all takes by harassment, and any apparent effects on accessibility of marine mammals to subsistence users.

A final technical report will be provided by BPXA within 20 working days of receipt of the document from the contractor, but no later than April 30, 1998. The final technical report will contain a description of the methods, results, and interpretation of all monitoring tasks.

Consultation

Under section 7 of the Endangered Species Act, NMFS completed an informal consultation on the issuance of an incidental harassment authorization for this activity on July 15, 1996. A copy of that document is available upon request (see ADDRESSES).

National Environmental Policy Act (NEPA)

In conjunction with the 1996 notice of proposed authorization (61 FR 26501, May 28, 1996), NMFS released an EA that addressed the impacts on the human environment from issuance of the authorization and the alternatives to the proposed action. No comments were

received on that document and, on July 18, 1996, NMFS concluded that neither implementation of the proposed authorization to BPXA for the harassment of small numbers of several species of marine mammals incidental to conducting seismic surveys during the open water season in the Northstar Unit and nearby waters 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. A copy of the EA is available upon request (see ADDRESSES).

Conclusions

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

As 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 incorporation of the mitigation measures mentioned above. 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 August 31, 1997, BPXA will initiate aerial survey flights for bowhead whale assessments. 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 BPXA and subsistence users.

Also, while summer seismic exploration in the Northstar Unit 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 (west and inshore of Northstar), and (3) the zone of influence by seismic sources on belukha and seals is fairly small, NMFS believes the Northstar 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 incidental harassment authorization for the 1997 Beaufort Sea open water season for a seismic survey in and near the Northstar Unit 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, gray whales, and possibly belukha whales, bearded seals, and largha seals; will have a negligible impact on these marine mammal stocks; and will not have an unmitigable adverse impact on the availability of these stocks for subsistence uses.

Information Solicited

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

Dated: April 16, 1997.

Hilda Diaz-Soltero,

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

[FR Doc. 97-10254 Filed 4-21-97; 8:45 am]

BILLING CODE 3510-22-P

COMMODITY FUTURES TRADING COMMISSION

Financial Products Advisory Committee; Sixth Renewal

The Commodity Futures Trading Commission has determined to renew for a period of two years its advisory committee designated as the "Commodity Futures Trading Commission Financial Products Advisory Committee." As required by Section 14(a)(2)(A) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, section 14(a)(2)(A), and 41 CFR 101-6.1007 and 101-6.1029, the Commission

has consulted with the Committee Management Secretariat of the General Services Administration, and the Commission certifies that the renewal of the advisory committee is in the public interest in connection with duties imposed on the Commission by the Commodity Exchange Act, 7 U.S.C. 1 *et seq.*, as amended.

The objectives and scope of activities of the Financial Products Advisory Committee are to conduct public meetings and submit reports and recommendations on issues concerning individuals and industries interested in or affected by financial markets regulated by the Commission.

Commissioner David D. Spears serves as Chairman and Designated Federal Official of the Financial Products Advisory Committee. The committee's membership will represent a cross-section of interested and affected persons and groups including representatives of newer institutional market participants, such as broker-dealers, pension sponsors, and investment companies; traditional market participants, such as futures commission merchants, commodity pool operators, and commodity trading advisors; Federal financial markets oversight agencies; futures exchanges; the academic, legal, and accounting communities; and other appropriate public participants.

Interested persons may obtain information or make comments by writing to the Commodity Futures Trading Commission, Three Lafayette Centre, 1155-21st Street, NW., Washington, DC 20581.

Issued in Washington, DC on April 15, 1997, by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-10283 Filed 4-21-97; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Department of the Army

Availability of Non-Exclusive, Exclusive, or Partially Exclusive Licensing of a U.S. Patent Concerning a Protective Mask for Airborne Toxic Substances

AGENCY: U.S. Army Chemical and Biological Defense Command, DOD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent 4,595,0003, entitled: "Protective Mask for Airborne Toxic Substances", issued June 17, 1986. this patent is assigned to the United States Government as represented by the Secretary of the Army.

FOR FURTHER INFORMATION CONTACT: Mr. John Biffoni, Patent Attorney, U.S. Army CBD COM, AMSCB-GC, MD 21010-5423, Phone: (410) 671-1158.

SUPPLEMENTARY INFORMATION: The present invention relates to breathing devices and, more particularly, to breathing devices including protective masks for use in the presence of toxic or unpleasant airborne substances.

Written objections must be filed on or before May 22, 1997.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 97-10310 Filed 4-21-97; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE

Department of the Army

Corps of Engineers

Intent To Prepare an Environmental Impact Statement (EIS) for the Shore Protection Study for the City of Imperial Beach, San Diego County, California

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The Los Angeles District intends to prepare an EIS to support the proposed shore protection study within the 7.5 kilometer (4.7 mile) stretch of the Imperial Beach shoreline that corresponds to the city boundary of Imperial Beach. The purpose of the proposal is to identify measures that will reduce storm damage incurred upon the City of Imperial Beach. Alternative measures include restoration of the protective beach by provision of beach fill and, or, a nearshore sand berm, as well as a no action alternative. The EIS will analyze potential impacts on the environment of a range of alternatives, including the recommended plan.

FOR FURTHER INFORMATION CONTACT: For further information contact Ms. Stephanie Hall, Project Environmental Coordinator, (213) 452-3862, or Ms.

Anna Zacher, Study Manager, (213) 452-3824.

SUPPLEMENTARY INFORMATION: The Army Corps of Engineers intends to prepare an EIS to assess the environmental effects associated with the proposed shore protection measures at Imperial Beach. The public will have the opportunity to comment on this analysis before any action is taken to implement the proposed action.

Scoping

a. The Army Corps of Engineers will conduct a scoping meeting prior to preparing the Environmental Impact Statement to aid in determination of significant environmental issues associated with the proposed action. The public, as well as Federal, State, and local agencies are encouraged to participate in the scoping process by submitting data, information, and comments identifying relevant environmental and socioeconomic issues to be addressed in the environmental analysis. Useful information includes other environmental studies, published and unpublished data, alternatives that could be addressed in the analysis, and potential mitigation measures associated with the proposed action.

b. A public scoping meeting will be held in the City of Imperial Beach on May 1, 1997, concurrent with a public workshop. The location and time of the public scoping will be announced in the local news media. A separate notice of this meeting will be sent to all parties on the study mailing list.

c. Individuals and agencies may offer information or data relevant to the environmental or socioeconomic impacts by attending the public scoping meeting. Comments, suggestions, and requests to be placed on the mailing list for announcements should be sent to Stephanie J. Hall, U.S. Army Corps of Engineers, Los Angeles District, P.O. Box 532711, Los Angeles, CA 90053-2325, ATTN: CESPL-PD-RQ.

Availability of the Draft EIS

The Draft EIS is scheduled to be published and circulated in December, 1998, and a public hearing to receive comments on the Draft EIS will be held after it is published.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 97-10308 Filed 4-21-97; 8:45 am]

BILLING CODE 3710-KF-M