

**DATES:** Comments or requests for a public hearing on any of the new applications or modification requests must be received at the appropriate address or fax number no later than 5 p.m. eastern standard time on April 15, 2002.

**ADDRESSES:** Written comments on the new application should be sent to the appropriate office as indicated below. Comments may also be sent via fax to the number indicated for the application. Comments will not be accepted if submitted via e-mail or the Internet. The application and related documents are available for review in the indicated office, by appointment:

Permits, Conservation and Education Division, F/PR1, 1315 East West Highway, Silver Spring, MD 20910 (phone: 301-713-2289, fax: 301-713-0376).

**FOR FURTHER INFORMATION CONTACT:** Lillian Becker, Silver Spring, MD (phone: 301-713-2319, fax: 301-713-0376, e-mail: Lillian.Becker@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Authority**

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Scientific research and/or enhancement permits are issued under section 10 (a)(1)(A) of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

Those individuals requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

**Species Covered in This Notice**

The following species are covered in this notice:

*Mollusks*

Endangered White Abalone (*Haliotis sorenseni*)

*Application 1368*

The applicant proposes to breed and reintroduce white abalone in southern California. The applicant wants to collect up to 50 white abalone per year for five years in order to breed, grow out and reintroduce the progeny to the wild. Wild abalone will be collected using ROVs and divers. The animals will be transported to the laboratory and induced to spawn using H<sub>2</sub>O<sub>2</sub> or the thermal shock method. The progeny will be grown to 15-100mm before introduction. Precautions will be taken to avoid disease and inbreeding.

Dated: March 11, 2002.

**Ann Terbush,**

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

[FR Doc. 02-6311 Filed 3-14-02; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 012302D]

**Marine Mammals; File No. 751-1614-00**

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that the Ocean Alliance/Whale Conservation Institute, 191 Weston Road, Lincoln, Massachusetts 01773 [Dr. Celine Godard, Principal Investigator] has been issued a permit to take 13 species of odontocete whale and eight species of baleen whale for purposes of scientific research.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Tammy Adams or Ruth Johnson, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** On June 8, 2001, notice was published in the **Federal Register** (66 FR 30885) that a request for a scientific research permit

to take 13 species of odontocete whale and eight species of baleen whale for purposes of scientific research 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 and threatened species (50 CFR parts 222-226).

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.

Documents may be reviewed in the following locations:

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 713-0376;

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

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7221; fax (907) 586-7249;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018;

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

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978) 281-9200; fax (978) 281-9371; and

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727) 570-5301; fax (727) 570-5320.

Dated: March 11, 2002.

**Ann D. Terbush,**

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

[FR Doc. 02-6310 Filed 3-14-02; 8:45 am]

**BILLING CODE 3510-22-S**

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

[I.D. 030102D]

**Fisheries off West Coast States and in the Western Pacific; Western Pacific Crustacean Fisheries; 2002 Bank-specific Harvest Guidelines**

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

**ACTION:** Notification of no harvest guideline for crustaceans.

**SUMMARY:** NMFS announces that annual harvest guidelines for the commercial lobster fishery in the Northwestern Hawaiian Islands (NWHI) will not be issued for the year 2002.

**ADDRESSES:** Copies of background material pertaining to this action, which is identical to the action taken in 2001, may be obtained from Dr. Charles Karnella, Administrator, NMFS, Pacific Islands Area Office, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814.

**FOR FURTHER INFORMATION CONTACT:** Alvin Katekaru at 808-973-2937.

**SUPPLEMENTARY INFORMATION:** Under the Fishery Management Plan for the Crustacean Fisheries of the Western Pacific Region, 50 CFR 660.50(b)(2), NMFS is required to publish the harvest guidelines for lobster Permit Area 1 around the NWHI. Although the lobster stock is not overfished, the NWHI lobster fishery has been closed since 2000: (a) as a precautionary measure to prevent overfishing of the lobster resources; (b) in compliance with an order of the U.S. District Court for the District of Hawaii to keep the crustacean fisheries closed until an environmental impact statement and a biological opinion have been prepared for the crustacean fisheries in the western Pacific region; and (c) consistent with Executive Orders 13178 and 13196, issued in December 2000 and January 2001, respectively, that appear to close indefinitely the NWHI crustacean fishery.

NMFS announces that it will not be publishing any harvest guideline for this fishery for the year 2002 and no harvest of NWHI lobster resources will be allowed. NMFS intends to conduct biological research on the status of NWHI lobster resources and to examine the resulting data for indications as to the appropriate direction for future fishery management actions.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: March 7, 2002.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 02-6183 Filed 3-14-02; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF DEFENSE****Office of the Secretary****Notice of Availability Missile Defense Agency Ground-Based Midcourse Defense Validation Of Operational Concept Environmental Assessment**

**AGENCY:** Missile Defense Agency

**ACTION:** Notice of availability

**SUMMARY:** The Missile Defense Agency (MDA) (formerly the Ballistic Missile Defense Organization) announces the availability of the Ground-Based Midcourse Defense (GMD) Validation of Operational Concept (VOC) Environmental Assessment (EA). The EA assesses the potential impacts of construction and test activities at GMD VOC test sites. The proposed action includes construction and operational testing of six ground-based interceptor (GBI) silos and support facilities, In-Flight Interceptor Communication System Data Terminals (IDTs), and Defense Satellite Communication System (DSCS) earth terminals in central Alaska; an IDT and DSCS earth terminal at Eareckson Air Station (AS), Alaska; construction of a missile transfer facility at Eielson Air Force Base (AFB), Alaska; use of the existing COBRA DANE Radar, with upgraded hardware and software and interior modifications, at Eareckson AS; interior modifications and hardware and software upgrades to the Early Warning Radar at Beale AFB, California; and Battle Management, Command and Control [BMC2] nodes at one or more of Peterson AFB, Cheyenne Mountain Complex and Shriever AFB in Colorado, Eareckson AS, Alaska, Beale AFB California, and contractor facilities in Alabama and California.

Fort Greely, Alaska was considered as the preferred alternative for the six GBI silos and support facilities and associated BMC3 including one IDT, one DSCS earth terminal, a BMC2 execution node and installation of terrestrial fiber optic cable. Clear Air Force Station, Alaska is being considered as an alternative location to Fort Greely, Alaska as the GBI silo and support facilities location.

The no-action alternative was also considered. Under the no-action alternative, MDA would not proceed

with construction and testing to support validation of the GMD operational concept through ground-based testing. Selection of the no-action alternative would not allow the operationally realistic testing needed to further develop the GMD element of the Midcourse Defense Segment.

**Comments:** Public comments on the EA must be received by April 13, 2002. Written comments or a request for a copy of the EA should be directed to: U.S. Army Space and Missile Defense Command, ATTN: Mr. David Hasley, SMDC-EN-V, P.O. Box 1500, Huntsville, AL 35807-3801.

As the proposed action includes multiple locations, some of which are under the administrative control of the United States Army and some of which are under the administrative control of the United States Air Force, the MDA has used both Army Regulation 200-2 and Air Force Instruction 32-7061 in preparing the EA and Finding of No Significant Impact (FNSI). An unsigned FNSI will be distributed with the final EA. The FNSI will be signed after a 30-day public review period, and the proposed action could be implemented unless the MDA determines that information presented during the 30-day public review period reveals an unassessed potential for significant impacts on the environment. Interested parties can also review the unsigned FNSI, EA, and referenced NMD Deployment EIS on the internet at: [www.acq.osd.mil/bmdo/bmdolink/html/newrel.html#envir.ANC](http://www.acq.osd.mil/bmdo/bmdolink/html/newrel.html#envir.ANC) or at the following locations:

University of Alaska, Anchorage Consortium Library  
3211 Providence Drive  
Anchorage, AK 99508  
Alaska Resources Library & Information Services  
3150 C Street, Suite 100  
Anchorage, AK 99503  
Delta Junction Library  
2288 Deborah Street  
Delta Junction, AK 99737  
Anderson School Library  
1st Avenue  
Anderson, AK 99744  
Alaska State Library 344 W. 3rd. Avenue, Suite 125  
Anchorage, AK 99501  
Fairbanks North Star Borough Public Library  
Noel Wien Library  
1215 Cowles Street  
Fairbanks, AK 99701-4313  
University of Alaska, Fairbanks  
Elmer E. Rasmuson Library  
PO Box 756800  
Fairbanks, AK 99775-6800  
Barbo Branch Library  
10321 Live Oak Blvd.  
Live Oak, CA 95953