

Dated: April 27, 1998.

Maria Harris Tildon,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 98-11801 Filed 5-1-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042798A]

Incidental Take of Marine Mammals; Bottlenose Dolphins and Spotted Dolphins

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

ACTION: Notice of issuance of letters of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA) as amended, and implementing regulations, notification is hereby given that 1-year letters of authorization to take bottlenose and spotted dolphins incidental to oil and gas structure removal activities were issued on February 12, 1998, to Pogo Producing Co.; and on April 1, 1998, to Burlington Resources Offshore, Inc. and Apache Corp, all of Houston TX; and, on April 24, 1998, to Chevron U.S.A. of New Orleans, LA.

ADDRESSES: The applications and letters are available for review in the following offices: Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910 and the Southeast Region, NMFS, 9721 Executive Center Drive N, St. Petersburg, FL 33702.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Hollingshead, Office of Protected Resources, NMFS, (301) 713-2055 or Colleen Coogan, Southeast Region (813) 570-5312.

SUPPLEMENTARY INFORMATION: Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public

comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat, and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of bottlenose and spotted dolphins incidental to oil and gas structure removal activities in the Gulf of Mexico were published on October 12, 1995 (60 FR 53139), and remain in effect until November 13, 2000.

Issuance of these letters of authorization are based on a finding that the total takings will have a negligible impact on the bottlenose and spotted dolphin stocks of the Gulf of Mexico.

Dated: April 29, 1998.

P. Michael Payne,

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

[FR Doc. 98-11780 Filed 5-1-98; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042098C]

Marine Mammals; Permit No. 959

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 the Cetacean Research Unit, P.O. Box 159, Gloucester, Massachusetts 01930, has requested an amendment to scientific research Permit No. 959.

DATES: Written comments must be received on or before June 3, 1998.

ADDRESSES: The amendment request and related documents are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Northeast Region, National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930-2298 (508/281-9250); and

Regional Administrator, Southeast Region, National Marine Fisheries Service, 9721 Executive Center Drive, North, St. Petersburg, FL 33702-2432 (813/570-5301).

Written data or views, or requests for a public hearing on this request should be submitted to the Chief, Permits Division, F/PR1, Office of Protected Resources, National Marine Fisheries Service, 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.

FOR FURTHER INFORMATION CONTACT: Jeannie Drevenak, 301/713-2289.

SUPPLEMENTARY INFORMATION: The subject amendment 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).

The Permit Holder is currently authorized to conduct photo-identification and observational studies on 400 humpback whales (*Megaptera novaeangliae*), 250 finback whales (*Balaenoptera physalus*), 50 sei whales (*Balaenoptera borealis*), and 50 right whales (*Eubalaena glacialis*) annually in the waters of Maine, New Hampshire, Massachusetts, Virginia, North Carolina, Georgia, and Florida over a 5-year period.

The Holder is now requesting that the Permit be amended to authorize: (1) biopsy sampling of up to 150 humpback whales from the Gulf of Maine feeding population, ranging from New York to Nova Scotia; and (2) suction cup tagging with time-depth recorders/VHF radio tags of up to 50 humpback whales from the same population, and 50 finback whales from the New England feeding population, over the remaining duration of the permit. The biopsy samples will be used for several purposes, including an investigation into using skin collagen tensile strength as a means to estimate the age of a sampled whales, an examination of its recent exposure to human pathogens, and molecular genetic studies. Time-depth recorders/VHF radio tags multi-sensor packages will be used in conjunction with sonar traces to understand the feeding ecology of endangered whales in New England.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal