

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 080697C]

Endangered Species; Permits

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

ACTION: Issuance of scientific research permit 1052.

SUMMARY: Notice is hereby given that on August 5, 1997, NMFS issued scientific research permit 1052 to Joseph E. Hightower, of the North Carolina Cooperative Fish and Wildlife Research Unit (P647), to take listed shortnose sturgeon for the purpose of scientific research subject to certain conditions set forth therein.

ADDRESSES: The application, permit, and related documents are available for review by appointment in the following offices:

Office of Protected Resources, F/PR3, NMFS, 1315 East-West Hwy., Room 13307, Silver Spring, MD 20910-3226 (301-713-1401); and

Director, Southeast Region, NMFS, NOAA, 9721 Executive Center Drive, St. Petersburg, FL 33702-2432 (813-893-3141).

SUPPLEMENTARY INFORMATION: Notice was published on June 3, 1997 (62 FR 31576) that an application had been filed by Joseph E. Hightower, of the North Carolina Cooperative Fish and Wildlife Research Unit (P647), to take listed shortnose sturgeon as authorized by the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-222).

The applicant requested a two-year permit to capture, examine, tag, and take tissue samples of 25 juvenile and adult listed shortnose sturgeon annually within the Albemarle Sound estuarine system. A maximum of 25 shortnose sturgeon will be collected from the Albemarle Sound to determine the status of shortnose sturgeon in the estuary and to examine habitat selection and overlap for shortnose sturgeon and juvenile Atlantic sturgeon. The sturgeon will be examined, measured, photographed, and tagged. Sonic transmitters will be externally attached to the sturgeon to monitor their movement within the Sound. The sturgeon will be released immediately following the above procedures. All of these adult shortnose sturgeon may be fitted with a sonic transmitter. The

applicant also has requested one incidental mortality per year. The purpose of the research is to determine the status of shortnose sturgeon migratory movements and to help identify spawning, feeding, and overwintering areas.

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 listed species that is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: August 8, 1997.

Nancy Chu,

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

[FR Doc. 97-21532 Filed 8-13-97; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 080797A]

Marine Mammals; Public Display Permit (PHF# 852-1356)

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

ACTION: Receipt of application.

SUMMARY: Notice is hereby given that The Dallas World Aquarium, Inc., 1801 North Griffin, Dallas, TX 75202, has applied in due form for a permit to import Amazon River dolphin (*Inia geoffrensis*), for purposes of public display.

DATES: Written comments must be received on or before September 15, 1997.

ADDRESSES: The application and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS,

1315 East-West Highway, Room 13130, Silver Spring, MD 20910, (301/713-2289); and

Regional Administrator, Southeast Region, NMFS, 9731 Executive Center Drive North, St. Petersburg, FL 33702, (206/526-6150).

Written data or views, or requests for a public hearing on this application, should be submitted to the Chief, Permits Division, F/PR1, Office of Protected Resources, 1315 East-West

Highway, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such a hearing is at the discretion of the Director, Office of Protected Resources.

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.

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.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The applicant requests authorization to import four Amazon River dolphins (*Inia geoffrensis*). The Venezuelan Service Agency for the Protection, Restoration, Promotion and Rational Utilization of the Wildlife and Aquatic life of the Country has issued a capture license to the applicant. The dolphins would be collected from the Apure River near San Fernando, Venezuela, and maintained at the J.V. Seijas Aquarium in Valencia, Venezuela, until the public display facility at the Dallas World Aquarium receives final approval from the Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). As any issues relating to the care and maintenance of captive marine mammals are within the purview of APHIS, under the Animal Welfare Act, copies of the application are also being sent to APHIS for review.

The Dallas World Aquarium is open to the public on a regularly scheduled basis with access that is not limited or restricted other than by charging an admission fee; and offers an educational program based upon the educational standards of the American Zoo and Aquarium Association.

The International Union for Conservation of Nature and Natural Resources (IUCN) has included this species in the 1996 IUCN Red List of Threatened Animals under the category "vulnerable", i.e., taxa believed likely to move into the Endangered category in the near future if causal factors continue operating. Population data concerning *Inia geoffrensis* in Venezuela is limited and the application states that no census has been taken of the subject wild population/stock. Therefore, NMFS has concerns about the status and conservation of the dolphins in the Orinoco river system and the potential