

[I.D. 100395A]**Marine Mammals**

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

ACTION: Receipt of application to modify permit no. 867 (P540).

SUMMARY: Notice is hereby given that Dr. Frank Cipriano, Kewalo Marine Laboratory 13 Ahui Street, Honolulu, HI 96813, has requested a modification to permit No. 867.

ADDRESSES: The modification request and related documents are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Director, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (310/980-4015), including the Pacific Area Office of NMFS, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396 (808/955-8831);

Director, Northwest Region (206/526-6150) and Director, National Marine Mammal Laboratory (206/526-4020), NMFS, 7600 Sand Point Way, NE, BIN C15700, Seattle, WA 98115;

Director, Alaska Region, NMFS, Federal Annex, P.O. Box 21668, Juneau, AK 99802 (907/586-7221); and

Director, Southeast Region, National Marine Fisheries Service, 9450 Koger Blvd., St. Petersburg, FL 33702 (813/893-3141).

Written data or views, or requests for a public hearing on this request should be submitted to the Director, Office of Protected Resources, NMFS, NOAA, U.S. Department of Commerce, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular modification request would be appropriate.

Concurrent with the publication of this notice in the Federal Register, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

SUPPLEMENTARY INFORMATION: The subject modification to permit No. 867, issued on July 20, 1993 (58 FR 40114) and modified on April 12, 1994 (59 FR 6949), is requested 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 (16 U.S.C. 1531 *et seq.*) and the regulations governing endangered fish and wildlife (50 CFR 222).

Permit No. 867 authorizes the permit holder to obtain and/or import blood, and/or muscle, liver, gonadal, skin or blubber samples from various cetacean species for phylogenetic analyses. Samples may be obtained from available collections and museums in the United States, or imported from Argentina, Canada, Chile, France, Peru, New Zealand, South Africa, and the United Kingdom.

The permit holder requests authorization to include two other species, Commerson's dolphin (*Cephalorhynchus commersoni*) and killer whale (*Orcinus orca*) in the analysis to help in the assessment of the relationship of various *Lagenorhynchus* species to other dolphins; and increase the number of bottlenose dolphin specimens to be obtained from 6 to 40 specimens. Additionally, he requests that bones and teeth be added to the list of tissues that may be obtained and imported and to import samples from Australia. The *C. commersoni* specimens and *O. orca* specimens are available from Sea World and several other tissue collections.

Dated: October 3, 1995.

Ann D. Terbush,

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

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[I.D. 100495A]**Endangered Species; Permits**

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

ACTION: Issuance of permit 981, and modification 1 to permit 962.

SUMMARY: Notice is hereby given that NMFS issued Permit 981 to David Owens of Texas A&M University (P531A), and Modification 1 to Permit 962 held by Carlos Diez and Robert van Dam of the University of Central Florida (P509B). Both permits authorize the take of listed sea turtles for the purpose of scientific research, subject to certain conditions set forth therein.

ADDRESSES: The applications, permits, and related documents are available for review by appointment in the following offices:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Hwy., Room 13307, Silver Spring, MD 20910-3226 (301-713-1401); and

Director, Southeast Region, NMFS, NOAA 9721 Executive Center Drive, St. Petersburg, FL 33702-2432 (813-893-3141).

SUPPLEMENTARY INFORMATION: A notice was published on July 21, 1995 (60 FR 37627) that an application had been filed by David Owens of Texas A&M University (P531A), to take listed sea turtles as authorized by the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-222). Dr. Owens has requested authorization to conduct scientific research on listed sea turtles in the Flower Garden Banks National Marine Sanctuary and Stetson Bank (reef systems), through 1996. The purpose of the research is to study habitat use, migratory patterns, and feeding biology of loggerhead (*Caretta caretta*) and hawksbill (*Eretmochelys imbricata*) sea turtles. Twenty loggerhead and four hawksbill sea turtles will be captured by hand, attached with tags and transmitters, have blood samples taken for genetic identification and sex determination, have ultrasonography (a non-invasive technique) conducted to identify pre-reproductive females, and have stomach lavage conducted to determine diet. In addition, turtles may be observed and filmed to determine feeding habits and forage/prey preferences. On September 27, 1995, NMFS issued a permit authorizing this take.

Carlos Diez of the University of Central Florida (P509B) has requested a modification to Permit 962, authorizing the sampling of scute material from 30 hawksbill turtles in the waters of Mona and Monito Islands, Puerto Rico. On October 4, 1995, NMFS issued a permit authorizing this take.

Issuance of this permit and permit modification, as required by the ESA, was based on a finding that such permit and modification: (1) Were applied for in good faith, (2) will not operate to the disadvantage of the listed species that are the subject of the permit and modification, and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: October 5, 1995.

Russell J. Bellmer,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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