

to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

**Frank W. Creel**

Director, Statutory Import Programs Staff.

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## National Oceanic and Atmospheric Administration

[I.D. 071095G]

### Endangered Species; Permits

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

**ACTION:** Issuance of modification 3 to permit 847 (P211E), modification 6 to permit 795 (P503A), modification 1 to permit 921 (P503P), and denial of modifications to permits 919 (P503N) and 922 (P503Q).

**SUMMARY:** Notice is hereby given that NMFS has issued three modifications to permits authorizing takes of listed species for the purpose of scientific research and enhancement, subject to certain conditions set forth therein, to the Oregon Department of Fish and Wildlife (ODFW) and the Idaho Department of Fish and Game (IDFG) and has denied two permit modification requests from IDFG.

**ADDRESSES:** The applications and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, F/NWO3, NMFS, 525 NE Oregon Street, Portland, OR 97232-4169 (503-230-5400).

**SUPPLEMENTARY INFORMATION:** Modification 3 to permit 847, modification 6 to permit 795, and modification 1 to permit 921 were issued under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-222).

Notice was published on May 4, 1995 (60 FR 22051) that an application had been filed by ODFW (P211E) for modification 3 to permit 847. Permit 847, issued on May 28, 1993, authorizes a take of listed Snake River spring/

summer chinook salmon (*Oncorhynchus tshawytscha*) associated with supplementation programs at the Imnaha River and Lookingglass Creek Hatcheries. For modification 3, ODFW requested authorization to retain all of the adult listed salmon that return to the adult trap for broodstock in 1995 if the forecasted runsize of returning adults is less than 100. If the forecasted runsize of returning adults is greater than or equal to 100 in 1995, ODFW proposed to release 20 percent of the returning adult listed salmon above the adult trap for natural spawning, with no restriction on the percentage of hatchery-origin fish to be released.

Modification 3 to permit 847 was issued on June 29, 1995 and is valid in 1995 only. Permit 847 expires on March 31, 1998.

Notice was published on April 5, 1995 (60 FR 17316) that an application had been filed by IDFG (P503A) for modification 6 to permit 795. Permit 795, issued on July 29, 1992, authorizes a take of listed species associated with scientific research and enhancement activities, including a captive broodstock program, with endangered Snake River sockeye salmon (*Oncorhynchus nerka*). For modification 6, IDFG requested authorization to: (1) Release broodyear (BY) 1994 juvenile, listed, artificially-propagated, Snake River sockeye salmon, progeny of listed adults, directly into Redfish Lake in July, into net pens in Redfish Lake in July and then directly into the lake from the net pens in the fall, and directly into the lake in October; (2) release BY 1994 juvenile sockeye progeny of listed adults directly into Pettit Lake in June, 1995; and (3) modify a condition in the permit requiring that an auxiliary water supply must accompany any vehicle used to transport listed sockeye salmon to pertain to the transport of listed adults only.

Following a discussion with NMFS, IDFG agreed to modify the release schedule of listed sockeye salmon juveniles into Pettit Lake in 1995 by carrying out the releases approximately 3 weeks after the last rainbow trout have been stocked in the lake. This modified release schedule for Pettit Lake in 1995 will serve to minimize any potential adverse impacts to the listed fish due to interactions with trout.

Modification 6 to permit 795 was issued on June 23, 1995. The juvenile, listed, sockeye salmon releases are authorized in 1995 only. The modified permit condition is valid for the duration of the permit. Permit 795 expires on July 31, 1997.

Notice was published on May 4, 1995 (60 FR 22051) that an application had

been filed by IDFG (P503P) for modification 1 to permit 921. Permit 921, issued on June 16, 1994, authorizes a take of listed Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) associated with a supplementation program at McCall Hatchery. For modification 1, IDFG requested authorization to retain adult, listed, naturally-produced salmon that return to the adult trap for broodstock without any restrictions due to the annual forecasted runsize of returning adults. IDFG also requested authorization to release non-listed, hatchery-origin adults above the adult trap at Stolle Meadows, if necessary, to meet the minimum target of 35 adult pairs to be released annually for natural spawning.

Modification 1 to permit 921 was issued on June 30, 1995 and is valid for the duration of the permit. Permit 921 expires on December 31, 1998.

Notice was published on May 4, 1995 (60 FR 22051) that applications had been filed by IDFG for modifications to permits 919 (P503N, Sawtooth Hatchery) and 922 (P503Q, Pahsimeroi Hatchery), similar to the modification request of permit 921 described above. NMFS has denied these two permit modification requests because of the lack of a demonstrated adult-to-adult survival benefit from the rearing at these hatcheries. In addition, the take of adult listed fish for broodstock from these two watersheds may adversely impact the demographics of the naturally-spawning adults. Permits 919 and 922, and the respective takes of listed species authorized therein, will continue to be valid as written. Permits 919 and 922 expire on December 31, 1998.

Issuance of these modifications, as required by the ESA, was based on a finding that such modifications: (1) Were applied for in good faith, (2) will not operate to the disadvantage of the listed species that are the subject of the permits, and (3) are consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing listed species permits.

Dated: July 12, 1995.

**Robert C. Ziobro,**

Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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