

late winter aerial survey and assessment of abandonment rates for seal holes, and (3) acoustic measurements of gravel hauling and new ice-road construction sounds.

While the monitoring plan has been reviewed by NMFS biologists, NMFS has determined that independent peer review is not warranted for the on-ice portion of the plan. This work has been underway since the 1997/98 winter and will continue for several years. On-ice monitoring was reviewed in general during the May, 1998 peer-review workshop held in Seattle, WA and recommendations made at that workshop are reflected in this monitoring plan. NMFS expects however, that the open-water season monitoring plan will be reviewed next spring at the annual peer-review workshop held in Seattle.

### Reporting

BPXA will provide an initial report on 1999 activities to NMFS within 90 days after the ice roads are no longer usable or spring aerial surveys are completed, whichever is later. This report will provide summaries of the dates and locations of construction activities, details of marine mammal sightings, and estimates of the amount and nature of marine mammal takes.

A draft final technical report will be submitted to NMFS by April 1, 2000. The final technical report will contain a full description of the methods, results, and interpretation of all monitoring tasks. The draft final report will be subject to peer review before being finalized by BPXA.

### NEPA

On February 5, 1999 (64 FR 5789), the Environmental Protection Agency noted the availability for public review and comment, an FEIS prepared by the Corps under NEPA on Beaufort Sea oil and gas development at Northstar. Comments on that document were accepted by the Corps until March 8, 1999. NMFS is a cooperating agency, as defined by the Council on Environmental Quality regulations (40 CFR 1501.6), in the preparation of this document.

Because ice road construction does not require a permit from the Corps under either section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) or section 404 of the Federal Water Pollution Control Act of 1972 as amended (33 U.S.C. 1344), BPXA has determined that it may legally construct the ice road prior to release of the FEIS. In addition, because ice roads are temporary structures that will disappear in late spring, NMFS has determined

that there will not be an irreversible commitment of resources under NEPA.

In conjunction with the request from BPXA for an interim IHA, an EA has been prepared that addresses the impacts on the human environment from issuance of the authorization and the alternatives to the issuance of an Interim IHA. As a result of the findings made in the EA, NMFS has concluded that the implementation of either the preferred alternative or of other identified alternatives would not have a significant impact on the human environment. As a result of that finding, a DEIS will not be prepared on this action. A copy of the EA is available upon request (see ADDRESSES).

### Consultation

Under section 7 of the Endangered Species Act (ESA), NMFS will complete formal consultation with the Corps on the Beaufort Sea oil and gas development project at Northstar. NMFS will also consult with itself on the issuance of an incidental harassment authorization for this activity. If an authorization to incidentally harass listed marine mammals is issued under the MMPA, NMFS will issue an Incidental Take Statement under section 7 of the ESA for listed marine mammals. The Interim IHA, however, will not result in taking any listed marine mammals.

### Conclusions

NMFS has determined that the impact of constructing ice roads at the Northstar Development in the U.S. Beaufort Sea will result, at worst, in a temporary modification in behavior by ringed seals. During the ice-covered season, ringed seals in the vicinity of the ice roads may be incidentally harassed due to the noise created by construction and may also be subject to displacement from lairs and/or breathing holes due to construction of ice roads and to transportation activities on that road. However, NMFS concludes that this harassment and possible displacement have been significantly mitigated due to BPXA on-ice surveys described previously. While behavioral modifications may be made by ringed seals to avoid the resultant noise, this behavioral change is expected to have no more than a negligible impact on a few individual animals. As cetaceans and species of seals other than ringed seals will not be in the area during the ice-covered season, they will not be affected. In addition, no take by injury and/or death is anticipated. No rookeries, areas of concentrated mating or feeding, or other areas of special significance for marine mammals occur within or near the planned area of

operations during the season of operations.

While ice road construction at Northstar has some potential to influence seal hunting activities by residents of Nuiqsut, NMFS believes that ice road construction at Northstar will not have an unmitigable adverse impact on the availability of ringed seals for subsistence uses.

Since NMFS is assured that the taking would (1) result in no more than the incidental harassment (as defined by the MMPA Amendments of 1994) of small numbers of ringed seals, (2) have only a negligible impact on this stock, (3) have only an unmitigable adverse impact on the availability of this stock for subsistence uses, and (4) result in the least practicable impact on the stock, NMFS has determined that the requirements of section 101(a)(5)(D) of the MMPA have been met and that the authorization can be issued.

### Authorization

Accordingly, NMFS has issued an Interim IHA to BPXA for the taking of ringed seals incidental to the construction, maintenance, and operation of ice roads at Northstar during the 1999 on-ice season provided the mitigation, monitoring, and reporting requirements described in the authorization are undertaken.

Dated: March 15, 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. 031699B]

#### Marine Mammals; File No. 782-1355

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

**ACTION:** Receipt of application for amendment.

**SUMMARY:** Notice is hereby given that Dr. Douglas P. DeMaster, Director, National Marine Mammal Laboratory, National Marine Fisheries Service, NOAA, 7600 Sand Point Way, NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0070, has requested an amendment to scientific research Permit No. 782-1355.

**DATES:** Written or telefaxed comments must be received on or before April 21, 1999.

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

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289); and

Regional Administrator, National Marine Fisheries Service, NOAA, Alaska Region, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221).

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular amendment 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. Please note that comments will not be accepted by e-mail or other electronic media.

**FOR FURTHER INFORMATION CONTACT:** Sara Shapiro or Ruth Johnson, 301/713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 782-1355, issued on July 15, 1997 (62 FR 39826) is requested 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).

Permit No. 782-1355 authorizes the permit holder to take Pacific Harbor seals (*Phoca vitulina*) in the following manner: harass during census flights; capture, restrain, measure (weight length, girth), sample (flipper punch, vibrissa, blood, blubber/muscle biopsy, ultra sound, enema), radio tag, flipper tag, and release 500 animals; and incidentally harass up to 2500 during the conduct of these activities, and during collection of scat samples from haulouts. The permit holder requests authorization to: conduct the above activities on ringed seals (*Phoca hispida*); and harass ringed seals, bearded seals (*Erignathus barbatus*), ribbon seals (*Phoca fasciata*), and spotted seals (*Phoca largha*) during aerial stock assessments.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically

excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: March 16, 1999.

**Jeannie Drevenak,**

*Acting Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 99-6926 Filed 3-19-99; 8:45 am]

**BILLING CODE 3510-22-F**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Submission for OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Title, Associated Form, and OMB Number:* Industrial Capabilities Questionnaire; DD Form 2737; OMB Number 0704-0377.

*Type of Request:* Reinstatement.

*Number of Respondents:* 12,800.

*Responses per Respondent:* 1.

*Annual Responses:* 12,800.

*Average Burden per Response:* 12 hours.

*Annual Burden Hours:* 153,600.

*Needs and Uses:* As part of its responsibilities to facilitate a diverse, responsive, and competitive industrial base, the Department of Defense (DoD) requires accurate, pertinent, and up to date information as to industry's ability to satisfy defense needs. The Industrial Capabilities Questionnaire will be used by all Services and the Defense Logistics Agency to gather business, industrial capability (employment, skills, facilities, equipment, processes, and technologies), and manufactured end item information to conduct required industrial assessments and to support DoD strategic planning and decisions. Respondents are industry professionals who provide information to the requesting DoD agency on the industrial capabilities associated with the subject facility being reviewed. The DoD agencies are directed to solicit only those data elements within this form necessary to conduct the particular planing or assessment task at hand. This

approach is used to minimize the burden for data requests on industry and limit the retention of in-house data to that essential to supporting defense decisions and plans. A significant portion of this information will be collected electronically and, with appropriate measures to protect sensitive data, will be made available to authorized users in the Department to support a wide variety of industrial capability analysis. These analyses are used to support cost effective acquisition of defense systems and key troop support/consumable items, assess the implications of changes in defense spending on industry, development of responsive logistics support efforts, and industrial preparedness planning and readiness analysis. The lack of accurate, current, and relevant industry capability information will adversely impact the integrity of the Department's decision and planning efforts.

*Affected Public:* Business or other for-profit.

*Frequency:* Annually.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Mr. Peter N. Weiss.

Written comments and recommendations of the proposed information collection should be sent to Mr. Weiss at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

*DOD Clearance Officer:* Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Dated: March 16, 1999.

**Patricia L. Toppings,**

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

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Army Invites Public Submissions for Medal of Honor Award Recommendation for Theodore Roosevelt

**AGENCY:** Army, DoD.

**ACTION:** Notice (Request for Public Comments).

**SUMMARY:** Beginning on April 1 and ending on May 31, 1999, the U.S. Army invites the public to submit information about Theodore Roosevelt's battlefield courage in the attack on San Juan