

(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.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226).

The applicant requests authorization to permanently maintain two non-releasable Guadalupe fur seals at Sea World of California (and other Sea World facilities if relocation is necessary) for enhancement purposes. These animals were taken into captivity by the Marine Mammal Health and Stranding Network and were deemed nonreleasable. Thus, release of either of these animals would not be in the best interest of their individual welfare and that of the wild population. Furthermore, the applicant has agreed to provide additional space for future non-releasable Guadalupe fur seals should placement be necessary (up to 6 total animals). These animals would be provided with daily husbandry care and treatment for current medical conditions, routine veterinary care, and would be made available for opportunistic research. The applicant has requested a five-year permit.

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: December 12, 2008.

P. Michael Payne,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XM25

Marine Mammals

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

ACTION: Notice of Availability.

SUMMARY: NMFS has developed a policy and guidance document for implementation of the Steller sea lion (*Eumetopias jubatus*) and northern fur seal (*Callorhinus ursinus*) research permits and grants programs. This document establishes policy for

implementation of the preferred alternative and recommendations in Chapter 5 of the 2007 Final Programmatic Environmental Impact Statement (EIS) for Steller Sea Lion and Northern Fur Seal Research.

DATES: Written, telefaxed, or e-mail comments must be received on or before January 20, 2009.

ADDRESSES: The document is available for review on the EIS project webpage at <http://www.nmfs.noaa.gov/pr/permits/eis/steller.htm>. To receive a hard copy, contact:

Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910–3226; phone (301)713–2289.

Written comments should be mailed to: P. Michael Payne, Chief, at the address above. Comments may also be submitted by facsimile at 301–427–2583 or email at ssleis.comments@noaa.gov. For email comments, use “SSL EIS policy document” in the subject line.

FOR FURTHER INFORMATION CONTACT:

Tammy Adams or Kate Swails, (301)713–2289.

SUPPLEMENTARY INFORMATION: In 2007 NMFS completed the programmatic EIS and issued a Record of Decision (ROD) which identified the preferred alternative. NMFS limited implementation of the preferred alternative by limiting duration of research permits to span three summer field seasons, through July 2008. Full implementation of the preferred alternative is being phased in, upon completion of action items in the ROD and Chapter 5 of the EIS. The policy and guidance document is one item. Additional information about the EIS, ROD, and research permits issued in 2007 is available on the EIS project webpage (See **ADDRESSES**).

Dated: December 15, 2008.

P. Michael Payne,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XM07

Taking and Importing Marine Mammals; Undersea Warfare Training Range Activities

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

ACTION: Notice; receipt of application for letter of authorization; request for comments and information.

SUMMARY: NMFS has received a request from the U.S. Navy (Navy) for authorization for the take of marine mammals incidental to Navy training activities conducted in the Undersea Warfare Training Range (USWTR) off the east coast of the United States. Pursuant to the implementing regulations of the Marine Mammal Protection Act (MMPA), NMFS is announcing our receipt of the Navy's request for the development and implementation of regulations governing the incidental taking of marine mammals and inviting information, suggestions, and comments on the Navy's application and request.

DATES: Comments and information must be received no later than January 20, 2009.

ADDRESSES: Comments on the application should be addressed to Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3225. The mailbox address for providing email comments is PR1.0648-XM07@noaa.gov. NMFS is not responsible for e-mail comments sent to addresses other than the one provided here. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

FOR FURTHER INFORMATION CONTACT: Jolie Harrison, Office of Protected Resources, NMFS, (301) 713–2289, ext. 166.

SUPPLEMENTARY INFORMATION:

Availability

A copy of the Navy's application may be obtained by writing to the address specified above (See **ADDRESSES**), telephoning the contact listed above (see **FOR FURTHER INFORMATION CONTACT**), or visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. On September 12, 2008, the Navy made available to the public,