

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

[I.D. 123198A]

## Marine Mammals

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

**ACTION:** Receipt of application for amendment and notice of emergency issuance of permit amendment.

**SUMMARY:** Notice is hereby given that: the Southwest Fisheries Science Center, Honolulu Laboratory, National Marine Fisheries Service, 2570 Dole Street, Honolulu, Hawaii 96822-2396, has requested an amendment to scientific research Permit No. 848-1335; and the Permit has been amended according to the provisions of 50 CFR 216.33(e)(6).

**DATES:** Written or telefaxed comments must be received on or before February 16, 1999.

**ADDRESSES:** The amendment request, amended permit, 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, Southwest Region, National Marine Fisheries Service, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213 (562/980-4001); and

Protected Species Program Manager, Pacific Islands Area Office, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396 (808/973-2941).

Written data or views, or requests for a public hearing on this request should be submitted to the Chief, Permits and Documentation 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.

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:** Jeannie Drevenak, 301/713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment has been issued

under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the provisions of §§ 216.33(e)(6) and 216.39 of 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.*), and the provisions of § 222.25 of the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR part 222).

The Permit Holder is currently authorized to conduct population assessment, disease assessment (including health screening), recovery actions, and pelagic ecology studies of Hawaiian monk seals (*Monachus schauinslandi*) at all locations within the Hawaiian Archipelago and at Johnston Atoll, through May 31, 2002.

The Holder has now requested that the Permit be amended to: (1) authorize the taking of up to 100 additional Hawaiian monk seals for disease screening purposes; and (2) authorize the collection and export of blubber biopsies for toxicological assessment. This increased taking is necessary in order to allow urgently needed sampling and analyses of the monk seal population to assess the extent to which the population has been exposed to a morbillivirus. Given the severity of this pathogen and its known catastrophic impact on other marine mammal populations, the amendment has been issued on an emergency basis pursuant to 50 CFR 216.33(e)(6).

Issuance of this amended 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.

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

Dated: January 7, 1999.

**Ann D. Terbush,**

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

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## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

[I.D.122298B]

## Marine Mammals; File No. 116-1477

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that Sea World, Inc., 7007 Sea World Drive, Orlando, Florida 32821-8097 has been issued a permit to take Hawaiian monk seals, *Monachus schauinslandi*, for scientific research and enhancement purposes.

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

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

Regional Administrator, Southwest Region, National Marine Fisheries Service, NOAA, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; and

Coordinator, Pacific Area Office, National Marine Fisheries Service, NOAA, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396.

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

**SUPPLEMENTARY INFORMATION:** On November 19, 1998, notice was published in the **Federal Register** (63 FR 64246) that a request for a scientific research and enhancement permit to take Hawaiian monk seals, *Monachus schauinslandi*, had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (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.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR parts 217-227).

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