

effective from April 1, 2002, through March 31, 2003.

DATES: Effective April 1, 2002, through March 31, 2003.

FOR FURTHER INFORMATION CONTACT:

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, California, 90802-4213; Phone 562-980-4000; Fax 562-980-4018.

SUPPLEMENTARY INFORMATION: The MMPA, 16 U.S.C. 1361 *et seq.*, as amended by the International Dolphin Conservation Program Act (IDCPA) (Pub. L. 105-42), allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State. A finding will remain valid for 1 year (April 1 through March 31) or for such other period as the Assistant Administrator may determine. An affirmative finding applies to tuna and tuna products that were harvested in the ETP by purse seine vessels of the nation, and applies to any tuna harvested in the ETP purse seine fishery after March 3, 1999, the effective date of the IDCPA.

The affirmative finding process requires that the harvesting nation meet several conditions related to compliance with the International Dolphin Conservation Program (IDCP). A nation may opt to provide information regarding compliance with the IDCP directly to NMFS on an annual basis or to authorize the IATTC to release the information to NMFS in years when NMFS will review and consider whether to issue an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f)(9) are no longer being met or that a nation is consistently failing to take enforcement actions on violations that diminish the effectiveness of the IDCP. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator.

As a part of the annual review process set forth in 50 CFR 216.24 (f)(9), the Assistant Administrator considered documentary evidence submitted by the Republic of Ecuador and obtained from

the IATTC and the Department of State and determined that the requirements under the MMPA to receive an affirmative finding have been met for the purposes of renewing an affirmative finding.

Effective April 1, 2002, after consultation with the Department of State, NMFS renewed the Republic of Ecuador's affirmative finding allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Ecuadorian-flag purse seine vessels with a carrying capacity greater than 400 short tons (362.8 metric tons) or purse seine vessels with a carrying capacity greater than 400 short tons operating under Ecuadorian jurisdiction after March 3, 1999. This renewal will remain in effect for 1 year (April 1, 2002 through March 31, 2003).

In subsequent years 2003 through 2004, the Assistant Administrator will determine on an annual basis whether the Republic of Ecuador is meeting the requirements under section 101(a)(2)(B) and (C) of the MMPA. If necessary, documentary evidence may also be requested from the Republic of Ecuador to determine whether the affirmative finding criteria are being met. If the affirmative finding for the Republic of Ecuador is renewed after NMFS's annual review in the years 2003 and 2004, the Republic of Ecuador must submit a new application in early 2005 for an affirmative finding to be effective for the period April 1, 2005, through March 31, 2006, and subsequent years.

Dated: April 15, 2002.

Rebecca Lent,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041202C]

Endangered Species; Permits

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

ACTION: Receipt of an application for a research permit (1377).

SUMMARY: Notice is hereby given of the following actions regarding permits for takes of endangered and threatened species for the purposes of scientific

research and/or enhancement under the Endangered Species Act (ESA): NMFS has received an application for a scientific research permit from Ms. Tracey Mueller, of Mote Marine Laboratory.

DATES: Written comments or requests for a public hearing on this new application must be received at the appropriate address or fax number no later than 5 p.m. eastern standard time on May 20, 2002.

ADDRESSES: Written comments on the new application request should be sent to the appropriate office as indicated below. Comments may also be sent via fax to the number indicated for the application. Comments will not be accepted if submitted via e-mail or the Internet. The application and related documents are available for review in the indicated office, by appointment:

Permits, Conservation and Education Division, F/PR1, 1315 East West Highway, Silver Spring, MD 20910 (phone: 301-713-2289, fax: 301-713-0376).

FOR FURTHER INFORMATION CONTACT:

Lillian Becker, Silver Spring, MD (phone: 301-713-2319, fax: 301-713-0376, e-mail: Lillian.Becker@noaa.gov).

SUPPLEMENTARY INFORMATION:

Authority

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Scientific research and/or enhancement permits are issued under section 10(a)(1)(A) of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

Those individuals requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

Species Covered in This Notice

The following species are covered in this notice:

Sea turtles

Threatened and endangered Green turtle (*Chelonia mydas*)

Endangered Hawksbill turtle (*Eretmochelys imbricata*)

Endangered Kemp's ridley turtle (*Lepidochelys kempii*)

Threatened Loggerhead turtle (*Caretta caretta*)

Application 1377

The applicant wishes to conduct a 5-year population assessment of the juvenile sea turtles inhabiting Charlotte Harbor on the west coast of Florida. The applicant plans to capture green, Kemp's ridley, loggerhead and hawksbill sea turtles employing tangle net, encircling net, rodeo and dip net methodologies. Up to 150 green and Kemp's ridley, 100 loggerhead and 5 hawksbill sea turtles will be captured, weighed, measured, flipper and PIT tagged, blood and tissue sampled and released each year. Up to 10 green, Kemp's ridley and loggerhead and 5 hawksbill sea turtles will also be collected incidentally to the Center for Shark Research gill netting for sharks in the areas of Pine Island Sound and the Gulf waters near Crystal River, FL. These will be captured, measured, flipper tagged and released. In the second through fifth year, up to 5 green and/or Kemp's ridley sea turtles will be sampled as above, satellite tagged and released.

Dated: April 12, 2002.

Ann Terbush,

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. 032502D]

Notice of Availability of Draft Stock Assessment Reports

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

ACTION: Notice of availability; request for comments.

SUMMARY: NMFS revised the Alaska, Atlantic and Gulf of Mexico, and Pacific

marine mammal stock assessment reports (SARs) in accordance with the Marine Mammal Protection Act (MMPA). Draft 2002 reports are available for public review and comment.

DATES: Comments must be received by July 18, 2002.

ADDRESSES: Send comments or requests for copies of reports to: Chief, Marine Mammal Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: Stock Assessments. Comments may also be sent via facsimile (fax) to 301-713-0376. NMFS will not accept comments submitted via e-mail or Internet.

Copies of the Alaska Regional SARs may be requested from Robyn Angliss, Alaska Fisheries Science Center, NMFS, 7600 Sand Point Way, NE BIN 15700, Seattle, WA 98115-0070.

Copies of the Atlantic and Gulf of Mexico Regional SARs may be requested from Janeen Quintal, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543 or Steven Swartz, Southeast Fisheries Science Center, 75 Virginia Beach Dr., Miami, FL 33149.

Copies of the Pacific Regional SARs may be requested from Cathy Campbell, Southwest Regional Office, NMFS, 501 West Ocean Boulevard, Long Beach, CA 90802-4213.

FOR FURTHER INFORMATION CONTACT: Tom Eagle, Office of Protected Resources, 301-713-2322, ext. 105, e-mail *Tom.Eagle@noaa.gov*; Robyn Angliss 206-526-4032, e-mail *Robyn.Angliss@noaa.gov*, regarding Alaska regional stock assessments; Janeen Quintal, 508-495-2252, e-mail *Janeen.Quintal@noaa.gov*, regarding Northwest Atlantic regional stock assessments; Steven Swartz, 305-361-4487, e-mail *Steven.Swartz@noaa.gov*, regarding Mid-Atlantic and Gulf of Mexico regional stock assessments; or Cathy Campbell, 562-280-4060, e-mail *Cathy.E.Campbell@noaa.gov*, regarding Pacific regional stock assessments.

SUPPLEMENTARY INFORMATION:

Electronic Access

All stock assessment reports and the guidelines for preparing them are available via the Internet at <http://www.nmfs.noaa.gov/prot-res/PR2/Stock-Assessment-Program/sars.html>.

Background

Section 117 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*) requires NMFS and the U.S. Fish

and Wildlife Service (FWS) to prepare stock assessments for each stock of marine mammals that occurs in waters under the jurisdiction of the United States. These reports must contain information regarding the distribution and abundance of the stock, population growth rates and trends, estimates of annual human-caused mortality and serious injury from all sources, descriptions of the fisheries with which the stock interacts, and the status of the stock. Initial reports were completed in 1995.

The MMPA requires NMFS and FWS to review the SARs at least annually for strategic stocks and stocks for which significant new information is available and at least once every 3 years for non-strategic stocks. NMFS and the FWS are required to revise a SAR if the status of the stock has changed or can be more accurately determined. NMFS, in conjunction with the Alaska, Atlantic, and Pacific Scientific Review Groups, reviewed the status of marine mammal stocks as required and revised reports for which new information was available. Summary tables for all stocks of marine mammals in the three regions (Tables 1-3) indicate revisions to the SARs. NMFS solicits public comments on the draft Alaska, Atlantic and Gulf of Mexico, and Pacific reports.

Distribution

NMFS is considering distributing SARs in electronic form using Compact Disks (CDs) rather than paper copies. Distribution on CDs would facilitate ease of use by any interested constituents and substantially reduce costs of production and distribution. NMFS seeks comments on distribution of future reports as CDs, rather than paper form in addition to comments on regional SARs.

Alaska Stocks

The Alaska SARs present revised stock assessments for 15 marine mammal stocks under NMFS' jurisdiction. The new information on abundance and mortality did not change the status of any of the Alaska stocks from the 2001 SARs. The major changes in the 2002 Alaska SARs are: (1) New estimates of subsistence harvest for ringed seals, ribbon seals, spotted seals, and bearded seals, which in some cases, are substantially higher than the 2001 estimates. (2) The Eastern North Pacific transient killer whale stock was moved from the Pacific SARs to the Alaska SARs. (3) The Eastern North Pacific gray whale SAR includes new information about the high number of gray whales found stranded in 1999 and 2000 and identifies hypotheses for the increase in