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Patricia Breslin,

*Acting Associate Administrator for Safety
Performance Standards.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 228

[Docket No. 950504128-5128-01; I.D.
031095A]

RIN 0648-AG80

Small Takes of Marine Mammals; Harassment Takings Incidental to Specified Activities

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

ACTION: Proposed rule; extension of
comment period.

SUMMARY: On June 20, 1995, NMFS
received a letter from the U.S. Navy
requesting an extension of the public
comment period on the proposed rule to
establish a process for timely

authorizations of small takes of marine
mammals by incidental harassment. The
U.S. Navy is concerned about many
aspects of the rule, as proposed, and has
therefore distributed the proposed rule
to affected field commands and
activities for review and comment. As it
will take several weeks to consolidate
these responses and evaluate the
operational and fiscal effect on the U.S.
Navy's mission, an extension of the
comment period has been requested.
Accordingly, the comment period on the
proposed rule is hereby extended.

DATES: Comments must be received no
later than October 16, 1995.

ADDRESSES: Written comments on the
proposed rule should be addressed to
Chief, Marine Mammal Division, Office
of Protected Resources, National Marine
Fisheries Service, 1315 East-West
Highway, Silver Spring, MD 20910-
3226. A copy of the Environmental
Assessment (EA) may be obtained by
writing to this address or by telephoning
the contact listed below.

Comments regarding the burden-hour
estimate or any other aspect of the
collection-of-information requirement
contained in this rule should be sent to
the above individual and to the Office
of Information and Regulatory Affairs,
Office of Management and Budget

(OMB), Attention: NOAA Desk Officer,
Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT:
Kenneth R. Hollingshead, Office of
Protected Resources, NMFS, (301) 713-
2055.

SUPPLEMENTARY INFORMATION: On May
31, 1995, NMFS published a proposed
rule (60 FR 28379) that sets forth a
proposed process for applying for and
obtaining an incidental harassment
authorization; the time limits set by the
statute for NMFS review, publication,
and public notice and comment on any
applications for authorization that
would be granted; and the requirements
for submission of a plan of cooperation
and for scientific peer review of an
applicant's monitoring plans (if that
activity may affect the availability of a
species or stock of marine mammal for
taking for subsistence purposes). This
rule also proposed changes to the
existing regulations to clarify the
requirements for obtaining a small take
authorization.

Dated: July 6, 1995.

William W. Fox, Jr.,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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