

[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.

[FR Doc. 95-25199 Filed 10-11-95; 8:45 am]

BILLING CODE 3510-22-F

[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.

[FR Doc. 95-25198 Filed 10-11-95; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF DEFENSE**Department of the Army****Notice of Intent To Prepare Environmental Impact Analyses for Defense Base Realignment and Disposal Actions Resulting From the 1995 Commission's Recommendations**

AGENCY: United States Army, Department of Defense.

ACTION: Correction.

SUMMARY: In previous Federal Register notice (Vol 60, No. 184, pages 49263-49264) Friday, September 22, 1995, make the following correction:

On Page 49264 in column one, paragraph c. in the third line the word "closure" should be deleted. The sites listed for environmental assessment NEPA documentation for real property available for disposal were erroneously listed as "closure" locations. The installations shown are a mixture of closure and realignment installations having real property for disposal.

FOR FURTHER INFORMATION CONTACT: For further information, see the listing of Public Affairs Office contacts for each installation in the original notice.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 95-25211 Filed 10-11-95; 8:45 am]

BILLING CODE 3710-08-M

Record of Decision (ROD) for Proposed Deep Draft Dredging at Military Ocean Terminal, Sunny Point, NC

AGENCY: Department of the Army, DOD.

ACTION: Notice of availability.

SUMMARY: The Military Ocean Terminal, Sunny Point (MOTSU) located along the west bank of the Cape Fear River in southeastern North Carolina, is 25 miles south of Wilmington and 5 miles north of Southport. The recommended improvements consist of dredging to deepen the south and center basins and their entrance channels from 34 feet mean low water (m.l.w.) to 38 feet m.l.w., plus 2 feet of overdepth, and to widen these entrance channels from 300 feet to 400 feet. Also, a portion of the center basin will be widened from 800 to 1,000 feet wide to 1,500 feet wide. Existing permanent navigation facilities require improvements to provide sufficient depth and width to allow the safe passage and maneuvering of modern deep-draft vessels and to permit loading them to their designed capacity and draft. Dredged material disposal will be at the Wilmington Ocean Dredged Material Disposal Site or at

existing confined disposal area 4 at MOTSU.

Three alternatives were considered in detail: the proposed improvements to the MOTSU channels and basins, the proposed improvements to the MOTSU channels and basins with mitigation measures to avoid or minimize adverse environmental effects, and the no action alternative. The proposed MOTSU improvement alternatives are only alternatives that will provide MOTSU with the capability to meet current operational requirements. Present and foreseeable national defense needs make the no action alternative unacceptable.

All applicable laws, executive orders, and regulations were considered during development and evaluation of alternative plans. The recommended plan is in full compliance with these requirements.

ADDRESSES: For a copy of the ROD contact District Engineer, U.S. Army Corps of Engineers, Wilmington District, (Attention: Mr. Philip Payonk), P.O. Box 1890, Wilmington, North Carolina 28402-1890. The telephone number is (919) 251-4589.

Dated: October 5, 1995.

Raymond J. Fatz,

Acting Deputy Assistant Secretary of the Army, (Environment, Safety and Occupational Health) OASA (I,L&E).

[FR Doc. 95-25227 Filed 10-11-95; 8:45 am]

BILLING CODE 3710-08-M

Department of the Navy**Notice of Intent To Prepare an Environmental Impact Statement for Disposal of U.S. Navy Shipboard Solid Waste**

Pursuant to Executive Order 12114 (Environmental Effects Abroad of Major Federal Actions) and Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 as implemented by the Council on Environmental Quality regulations (40 CFR Parts 1500-1508), the Department of the Navy is announcing its intent to prepare an Environmental Impact Statement (EIS) for disposal of U.S. Navy shipboard solid waste as defined in the International Convention for the Prevention of Pollution from Ships (MARPOL V) (1973).

The work process will entail the compilation, analysis, and extrapolation of relevant data necessary to investigate specific issues and potential environmental impacts associated with disposal of U.S. Navy shipboard solid waste for Navy vessels operating world wide, with special emphasis given to

the special areas identified under MARPOL V.

The Department of the Navy initially announced its intent to develop a plan for compliance with Regulation 5 of Annex V to the MARPOL Convention in the Federal Register on July 21, 1994. That Federal Register Notice discussed the background issues surrounding shipboard solid waste disposal, the underlying requirements of international conventions and U.S. domestic laws, the requirement to submit a special area compliance plan to Congress by November 1996, and the requirement to ensure public participation in the development of that plan. The Department of the Navy held a public meeting in September 1994 to solicit public comments on preparation of a special area compliance plan.

The Department of the Navy has determined that it is appropriate at this time to evaluate the environmental impacts of alternative methods for disposal of shipboard solid waste identified in the July 21, 1994 Federal Register Notice. The Department of the Navy intends to use the EIS to support recommendations in a report to be submitted to Congress by November 1996. Even though the scope of the geographic area covered in the EIS will be broader than that covered by the special area compliance plan, the EIS and the plan will discuss the same range of alternatives. Consequently, comments received during the EIS scoping process will be considered as comments on the development of the special area compliance plan as well.

The Navy will evaluate the potential environmental impacts associated with the following solid waste disposal alternatives for Navy vessels:

- a. Store and/or retrograde all non-food solid waste; discharge food waste overboard in accordance with current restrictions and requirements.
- b. Store and retrograde plastics; discharge food waste overboard in accordance with current restrictions and requirements; pulp or shred and discharge all other solid waste.
- c. Store and retrograde plastics; discharge food waste overboard in accordance with current restrictions and requirements; develop high-tech Thermal Destruction solution (e.g., incineration and plasma arc pyrolysis) for all other solid waste.

d. No-action: Discharge solid waste overboard in accordance with the Act to Prevent Pollution from Ships [33 U.S.C. 1902(c)(3)] and the Navy's Environment and Natural Resources Program Manual [Chief of Naval Operations Instruction 5090.1B], i.e., discharge of non-plastic