

endangered and threatened species (50 CFR parts 222–226).

The permit holder hypothesizes that the recovery of shortnose sturgeon on the Hudson River occurred due to one or several strong year-classes following nursery system recovery to normoxia after 1977. The permit holder is going to test this hypothesis by determining the ages of shortnose sturgeon caught in the Hudson river by interpreting annulus of pectoral fin spines. The method will be tested on 10 captive shortnose sturgeon from seven age classes (70 total) from US Fish and Wildlife Service Warm Springs Fish Hatchery, Georgia. The applicant will clip a 1cm section from the primary spine of one pectoral fin near the point of articulation. After this has been tested in hatchery fish, the permit holder will capture shortnose sturgeon in the Hudson River with gillnets, handle, measure, check for tags, tag, passive integrated transponder tag, sex (by external or fiberoptic examination), and release. The applicant is authorized to take 670 shortnose sturgeon.

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: October 3, 2002.

Trevor Spradlin,

Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.
[FR Doc. 02–25715 Filed 10–9–02; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 100302B]

Marine Mammals; File No. 859–1680

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

ACTION: Receipt of application.

SUMMARY: Notice is hereby given that Jim Johnston, Chief Environmental Planner, United States Air Force, Environmental Management Office, Vandenberg Air Force Base, CA 93437, has applied in due form for a permit to take California sea lions (*Zalophus californianus*), northern elephant seals (*Mirounga angustirostris*), northern fur

seals (*Callorhinus ursinus*), and Pacific harbor seals (*Phoca vitulina richardsi*) for purposes of scientific research.

DATES: Written or telefaxed comments must be received on or before November 12, 2002.

ADDRESSES: The application 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.

FOR FURTHER INFORMATION CONTACT:

Tammy Adams or Amy Sloan,
(301)713–2289.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant requests a 5 year permit to take up to 700 California sea lions, 700 northern elephant seals, 50 northern fur seals, and 550 harbor seals inhabiting Vandenberg Air Force Base and the northern Channel Islands annually by capture, sedation, blood sampling, skin biopsy, physiological measurements, hearing sensitivity tests, attachment of scientific instruments, temporary captive maintenance, recapture for retrieval of instruments, surveys of abundance and distribution, incidental harassment, and accidental mortality. The purpose of the proposed project is to study the effects of noise from rocket launches and the subsequent launch-generated sonic booms on pinnipeds. The movements and foraging behavior of seals exposed to launch noise and/or sonic booms will be compared with non-exposed control animals using remote VHF radio-telemetry, satellite transmitters, and electronic data loggers.

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.

Written comments or requests for a public hearing on this application should be mailed 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 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 by other electronic media.

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: October 3, 2002.

Trevor R. Spradlin,

Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.
[FR Doc. 02–25711 Filed 10–9–02; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 100102C]

Marine Mammals; File Nos. 782–1694 and 782–1438

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

ACTION: Receipt of applications for permit and request to amend permit.

SUMMARY: Notice is hereby given that NMFS, National Marine Mammal Laboratory (NMML), 7600 Sand Point Way, NE, Seattle, WA 98102, has applied in due form for: (1) a permit to take an unspecified number of specimen materials from dead animals of the Orders Cetacea and Pinnipedia (except walrus) for purposes of scientific research; and (2) an amendment to permit 782–1438.

DATES: Written or telefaxed comments must be received on or before November 12, 2002.

ADDRESSES: The application and related documents are available for review upon written request or by appointment (See **SUPPLEMENTARY INFORMATION**).

FOR FURTHER INFORMATION CONTACT: Ruth Johnson or Jennifer Skidmore, (301)713–2289.

SUPPLEMENTARY INFORMATION: The subject permit and amendment is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 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, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

782–1694 - The applicant proposes to take an unspecified number marine mammal specimen materials for scientific research. The objective of the research is to use the data and specimen materials collected from dead pinnipeds and cetaceans or receive samples from other permitted researchers to obtain information about the biology and life history of each of the species. Specimens from animals will be collected and curated, imported or exported only when the specimens are available from animals: 1) directly taken in countries and situations where such taking is legal [e.g. Alaska Native subsistence harvest]; 2) taken incidental to commercial fishing or other operations; 3) found dead at sea or stranded; 4) found dead of natural causes; and 5) taken legally under other research permits. Samples are requested to be taken anywhere in the United States and imported/exported worldwide.

Permit 782–1438 authorizes the Holder to take beluga whales (*Delphinapterus leucas*) by capture to satellite tag, flipper tag, suction cup tag, biopsy sample and incidentally harass the animals. The research is conducted in Alaskan waters, specifically the Gulf of Alaska, Bristol Bay, Norton Sound, Kotzebue Sound and the Beaufort Sea. The maximum number of unintentional mortalities currently authorized is one animal annually. During capture operations in May 2002, a beluga whale became entangled in the net and drowned.

The Holder now requests authority to increase the number of beluga whales that may be accidentally killed during capture operations to four (4) animals for the duration of the permit which expires September 2003. A beluga tagged in Cook Inlet in August 2002 was found dead a week later. While the cause of death of the Cook Inlet animal is unknown because a necropsy was not feasible, mortality could have been related to capture or tagging. As a result, the Holder requests an amendment to

Permit 782–1438 to allow for additional unintentional mortalities in 2003.

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.

Written comments or requests for a public hearing on this application should be mailed 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 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 by other electronic media.

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.

Documents may be reviewed in the following locations:

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 Protected Resources Division, Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115–0700; phone (206) 526–6150; fax (206) 526–6426;

Both Permit actions - Protected Resources Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802–1668; phone (907) 586–7235; fax (907) 586–7012;

Protected Resources Division, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213; phone (562) 980–4020; fax (562) 980–4027;

Protected Species Coordinator, Pacific Area Office, NMFS, 1601 Kapiolani Blvd., Rm. 1110, Honolulu, HI 96814–4700; phone (808) 973–2935; fax (808) 973–2941;

Protected Resources Division, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930–2298; phone (978) 281–9346; fax (978) 281–9371;

Southeast Region, NMFS, 9721 Executive Center Drive North, St.

Petersburg, FL 33702–2432; phone (813) 570–5312; fax (813) 570–5517.

Dated: October 3, 2002.

Trevor R. Spradlin,

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

[FR Doc. 02–25713 Filed 10–9–02; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF DEFENSE

Department of the Army

Availability of Non-Exclusive, Exclusive License or Partially Exclusive Licensing of U.S. Patent Concerning Enzyme-Catalyzed Modifications of Macromolecules in Organic Solvents

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR part 404.6, announcement is made of the availability for licensing of U.S. Patent No. US 6,455,285 B1 entitled “Enzyme-Catalyzed Modification of Macromolecules in Organic Solvents” issued September 24, 2002. This patent has been assigned to the United States Government as represented by the Secretary of the Army.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Rosenkrans at U.S. Army Soldier and Biological Chemical Command, Kansas Street, Natick, MA 01760, Phone; (508) 233–4928 or e-mail: Robert.Rosenkrans@natick.army.mil.

SUPPLEMENTARY INFORMATION: Any licenses granted shall comply with 35 U.S.C. 209 and 37 CFR part 404.

Luz D. Ortiz,

Army Federal Register Liaison Officer.

[FR Doc. 02–25883 Filed 10–9–02; 8:45 am]

BILLING CODE 3710–08–M

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement for the Florida Bay Florida Keys Feasibility Study

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DOD.

ACTION: Notice; date correction.

SUMMARY: The public scoping meetings scheduled for October 8 and 9, 2002 from 7 p.m. to 9 p.m. as published in the **Federal Register** on Friday,