

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****[I.D. 062702D]****Endangered Species; File No. 1189**

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 James P. Kirk, Engineer Research and Development Center, Waterways Experiment Station, EE-A, 3909 Halls Ferry Road, Vicksburg, MS 39180-6199, has requested a modification to scientific research Permit No. 1189.

DATES: Written or telefaxed comments must be received on or before August 19, 2002.

ADDRESSES: The amendment 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 Assistant Regional Administrator for Protected Resources, NMFS, Southeast Region, 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 amendment 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: Lillian Becker or Ruth Johnson, (301)713-2289.

SUPPLEMENTARY INFORMATION: The subject modification to Permit No. 1189 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. 1189, issued April 22, 1999, (64 FR 23281) authorizes the permit holder to capture 300 shortnose sturgeon by gill net or trot line then measure, tag weigh and release them. Twenty of these may be surgically implanted with radio/sonic tags and tracked. Mortalities are not to exceed one shortnose sturgeon per year. This permit is due to expire on December 31, 2002.

The permit holder previously requested the addition of trawling to the capture methods and now requests authorization to extend the permit for two more years with the same level of take for each year. This will give the researcher time to fully take advantage of the use of trawling to capture younger shortnose sturgeon.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: July 12, 2002.

Eugene T. Nitta,

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

[FR Doc. 02-18148 Filed 7-17-02; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****[I.D. 040402C]**

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Spiny Lobster, Coastal Migratory Pelagic Resources, and Snapper-Grouper Fisheries of the South Atlantic; Exempted Fishing Permit

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

ACTION: Issuance of an exempted fishing permit.

SUMMARY: NMFS announces the issuance of an exempted fishing permit (EFP) for the University of Georgia's Marine Education Center and Aquarium (MECA)(applicant), located on Skidaway Island, GA. The EFP authorizes the applicant, with certain conditions, to collect up to 200 juvenile (undersized) individuals in the snapper-

grouper fishery and coastal migratory pelagics fishery annually for public display purposes. Less than 10 non-egg-bearing spiny or slipper lobster also would be collected on each cruise. Two cruises will be made annually in Federal waters off Georgia. Specimens will be displayed at MECA, which is located on Skidaway Island, near Savannah, GA.

DATES: The newly issued EFP is effective July 1, 2002, through June 30, 2004.

ADDRESSES: Copies of the EFP are available from Peter Eldridge, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

FOR FURTHER INFORMATION CONTACT: Peter Eldridge, 727-570-5305; fax: 727-570-5583; e-mail: peter.eldridge@noaa.gov.

SUPPLEMENTARY INFORMATION: The EFP is issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), and regulations at 50 CFR 600.745(b) concerning exempted fishing.

The EFP authorizes the applicant, with certain conditions, to collect up to 200 juvenile (undersized) individuals in the snapper-grouper and coastal migratory pelagics fisheries annually for public display purposes. Less than 10 non-egg-bearing spiny or slipper lobster also would be collected on each cruise. Two cruises will be made annually in Federal waters off Georgia during the period July 1, 2002, through June 30, 2004.

The applicant, MECA, located at Skidaway Island, is a public, non-profit, educational institution established to promote an awareness, understanding, and appreciation of the diverse natural resources associated with Georgia's ocean, estuaries, rivers, streams, and other aquatic environments.

MECA provides a variety of education programs--short academic classes and summer science camps for school children, classes for college students and teachers, and programs for visiting adult groups. The saltwater aquarium exhibits local marine fishes and invertebrates, and is used as an educational tool in these program.

The proposed collection for public display involves activities otherwise prohibited by regulations implementing the Fishery Management Plan (FMP) for the Snapper-Grouper Fisheries of the South Atlantic Region, the FMP for the Coastal Migratory Pelagic Resources (Mackerels), and the FMP for the Spiny Lobster Fishery of the Gulf of Mexico

and South Atlantic. The applicant requires authorization to harvest and possess juvenile mackerels, snapper-groupers species, and spiny lobster taken from Federal waters off Georgia.

The EFP has a number of conditions concerning the harvest of prohibited species and corals, the gear that can be employed, and bycatch restrictions. The EFP requires an annual report to NMFS that lists taken specimens.

A notice of receipt of the application for this permit was published in the **Federal Register** on April 11, 2002 (67 FR 17673). The notice included a request for public comments. No public comments were received. Also, consistent with the requirements of 50 CFR 600.745(b)(3)(i), NMFS provided copies of the EFP to the State of Georgia, the South Atlantic Fishery Management Council, and the U.S. Coast Guard along with information on the EFP's effect on target species. All of the consulted entities supported the issuance of the EFP.

Failure of the permittee to comply with the terms and conditions of the EFP may be grounds for revocation, suspension, or modification of this permit, as well as civil or criminal sanctions.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 11, 2002.

Virginia M. Fay,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 02-18152 Filed 7-17-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 070802C]

Fisheries of the Exclusive Economic Zone Off Alaska; Prohibited Species Donation Program

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

ACTION: Notice; authorized distributor permit.

SUMMARY: NMFS announces the renewal of permits to Northwest Food Strategies (NFS) authorizing this organization to distribute Pacific salmon and Pacific halibut to economically disadvantaged individuals under the prohibited species donation (PSD) program. These salmon and halibut are caught incidentally during directed groundfish trawl fishing operations off Alaska. This

action is necessary to comply with provisions of the PSD program and is intended to promote the goals and objectives of the North Pacific Fishery Management Council.

DATES: Effective August 16, 2002, through August 16, 2005.

ADDRESSES: Copies of the PSD permits for salmon and halibut may be obtained from the Sustainable Fisheries Division, NMFS, Alaska Region, P.O. Box 21668, Juneau, AK 99802-21668, Attn: Lori Gravel-Durall.

FOR FURTHER INFORMATION CONTACT: Melanie N. Brown, 907-586-7228 or email at melanie.brown@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

Fishing for groundfish by U.S. vessels in the exclusive economic zone of the Bering Sea and Aleutian Islands management area (BSAI) and Gulf of Alaska (GOA) is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMPs). These FMPs were prepared by the North Pacific Fishery Management Council under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801, *et seq.*). Regulations governing the Alaska groundfish fisheries appear at 50 CFR parts 600 and 679. Fishing for Pacific halibut in waters in and off Alaska is governed by the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea and by regulations adopted by the International Pacific Halibut Commission (IPHC) and approved by the Secretary of State of the United States under section 4 of the Northern Pacific Halibut Act (16 U.S.C. 773-773k). Regulations of the IPHC are published as annual management measures in the **Federal Register** each year pursuant to regulations at 50 CFR 300.62.

NMFS approved Amendments 26/29 to the BSAI and the GOA FMPs, respectively, on July 10, 1996, and implemented a salmon donation program. NMFS approved the superseding Amendments 50/50 to the FMPs on May 6, 1998, and authorized the PSD program for salmon and Pacific halibut. A final rule implementing Amendments 50/50 was published in the **Federal Register** on June 12, 1998 (63 FR 32144). A full description of, and background information on, the PSD program may be found in the preamble to the proposed rules for Amendments

26/29, and 50/50 (61 FR 24750, May 16, 1996, and 63 FR 10583, March 4, 1998, respectively).

Regulations at § 679.26 authorize the voluntary distribution of Pacific salmon and Pacific halibut taken incidentally in the groundfish trawl fisheries off Alaska to economically disadvantaged individuals by tax-exempt organizations through an authorized distributor. The Regional Administrator, Alaska Region, NMFS (Regional Administrator), may select one or more tax-exempt organizations to be authorized distributors, as defined by § 679.2, based on the information submitted by applicants under § 679.26. After review of qualified applicants, NMFS must announce the selection of authorized distributor(s) in the **Federal Register** and issue the selected distributor(s) PSD permits.

On June 3, 2002, the Regional Administrator received an application from NFS to renew an existing PSD permit issued to NFS on August 16, 1999 (64 FR 44502, August 16, 1999), that authorizes the voluntary distribution of Pacific salmon taken incidentally in groundfish trawl fisheries off Alaska through August 16, 2002.

On July 1, 2002, the Regional Administrator also received an application from NFS to renew an existing PSD permit issued to NFS on January 1, 2001 (66 FR 13294, March 5, 2001), that authorizes the voluntary distribution of Pacific halibut taken incidentally in groundfish trawl fisheries off Alaska and delivered to shoreside processors through December 31, 2003. Even though the halibut permit expires in 2003, the applicant requested that the halibut permit be renewed at this time. Concurrent issuance of the Pacific salmon and Pacific halibut permits would reduce permit application costs and enhance administrative efficiency because both permits would be effective for the same 3-year time period.

The Regional Administrator reviewed the applications and determined that they provide the required information and that NFS meets the requirements for an authorized distributor of Pacific salmon and Pacific halibut. As required by

§ 679.26(b)(2), the Regional Administrator based his selection on the following criteria:

1. *The number and qualifications of applicants for PSD permits.* As of the date of this notice, only NFS has submitted completed applications to distribute salmon and halibut taken incidentally in the Alaska groundfish trawl fisheries. NFS has been