

environmental impact statement (EIS) is needed for this project.

This project involves construction of a multiple-purpose reservoir as a supplement to the on-going Public Law 83-566 East Locust Creek Watershed project. The project supplement will include one rural water supply reservoir with additional purposes of flood protection, recreation, and fish and wildlife habitat enhancement.

A draft EIS will be prepared and circulated for review by agencies and the public. The Natural Resources Conservation Service invites participation and consultation of agencies and individuals that have special expertise, legal jurisdiction, or interest in the preparation of the draft EIS. A field investigation is scheduled for September 27 and 28, 2004, and additional planning Meetings will be scheduled as needed. Further information on the proposed action may be obtained from Harold Deckerd, Assistant State Conservationist, at the above address or telephone number.

Dated: September 16, 2004.

**Roger A. Hansen,**  
*State Conservationist.*

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**BILLING CODE 3410-16-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### President's Export Council: Meeting of the President's Export Council

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of an open meeting.

**SUMMARY:** The President's Export Council (PEC) will hold a full Council meeting to discuss topics related to export expansion. The meeting will include discussion of trade priorities and initiatives, the World Trade Organization, PEC subcommittee activity and proposed letters of recommendation. The PEC was established on December 20, 1973, and reconstituted May 4, 1979, to advise the President on matters relating to U.S. trade. It was most recently renewed by Executive Order 13316.

**DATES:** September 29, 2004.

**TIME:** 9 a.m. to 11 a.m.

**ADDRESSES:** Room 2237, Rayburn House Office Building, Washington, DC 20515. This program is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be submitted no

later than September 20, 2004, to J. Marc Chittum, President's Export Council, Room 4043, Washington, DC 20230 (Telephone: 202-482-1124). Seating is limited and will be on a first come, first served basis.

**FOR FURTHER INFORMATION CONTACT:** J. Marc Chittum, President's Export Council, Room 4043, Washington, DC 20230 (Phone: 202-482-1124), or visit the PEC Web site, <http://www.ita.doc.gov/td/pec>.

Dated: September 20, 2004.

**J. Marc Chittum,**

*Staff Director and Executive Secretary,  
President's Export Council.*

[FR Doc. 04-21468 Filed 9-21-04; 12:05 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 083104A]

#### Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Operation of an Offshore Oil and Gas Platform in the Beaufort Sea

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

**ACTION:** Notice of receipt of application for an incidental take authorization; request for comments and information.

**SUMMARY:** NMFS has received a request from BP Exploration (Alaska), 900 East Benson Boulevard, Anchorage, AK 99519 (BP) for renewal of an authorization to take small numbers of marine mammals incidental to operation of an offshore oil and gas platform at the Northstar facility in the Beaufort Sea in state waters. NMFS is considering whether to propose new regulations that would govern the incidental taking of small numbers of marine mammals under a Letter of Authorization (LOA) issued to BP. In order to promulgate regulations and issue an LOA, NMFS must determine that these takings will have a negligible impact on the affected species and stocks of marine mammals. NMFS invites comment on the application and suggestions on the content of the regulations.

**DATES:** Comments and information must be postmarked no later than October 25, 2004.

**ADDRESSES:** Comments on the application should be addressed to Steve Leathery, Chief, Permits,

Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, or by telephoning one of the contacts listed here. The mailbox address for providing email comments is [PR1.083104A@noaa.gov](mailto:PR1.083104A@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: 083104A. Please use only one method for submitting comments. NMFS is not responsible for e-mail comments sent to addresses other than the one provided here. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size. A copy of the 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 and is also available at: [http://www.nmfs.noaa.gov/prot\\_res/PR2/Small\\_Take/smalltake\\_info.htm#applications](http://www.nmfs.noaa.gov/prot_res/PR2/Small_Take/smalltake_info.htm#applications).

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Hollingshead, NMFS, 301-713-2055, ext. 128 or Brad Smith, NMFS, (907) 271-5006.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 101(a)(5)(A) of the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*) (MMPA) directs the Secretary of Commerce (Secretary) 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 for periods of 5 years or less if the Secretary 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 regulations are prescribed setting forth the permissible methods of taking and the requirements pertaining to the monitoring and reporting of such taking.

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." Except for certain categories of 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