

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

[I.D. 011604A]

Endangered Species; File No. 1450

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

ACTION: Receipt of application.

SUMMARY: Notice is hereby given that Jane Provancha, Dynamac Corporation, 100 Spaceport Way, Cape Canaveral, FL 32920, has applied in due form for a permit to take green sea turtles (*Chelonia mydas*) and loggerhead sea turtles (*Caretta caretta*) for purposes of scientific research.

DATES: Written or telefaxed comments must be received on or before February 25, 2004.

ADDRESSES: The application 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)713-0376; and Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

FOR FURTHER INFORMATION CONTACT: Sarah Wilkin (301) 713-2289 or Patrick Opay (301) 713-1401.

SUPPLEMENTARY INFORMATION: The subject permit is 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 222-226).

The applicant proposes to utilize tangle net methodology to study the abundance and distribution of green and loggerhead sea turtles in the waters of Mosquito Lagoon, Indian River Lagoon, Volusia and Brevard Counties, FL. The purpose of the research is to provide a basic understanding of the abundance, location, and movement of sea turtles within this estuarine ecosystem. The proposed research project would be a continuation of work that has been conducted by these researchers in this area since 1995. This research will help resource managers develop optimal management strategies in order to conserve and protect sea turtles and their habitat; recapture data provides important information on the biology of

these species, including health condition, growth rates, residency and survival. Turtles will be captured in a large mesh (9 in/22cm) tangle net. Turtles will be retained on a vessel for the collection of morphometric data, flipper and PIT tagging, photographs, blood sampling, lavage, and release. Forty green sea turtles and 15 loggerhead turtles of all sizes will be captured annually. Twelve of the 40 captured green sea turtles will have sonic transmitters glued to the carapace. These turtles will be tracked and monitored using moored receivers. The requested duration of this permit is 5 years.

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)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 by other electronic media.

Dated: January 16, 2004.

Carrie W. Hubbard,

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

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

[I.D. 011604B]

Endangered Species; File No. 1377

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

ACTION: Receipt of application for modification.

SUMMARY: Notice is hereby given that Dr. Anton Tucker, Mote Marine Laboratory, 1600 Ken Thompson Parkway, Sarasota, FL 34236, has requested a modification to scientific research Permit No. 1377.

DATES: Written or telefaxed comments must be received on or before February 25, 2004.

ADDRESSES: The modification request 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)713-0376; 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 request should be submitted 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 modification 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:

Sarah Wilkin or Carrie Hubbard, (301)713-2289.

SUPPLEMENTARY INFORMATION: The subject modification to Permit No. 1377, issued on December 4, 2002 (67 FR 76727) is requested under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 1377 authorizes the permit holder to: capture, flipper and PIT tag and collect blood and tissue samples from 150 juvenile and subadult green (*Chelonia mydas*), 150 juvenile and subadult Kemp's ridley (*Lepidochelys kempi*), 100 juvenile and sub-adult loggerhead (*Caretta caretta*), and 5 juvenile and sub-adult hawksbill (*Eretmochelys imbricata*) sea turtles annually in Charlotte Harbor, Florida. Additionally, 10 green, 10 Kemp's ridley, 10 loggerhead, and 5 hawksbill sea turtles may also be collected annually from Pine Island Sound and the Gulf of Mexico waters near Crystal River, FL incidental to gill net operations targeting sharks conducted by the Center for Shark Research. These turtles will be measured, flipper tagged and released. In the second through fifth years of the permit, up to 5 green and/or Kemp's ridley turtles will also have

satellite tags attached. This permit expires December 31, 2007. The permit holder requests authorization to expand the study area to include the Florida Keys, and to allow the capture, flipper and PIT tagging and collection of blood and tissue samples from an additional 150 juvenile and subadult green, 150 juvenile and sub-adult Kemp's ridley, 100 juvenile and sub-adult loggerhead, and 5 juvenile and sub-adult hawksbill sea turtles in the Florida Keys. The permit holder requests the addition of sampling techniques for all captured turtles to include scute scraping for heavy metal analysis, bioelectrical impedance analysis to determine fat content, gastric lavage to obtain stomach contents, and laparoscopic surgery to determine sex and reproductive status. Additionally, the permit holder requests authorization to utilize additional telemetry instruments and attachment methods, including radio tags, sonic (acoustic) tags, time depth recorders, and animal-borne video, audio and environmental data collection systems (AVEDS). Instruments will be attached to a maximum of 25 turtles of any species in Charlotte Harbor, and 25 turtles of any species in the Florida Keys, annually.

Dated: January 16, 2004.

Carrie W. Hubbard,

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

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comments on Commercial Availability Petition under the African Growth and Opportunity Act (AGOA), the United States-Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Promotion and Drug Eradication Act (ATPDEA)

January 21, 2004.

AGENCY: The Committee for the Implementation of Textile Agreements

ACTION: Request for public comments concerning a petition for a determination that certain combed compact yarns, of wool or fine animal hair, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, the CBTPA, and the ATPDEA.

SUMMARY: On January 14, 2004, the Chairman of CITA received a petition from Warren Corporation alleging that

combed compact yarns, of wool or fine animal hair, classified in subheadings 5107.10, 5107.20, or 5108.20 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requests that apparel from such yarns or from U.S.-formed fabrics containing such yarns be eligible for preferential treatment under the AGOA, the CBTPA, and the ATPDEA. CITA hereby solicits public comments on this request, in particular with regard to whether such yarns can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by **February 10, 2004** to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution Avenue, N.W. Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Martin Walsh, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-2818.

SUPPLEMENTARY INFORMATION:

Authority: Section 112(b)(5)(B) of the AGOA; Section 213(b)(2)(A)(v)(II) of the CBTPA, as added by Section 211(a) of the CBTPA; Sections 1 and 6 of Executive Order No. 13191 of January 17, 2001; Section 204 (b)(3)(B)(ii) of the ATPDEA, Presidential Proclamation 7616 of October 31, 2002, Executive Order 13277 of November 19, 2002, and the United States Trade Representative's Notice of Further Assignment of Functions of November 25, 2002.

Background

The AGOA, the CBTPA, and the ATPDEA provide for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns and fabrics formed in the United States or a beneficiary country. The AGOA, the CBTPA, and the ATPDEA also provide for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary countries from fabric or yarn that is not formed in the United States, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner. In Executive Order No. 13191 (66 FR 7271) and pursuant to Executive Order No. 13277 (67 FR 70305) and the United States Trade Representative's Notice of Redlegation of Authority and Further Assignment of Functions (67 FR 71606), the President

delegated to CITA the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, the CBTPA, or the ATPDEA. On March 6, 2001, CITA published procedures that it will follow in considering requests (66 FR 13502).

On January 14, 2004, the Chairman of CITA received a petition from Warren Corporation alleging that combed compact yarns, of wool or fine animal hair, classified in subheadings 5107.10, 5107.20, or 5108.20 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. It requests quota- and duty-free treatment under the AGOA, the CBTPA, and the ATPDEA for apparel articles that are both cut (or knit-to-shape) and sewn in one or more AGOA, CBTPA, or ATPDEA beneficiary countries from such yarns or from U.S.-formed fabrics containing such yarns.

CITA is soliciting public comments regarding this request, particularly with respect to whether this yarn can be supplied by the domestic industry in commercial quantities in a timely manner. Also relevant is whether other yarns that are supplied by the domestic industry in commercial quantities in a timely manner are substitutable for this yarn for purposes of the intended use. Comments must be received no later than **February 10, 2004**. Interested persons are invited to submit six copies of such comments or information to the Chairman, Committee for the Implementation of Textile Agreements, room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, DC 20230.

If a comment alleges that this yarn can be supplied by the domestic industry in commercial quantities in a timely manner, CITA will closely review any supporting documentation, such as a signed statement by a manufacturer of the yarn stating that it produces the yarn that is the subject of the request, including the quantities that can be supplied and the time necessary to fill an order, as well as any relevant information regarding past production.

CITA will protect any business confidential information that is marked business confidential from disclosure to the full extent permitted by law. CITA will make available to the public non-confidential versions of the request and non-confidential versions of any public comments received with respect to a request in room 3100 in the Herbert Hoover Building, 14th and Constitution Avenue, N.W., Washington, DC 20230.