

to an address change. "Mermentau Rice, Inc., Mermentau, Louisiana" is amended to read "Louisiana Rice Mill, LLC, Mermentau, Louisiana" due to a corporate name change. "Newfieldrice, Inc., Miami, Florida" is amended to read "Newfieldrice, Inc., Miramar, Florida" due to an address change. "Nishimoto Trading Company, Ltd., Los Angeles, California (a subsidiary of Nishimoto Trading Company, Ltd. (Japan))" is amended to read "Nishimoto Trading Co., Ltd., Santa Fe Springs, California (a subsidiary of Nishimoto Trading Company, Ltd. (Japan))" due to an address change. "Riviana Foods, Inc. Houston, Texas" is amended to read "Riviana Foods Inc., Houston, Texas (a subsidiary of Ebro Puleva, S.A. (Spain))" due to a corporate acquisition.

2. Delete the following companies as Members of the Certificate: "ACH Food Companies, Inc., Cordova, Tennessee," and "KD International Trading, Inc., Stockton, California (a subsidiary of Sunshine Business Enterprises, Inc.)."

In addition to the above, the Export Trade Activities and Methods of Operation of AARQ's Certificate have been updated to delete obsolete references to AARQ's earlier years of operation. Also, for clarification regarding the disposition of left over quantities from the bidding process, the following text has been added to item 2.F.(a) of the Export Trade Activities and Methods of Operation: "In the event fewer than 18 metric tons remain at the conclusion of the bidding process, the Administrator shall first offer the remaining quantity in succession to each of the next highest bidders, and then in succession from the highest to the lowest successful bidder(s)."

The effective date of the amended certificate is November 17, 2004. A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4001, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: February 16, 2005.

**Jeffrey Ansbacher,**

Director, Export Trading Company Affairs.  
[FR Doc. E5-739 Filed 2-22-05; 8:45 am]

BILLING CODE 3510-DR-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 021405A]

#### Endangered Species; File No. 1522; Permit No. 1356

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

**ACTION:** Receipt of application and modification request.

**SUMMARY:** Notice is hereby given that the following applicants have applied in due form for a permit (File No. 1522) or modification to a permit (Permit No. 1356) to take loggerhead (*Caretta caretta*) and green (*Chelonia mydas*) sea turtles for purposes of scientific research:

Kenneth J. Lohmann, Department of Biology, Wilson Hall, CB#3280, University of North Carolina at Chapel Hill, Chapel Hill, NC 27599 (File No. 1522);

Inwater Research Group Inc., 4160 NE Hyline Dr., Jensen Beach, FL 34957 (Permit No. 1356).

**DATES:** Written, telefaxed, or e-mail comments on the new application and amendment requests must be received on or before March 25, 2005.

**ADDRESSES:** The applications 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)427-2521; and

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

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for

providing email comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1522 or Permit No. 1356.

#### FOR FURTHER INFORMATION CONTACT:

Patrick Opay or Ruth Johnson, 301/713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit and amendment are requested 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 222-227).

#### Application for Permit

File No. 1522 Kenneth Lohmann: This applicant proposes to conduct two studies. The first would study the magnetic orientation of hatchlings migrating offshore. Loggerhead and green sea turtle hatchlings would have a lightweight float attached to them and they would be tracked by boat as they migrate offshore. At the conclusion of each test, researchers would recapture each turtle to remove the experimental gear and then release the turtle so that it could continue its migration.

The second study would investigate the navigation of adult loggerhead sea turtles. The study would have two experiments. The first would involve simple displacement involving releases at sites that lie in various directions and distances from the nesting beach so that the tracks could be analyzed in the context of magnetic topography and other potential cues.

The second would involve determining if disrupting the magnetic field around a displaced turtle impairs its ability to home. Two groups of turtles would be released at the same location, one with magnets or magnetic coils attached to their heads, the other with non-magnetic brass bars of equivalent size and weight attached to their heads (the control). Turtles would be tracked using a floating instrument attached to the turtle by means of a six meter long tether consisting of a 7-day corrodible link attached to a meter-long thin, stiff rod and five meters of very stiff stainless steel fishing leader. While the tether set-up would be removed on the beach after the turtle returns to nest, in the event that the researchers are unable to recapture the turtle on a nesting beach they are requesting authorization from NMFS to recapture her at sea and remove the tether equipment.

**Application to Modify Permit No. 1356**

Permit No. 1356 – Inwater Research Group, Inc.: The existing permit allows the take of green, loggerhead, Kemp's ridley and hawksbill turtles to study the demographic composition and genetic origin of sea turtles within the Key West National Wildlife Refuge, Florida. The permit holder requests a modification to the permit to attach satellite transmitters to a subset of the green sea turtles already authorized to be captured. The Holder also requests authority to conduct sampling all months of the year and to modify their study area to include a 30 kilometer area south, west and north of the Marquesas Keys.

Dated: February 16, 2005.

**Stephen L. Leathery,**

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

[FR Doc. 05-3441 Filed 2-22-05; 8:45 am]

BILLING CODE 3510-22-S

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 101204B]

**Small Takes of Marine Mammals Incidental to Specified Activities; Low-Energy Seismic Survey in the Southwest Pacific Ocean**

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

**ACTION:** Notice of issuance of an incidental harassment authorization.

**SUMMARY:** In accordance with provisions of the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that an Incidental Harassment Authorization (IHA) to take small numbers of marine mammals, by harassment, incidental to conducting oceanographic seismic surveys in the southwestern Pacific Ocean (SWPO) has been issued to the Scripps Institution of Oceanography, (Scripps).

**DATES:** Effective from February 10, 2005, through February 9, 2006.

**ADDRESSES:** The authorization and application containing a list of the references used in this document may be obtained by writing to this address or by telephoning the contact listed here. The application is also available at: <http://www.nmfs.noaa.gov/protres/PR2/SmallTake/smalltake1info.htm#applications>.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Hollingshead, Office of

Protected Resources, NMFS, (301) 713-2289, ext 128.

**SUPPLEMENTARY INFORMATION:****Background**

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce 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 either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Permission may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses and that the permissible methods of taking and requirements pertaining to the monitoring and reporting of such takings are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as "...an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Section 101(a)(5)(D) of the MMPA established 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. Except with respect to certain activities not pertinent here, the MMPA defines "harassment" as:

any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) 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 [Level B harassment].

Section 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 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 October 6, 2004, NMFS received an application from Scripps for the

taking, by harassment, of several species of marine mammals incidental to conducting a low-energy marine seismic survey program during early 2005 in the SWPO. The overall area within which the seismic survey will occur is located between approximately 25° and 50°S, and between approximately 133° and 162.5°W. The survey will be conducted entirely in international waters. The purpose of the seismic survey is to collect the site survey data for a second Integrated Ocean Drilling Program transect to study the structure of the Eocene Pacific from the subtropics into the Southern Ocean. A future ocean-drilling program cruise (not currently scheduled) based on the data collected in the present program will better document and constrain the actual patterns of atmospheric and oceanic circulation on Earth at the time of extreme warmth in the early Eocene. Through the later ocean drilling program, it is anticipated that marine scientists will be able to (1) define the poleward extent of the sub-tropical gyre, (2) establish the position of the polar front, (3) determine sea-surface temperatures and latitudinal temperature gradient, (4) determine the width and intensity of the high-productivity zone associated with these oceanographic features, (5) characterize the water masses formed in the sub-polar region, (6) determine the nature of the zonal winds and how they relate to oceanic surface circulation, and (7) document the changes in these systems as climate evolves from the warm early Eocene to the cold Antarctic of the early Oligocene. As presently scheduled, the seismic survey will occur from approximately February 11, 2005 to March 21, 2005.

**Description of the Activity**

The seismic survey will involve one vessel. The source vessel, the *R/V Melville*, will deploy a pair of low-energy Generator-Injector (GI) airguns as an energy source (each with a discharge volume of 45 in<sup>3</sup>), plus a 450-meter (m) (1476-ft) long, 48-channel, towed hydrophone streamer. As the airguns are towed along the survey lines, the receiving system will receive the returning acoustic signals. The survey program will consist of approximately 11,000 kilometer (km) (5940 nautical mile (nm)) of surveys, including turns. Water depths within the seismic survey area are 4000–5000 m (13,123–16,400 ft) with no strong topographic features. The GI guns will be operated en route between piston-coring sites, where bottom sediment cores will be collected. There will be additional operations associated with equipment testing, start-