

**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.*

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**BILLING CODE 3510-22-S**

**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](mailto: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