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#### List of Subjects in 50 CFR Part 18

Administrative practice and procedures, Imports, Indians, Marine mammals, Reporting and recordkeeping requirements, Transportation.

#### Proposed Regulation Promulgation

Accordingly, it is hereby proposed to amend Part 18 of Chapter I of Title 50 of the Code of Federal Regulations to read as follows:

#### PART 18—MARINE MAMMALS

1. The authority citation for part 18 continues to read as follows:

**Authority:** 16 U.S.C. 1361 *et seq.*

2. Proposed § 18.30 [proposed to be added at 60 FR 70 (January 3, 1995)] is proposed to be amended by revising paragraph (a)(5) to read as follows:

#### § 18.30 Polar bear sport-hunted trophy import permits.

(a) \* \* \*

(5) Proof that the polar bear was legally harvested in Canada by the applicant (or by a decedent from whom the applicant inherited the trophy), including:

(i) If the polar bear was taken prior to (effective date of final rule), a certification from the Department of Renewable Resources, Northwest

Territories, that the polar bear was legally harvested and tagged, giving the name of the hunter and location (settlement and population) and season the bear was taken;

(ii) If the polar bear was taken on or after (effective date of final rule), the permittee must provide documentation at time of import to the Service inspector as outlined in § 18.30(f)(1)(ii).

(6) \* \* \*

3. Proposed § 18.30 [proposed to be added at 60 FR 70 (January 3, 1995)] is proposed to be amended by revising paragraph (b) to read as follows:

#### § 18.30 Polar bear sport-hunted trophy import permits.

\* \* \* \* \*

#### (f) Additional permit conditions.

Permits to import a sport-hunted polar bear trophy taken in Canada are subject to the conditions outlined in § 18.31(d) and the following special conditions:

(1) If the polar bear was taken on or after (effective date of final rule), the permittee must:

(i) Sign a statement, as a condition of the permit, that the gall bladder, including its contents, taken from the polar bear proposed for import was destroyed; and

(ii) Provide a copy of the NWT hunting license and tag number under which the polar bear was taken and a Canadian CITES export permit that identifies the polar bear by hunting license and tag numbers;

(2) The permittee must present to a Service inspector at the time of import a certification from the Department of Renewable Resources, Northwest Territories, that the polar bear at the time of take was not pregnant, was not a nursing cub, was not a mother with cubs, and was not moving into a den or already in a den.

(3) Any sport-hunted trophy imported with a permit issued under this section must be imported through a designated port for wildlife imports (see § 14.12) during regular business hours. The importer must notify Service personnel at the port at least 72 hours prior to the import and make arrangements for the Service to affix a tag in accordance with paragraph (f)(4) of this section prior to being cleared;

(4) A serially numbered, permanently locking tag identifying the species, year of import, and port of import must be affixed by the Service to each sport-hunted trophy upon import and must remain fixed indefinitely to the trophy as proof of legal import. Tags must be attached in a manner established by the Service to maximize their longevity and minimize their adverse affects to the appearance of the trophy; and

(5) In the event the tag comes off the trophy, the permittee must within 30 days:

(i) Contact the nearest Service office at a designated port or a Law Enforcement office as given in § 10.22 of this subchapter to schedule a time to present the trophy for retagging; and

(ii) At the time the new tag is attached, present the broken tag and proof that the trophy had been tagged and legally imported or, in the event that the tag was lost, a signed, written explanation of how and when the tag was lost and proof that the trophy had been tagged and legally imported.

\* \* \* \* \*

4. Proposed § 18.30 [proposed to be added at 60 FR 70 (January 3, 1995)] is proposed to be amended by adding a new paragraph (j) to read as follows:

#### § 18.30 Polar bear sport-hunted trophy import permits.

\* \* \* \* \*

(j) *Findings.* (1) The Service has determined that the Northwest Territories, Canada, has a monitored and enforced sport-hunting program that meets issuance criteria of paragraphs (e) (4) and (5) of this section for the following populations: Southern Beaufort Sea, Northern Beaufort Sea, Viscount Melville Sound, Gulf of Boothia, M'Clintock Channel, and Western Hudson Bay, provided:

(i) For the Southern Beaufort Sea population, no bears be taken west of the equidistant line of the Beaufort Sea; the management agreement between the Inuvialuit Game Council and the Fish and Game Management Committee of the North Slope Borough in Alaska remains in effect; and the Yukon Territory quota remains with the Northwest Territories or has a joint management agreement in place with scientifically sound quotas;

(ii) For the Western Hudson Bay population, a management agreement between the Northwest Territories and Manitoba is in effect with scientifically sound quotas;

(iii) For all of these populations, that females with cubs, cubs, or polar bears moving into denning areas or already in dens are protected from taking by hunting activities; and

(iv) The number of sport-hunted trophies taken in the prior harvest season does not exceed 15 percent of the total quota of the Northwest Territories.

(2) Any sport-hunted trophy taken in the Northwest Territories on or after (effective date of final rule) from a population that currently is not approved by the Service for import, will only be approved for an import permit if the Service can find, based on