

will, within 45 days, determine whether these imports are materially injuring, or threaten material injury to, the U.S. industry. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing the Customs Service to assess antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

This determination is published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: April 2, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-8928 Filed 4-8-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 032399A]

Regulations Governing the Taking and Importing of Marine Mammals; Endangered and Threatened Fish and Wildlife; Cook Inlet Beluga Whales

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

ACTION: Notice of receipt of petitions.

SUMMARY: NMFS announces the receipt of two petitions to list the Cook Inlet population of beluga whales under the Endangered Species Act (ESA) and one petition to designate the population as depleted under the Marine Mammal Protection Act (MMPA). NMFS also announces that it has determined that the petitioned actions may be warranted.

ADDRESSES: Requests for copies of the petitions should be addressed to Chief, Marine Mammal Division (PR2), Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Division Chief, Protected Resources Management Division, Alaska Region, NMFS, (907) 586-7235; Brad Smith/Barbara Mahoney, Protected Resources Management Division, Alaska Region, NMFS, (907) 271-5006; or Margot Bohan/Dean Wilkinson, Office of

Protected Resources, NMFS, (301) 713-2322.

SUPPLEMENTARY INFORMATION:

Background

The MMPA (16 U.S.C. 1361-1407) contains provisions for interested parties to petition for a species or stock to be designated as "depleted" (16 U.S.C. 1383(b)). Section 4 of the ESA (16 U.S.C. 1531-1543) and 50 CFR part 424 contain provisions allowing interested parties to petition for a species (including any subspecies or, in the case of vertebrates, a distinct population segment which interbreeds when mature) to be listed as threatened or endangered. If a petition presents substantial information, a review is conducted to determine if a species should be designated as depleted or listed as endangered or threatened. Determinations are made based on the best available scientific data.

Petitions Received

On January 21, 1999, NMFS received a petition from the State of Alaska to designate the Cook Inlet beluga stock as depleted. On March 3, 1999, NMFS received a petition, on behalf of Joel Blatchford, a Native Alaskan beluga hunter, the Alaska Center for the Environment, the Alaska Community Action on Toxics, the Alaska Wildlife Alliance, the Center of Biological Diversity, the Center for Marine Conservation, the National Audubon Society, and the Trustees for Alaska to list Cook Inlet belugas as endangered under the ESA on an emergency basis. On March 10, 1999, NMFS received another petition from the Animal Welfare Institute to change the status of Cook Inlet beluga whales to depleted under the MMPA and endangered under the ESA.

Presentation of Substantial Information

NMFS has determined that each of these petitions presents substantial information indicating that the petitioned action may be warranted. A copy of the petitions and information submitted with the petitions is available upon request (see **ADDRESSES**).

NMFS recently commenced a review of the status of the Cook Inlet population of beluga whales, in collaboration with the Alaska Beluga Whale Committee and the Cook Inlet Marine Mammal Council. The agency solicited information and public comments in conjunction with the status review to ensure that the review is complete and is based on the best available information. Completion of the status review is expected in early April. NMFS will evaluate the merits of listing of the Cook Inlet beluga whale as

threatened or endangered under the ESA based on the findings of this status review. NMFS will also evaluate the merits of designating the Cook Inlet beluga whale as depleted under the MMPA based on this review.

Dated: April 2, 1999.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 99-8905 Filed 4-8-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 032499A]

Small Takes of Marine Mammals Incidental to Specified Activities; Offshore Oil and Gas Activities in the Beaufort Sea

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

ACTION: Request for panel nominations.

SUMMARY: The Marine Mammal Protection Act (MMPA) requires Incidental Harassment Authorizations (IHAs) issued thereunder, to prescribe, where applicable, the requirements for an independent peer review of research and monitoring plans for those activities that take marine mammals incidental to the activity and where the activity may affect the availability of a species/stock of marine mammal for taking for subsistence uses in Arctic waters. In addition, NMFS regulations require similar review for Letters of Authorization (LOAs) issued under the MMPA for activities in Arctic waters. Because of increasing activities and potential MMPA authorizations in Arctic waters, NMFS wishes to expand its present list of peer review participants. NMFS is therefore accepting nominations from the public for consideration as potential reviewers of monitoring and research plans in the Arctic.

DATES: Nominations must be received no later than May 24, 1999.

ADDRESSES: Nominations should be addressed to Donna Wieting, Acting Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3225. Additional information may be obtained by writing to this address or by telephoning the contact listed here.

FOR FURTHER INFORMATION CONTACT:
Kenneth R. Hollingshead, NMFS, (301)
713-2055.

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, 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), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses, and the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth.

On April 10, 1996 (61 FR 15884), NMFS published an interim rule establishing, among other things, procedures for issuing LOAs under section 101(a)(5)(A) and IHAs under section 101(a)(5)(D) of the MMPA.

Section 101(a)(5)(D)(ii)(III) of the MMPA requires authorizations to prescribe, where applicable, the requirements for the "independent peer review of proposed monitoring plans

or other research proposals where the proposed activity may affect the availability of a species or stock for taking for subsistence uses..." This requirement was codified at 50 CFR 216.107. However, due to time constraints, it is often necessary for the peer review process to be substantially completed prior to issuance of the authorization.

Procedure

If an activity, taking place in Arctic waters, has the potential to cause an adverse impact on those marine mammals taken in subsistence harvests, applicants are required to submit to NMFS a complete draft Monitoring Plan (Plan) for assessing impacts to marine mammals, either with an IHA application but no later than 120 days prior to the date an IHA is expected to be issued. The timing of the submission minimizes potential conflicts among user groups over whether a proposed Plan is adequate for determining the effects of the proposed activity on stocks

of marine mammals needed for subsistence purposes.

Upon receipt of a small take application and draft Plan, NMFS reviews the documents and makes a preliminary determination on whether the activity has the potential to adversely affect the availability of a species or stock for subsistence uses. If NMFS makes a preliminary determination that the activity has the potential to adversely affect the availability of a species or stock for subsistence uses, NMFS will (1) establish an independent peer-review panel to critique the Plan and provide comments and recommendations on improving monitoring, (2) convene a peer review workshop to discuss and evaluate the Plan prior to requesting independent peer review, or (3) consult with the Marine Mammal Commission (MMC), the Alaska Eskimo Whaling Commission (AEWC), and either the North Slope Borough (NSB), or another Native Alaskan Interest Group as appropriate to determine the level of review appropriate for the activity. The Plan, and NMFS' preliminary determination on the level of peer review, is also made available to the public at the time of publication in the **Federal Register** of a notice of receipt of an IHA or LOA application. If a peer review workshop is convened, independent peer review is requested on the Plan after incorporation of any workshop recommendations. Peer review usually is also conducted on the results of any monitoring program that has previously undergone peer review.

As an example of a peer-review process, applicants involved in oil and gas exploration and development activities in the U.S. Beaufort Sea coordinate activities with NMFS and NSB residents and provide a Plan several months prior to an activity's commencement. In most years, a peer-review workshop is scheduled to review the Plan. That procedure is likely to continue into the future. For this type of activity, the workshop normally includes 6 to 10 experts in the fields of population ecology, survey design, acoustics, and marine mammal behavior. Workshop participants are selected by NMFS, in consultation with the MMC, the AEWC, the NSB and the applicant, all of whom may have scientific representation. Normally, the workshop is chaired by NMFS and minutes from the workshop are prepared within 2 weeks by a rapporteur assigned to assist the Chair, and made available to the general public upon request. Often, the Plan is modified subsequent to the workshop and submitted to NMFS for acceptance

and submission to the independent peer review panel. Selected independent peer reviewers (usually 3 to 4) are experts in one or more of the previously mentioned scientific areas who are not currently employed or contracted by either the affected Alaskan native organization, or NMFS. To avoid a potential conflict of interest, marine mammal scientists who are currently employed or contracted by potential applicants may be selected for the peer review panel, but would not be requested to peer review the Plans of their employer.

Nominations Solicited

NMFS requests interested persons to submit recommendations, comments, information, and suggestions concerning potential peer-reviewers (see **ADDRESSES**). Nominators should ensure that the potential applicant is a biological scientist, familiar either with monitoring techniques for assessing marine mammal populations, and/or knowledgeable on life history parameters of Arctic marine mammals and willing to review a maximum of 1 monitoring plan and resulting research report per year without compensation. Upon receipt of an interest in participating as an independent peer reviewer, NMFS may solicit additional information, including, where necessary, curriculum vitae of the interested individual. Applicants who are currently employed or contracted by NMFS, the NSB, or the AEWC cannot be selected.

Dated: April 5, 1999.

Art Jeffers,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 040599B]

Mid-Atlantic Fishery Management Council (MAFMC); Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Mid-Atlantic Fishery Management Council, its Executive Committee, and its Surf Clam and Ocean Quahog, Comprehensive Management, Information and Education, Tilefish, and Squid,