

Dated: March 28, 2003.

**Phil Williams,**

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

[FR Doc. 03-7965 Filed 4-1-03; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 030403A]

**Marine Mammals; File No. 984-1587**

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

**ACTION:** Receipt of application for amendment.

**SUMMARY:** Notice is hereby given that Dr. Terrie Williams, Long Marine Lab, Institute of Marine Sciences, University of California at Santa Cruz, 100 Shaffer Road, Santa Cruz, CA 95060, has requested an amendment to scientific research Permit No. 984-1587-02.

**DATES:** Written or telefaxed comments must be received on or before May 2, 2003.

**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 Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

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:** Amy Sloan or Ruth Johnson, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 984-1587-02, issued on May 10, 2002 (67 FR 35102), is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Permit No. 984-1587-02 authorizes the permit holder to examine the physiological responses of two adult male dolphins (*Tursiops truncatus*) and three adult female California sea lions (*Zalophus californianus*) during swimming and diving. Testing involves measuring locomotor, thermal, and maintenance costs using voluntary behaviors through training at Long Marine Laboratory. Types of take for dolphins and sea lions include open flow respirometry, swimming, and voluntary breath holding. For the female sea lions, mating with an adult male on temporary loan, ultrasound, blood, milk, saliva, fecal, and urine sampling is also authorized to monitor pregnancy and test the hypothesis that physiological adaptations for the marine environment result in elevated energetic costs in otariids compared to terrestrial mammals.

This amendment request is to supplement the current research program on otariid reproductive energetics with two pregnant adult female California sea lions, which are to be transferred to the pinniped facility at Long Marine Laboratory, University of California at Santa Cruz for short-term holding (up to 16 months). These additions will allow the Permit Holder to fulfill the intent of the original permit, which is to evaluate the energetics of pregnant and lactating sea lions. These steps are necessary due to the non-pregnant status of the three sea lions identified in the original permit. All animals will follow the research protocols of the original permit. Additional research requested includes 1) the measurement of assimilation efficiency by dietary manganese, and 2) inclusion of the offspring in non-intrusive metabolic trials.

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.

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

Dated: March 20, 2003.

**Stephen L. Leathery,**

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

[FR Doc. 03-7961 Filed 4-1-03; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 030603A]

**Endangered Species; File No. 1375**

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that Dr. Thomas J. Kwak, U.S. Geological Survey, North Carolina Cooperative Fish and Wildlife Research Unit, Box 7617, 201 David Clark Labs, North Carolina State University, Raleigh, NC 27695-7617 has been issued a permit to take shortnose sturgeon, *Acipenser brevirostrum*, for purposes of scientific research.

**ADDRESSES:** The permit 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:** Jennifer Jefferies or Gene Nitta, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** On April 18, 2002, notice was published in the **Federal Register** (67 FR 19166) that a request for a scientific research permit to take shortnose sturgeon, had been submitted by the above-named Dr. Thomas J. Kwak. The requested permit has been issued 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 parts 222-226).

Restoring the shornose sturgeon population in the Roanoke/Albemarle River system in North Carolina is being considered; however, habitat suitability

with respect to water quality is not known. This research study will deploy 1,000 hatchery-reared juvenile shortnose sturgeon in cages at 10 test sites within the Roanoke/Albemarle River system for 28 days. The fish will then be euthanized and their tissue analyzed for contaminants. The results of this study will provide needed information to determine if water quality is a limiting factor of the ecological success of shortnose sturgeon in this river system.

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

Dated: March 24, 2003.

**Stephen L. Leathery,**

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

[FR Doc. 03-7962 Filed 4-1-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 032703H]

#### Endangered Species; File No. 1190

**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 NMFS Southwest Region, 501 West Ocean Blvd., Long Beach, CA 90802-4213, has requested a modification to scientific research Permit No. 1190.

**DATES:** Written or telefaxed comments must be received on or before May 2, 2003.

**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;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018; and

Protected Species Coordinator, Pacific Area Office, NMFS, 1601 Kapiolani

Bld., Rm. 1110, Honolulu, HI 96814-4700; phone (808)973-2935; fax (808)973-2941;

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:** Carrie Hubbard or Ruth Johnson, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** The subject modification to Permit No. 1190, issued on March 8, 1999, (64 FR 14432) and subsequently modified on September 21, 2000, (65 FR 58514) and February 20, 2001, (66 FR 14134), 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. 1190 authorizes the permit holder to document and evaluate the incidental take of sea turtles by the Hawaiian pelagic longline fishery. Trained observers placed on fishery vessels are authorized to examine, measure, weigh, biopsy sample, and tag up to 40 green (*Chelonia mydas*), 100 leatherback (*Dermochelys coriacea*), 600 loggerhead (*Caretta caretta*), 40 hawksbill (*Eretmochelys imbricata*), and 100 olive ridley (*Lepidochelys olivacea*) sea turtles annually. Of the sampled turtles, 50 hard-shelled turtles may have a transmitter attached. The incidental capture of the sea turtles by the fishery is covered by an incidental take statement in a biological opinion on the fishery, not by the scientific research permit. Permit No. 1190 expires on March 31, 2004. The permit holder requests authorization to expand observer programs in order to monitor all pelagic longline fisheries governed by Fisheries Management Plan for Pelagic Fisheries of the Western Pacific. The modification would allow observers to sample sea turtles in the manner described above from fisheries beyond that in Hawaiian waters, such as those

in American Samoa, the Territory of Guam, and the Commonwealth of the Northern Marianas Islands. The permit holder also requests authority to import sea turtle samples as necessary. There is no change in the number of sea turtles that will be sampled annually or the type of sampling, only the geographic region.

Dated: March 27, 2003.

**Stephen L. Leathery,**

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

[FR Doc. 03-7963 Filed 4-1-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 031203B]

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Receipt of application for scientific research permits (1414 and 1416) and request for comment.

**SUMMARY:** Notice is hereby given that NMFS has received an application for scientific research from East Bay Municipal Utility District (EBMUD) in Lodi, CA (1414) and Fishery Foundation of California (Fishery Foundation) in Fair Oaks, CA (1416). These permits would affect the Central Valley steelhead Evolutionarily Significant Unit (ESU) as identified in the **SUPPLEMENTARY INFORMATION** section. This document serves to notify the public of the availability of the permit applications for review and comment before a final approval or disapproval is made by NMFS.

**DATES:** Written comments on the permit applications must be received no later than 5 p.m. Pacific Standard Time on May 2, 2003.

**ADDRESSES:** Written comments on the permit application should be sent to the appropriate office. Comments may also be sent via fax to the number indicated for the request. Comments will not be accepted if submitted via e-mail or the Internet. The applications and related documents are available for review, by appointment, for permits 1414 and 1416: Protected Resources Division, NMFS, 650 Capitol Mall, Suite 8-300, Sacramento, CA 95814 (ph: 916-930-3600, fax: 916-930-3629). Documents