

inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: February 5, 2004.

John J. Kelly, Jr.,

Deputy Under Secretary of Commerce for Oceans and Atmosphere

[FR Doc. 04-3083 Filed 2-11-04; 8:45 am]

BILLING CODE 3510-12-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 011206293-3182-02; I.D. 020504A]

Pacific Halibut Fishery; Guideline Harvest Levels for the Guided Recreational Halibut Fishery

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

ACTION: Notice of guideline harvest level.

SUMMARY: NMFS provides notice of the guideline harvest level (GHL) for the guided sport halibut fishery (charter fishery) in the International Pacific Halibut Commission (IPHC) regulatory area 2C of 1,432,000 pounds (649.5 mt), and a GHL in the IPHC regulatory area 3A of 3,650,000 pounds (1,655.6 mt).

DATES: The GHL is effective beginning 1200 hrs, Alaska local time (A.l.t.), February 1, 2004, and will close on 2359 hours, A.l.t., December 31, 2004. This period is specified by the IPHC as the sport fishing season in all waters of Alaska.

FOR FURTHER INFORMATION CONTACT: Glenn Merrill, 907-586-7228, or email at glenn.merrill@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS implemented a final rule to establish GHLs in IPHC regulatory areas 2C and 3A for the harvest of Pacific halibut (*Hippoglosses stenolepis*) by the charter fishery on August 8, 2003 (68 FR 47256). The GHL is intended to serve as a benchmark for participants in the charter fishery.

This announcement is consistent with § 300.65(i)(2), which requires that GHLs for IPHC regulatory areas 2C and 3A be specified by NMFS and announced by publication in the **Federal Register** no later than 30 days after receiving information from the IPHC which establishes the constant exploitation yield (CEY) for halibut in IPHC regulatory areas 2C and 3A for that year. Based on the regulations at § 300.65(i)(1), the CEY established by

the IPHC in 2004 in regulatory area 2C results in a GHL of 1,432,000 pounds (649.5 mt), and, in regulatory area 3A, results in a GHL of 3,650,000 pounds (1,655.6 mt).

This notice does not require any regulatory action by NMFS and is intended to serve as an announcement of the GHL in Areas 2C and 3A for 2004. If a GHL is exceeded in 2004, based on information received from the Alaska Department of Fish and Game, NMFS will notify the North Pacific Fishery Management Council (Council) in writing within 30 days pursuant to regulations at § 300.65(i)(3). The Council is not required to take action, but may recommend additional management measures after receiving notification that a GHL has been exceeded.

Classification

This action does not require any additional regulatory action by NMFS and does not impose any additional restrictions on harvests by the charter fishery. If the GHL is exceeded in any year, the Council would be notified, but no action would be required to be taken. This process of notification is intended to provide the Council an indication of the level of harvests by the charter fishery in a given year and could be used to prompt future action.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 10, 2004.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 04-3261 Filed 2-10-04; 2:55 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 121903B]

Marine Mammals; File No. 764-1703-00

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

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that the National Museum of Natural History, Smithsonian Institution, Washington, D.C. 20008-2598 (Principal Investigator: Charles Potter), has been issued a permit to obtain, collect, and import/export specimens of marine mammals of the Orders Cetacea and Pinnipedia (except walrus) for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following office(s): See **SUPPLEMENTARY INFORMATION** for addresses.

FOR FURTHER INFORMATION CONTACT:

Ruth Johnson or Jennifer Skidmore 301/713-2289.

SUPPLEMENTARY INFORMATION: On October 9, 2003, notice was published in the **Federal Register** (68 FR 58316) that a request for a scientific research permit to collect, obtain, and import/export samples taken from marine mammals of the Orders Pinnipedia (except walrus) and Cetacea had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), the regulations governing endangered and threatened fish and wildlife (50 CFR parts 222-226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

Documents are available in the following offices:

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

Assistant Regional Administrator for Protected Resources, Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206) 526-6150; fax (206) 526-6426;

Assistant Regional Administrator for Protected Resources, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7235; fax (907) 586-7012;

Assistant Regional Administrator for Protected Resources, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4020; fax (562) 980-4027;

Coordinator, Pacific Islands Area Office, NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700; phone (808) 973-2935; fax (808) 973-2941;

Assistant Regional Administrator for Protected Resources, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (508) 281-9346; fax (508) 281-9371; and

Assistant Regional Administrator for Protected Resources, Southeast Region, NMFS, 9721 Executive Center Drive