

appropriate. The holding of such a hearing is at the discretion of the Director.

*Applicant: James A. Brush, Galesville, WI, PRT-074543*

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport hunted from the Northern Beaufort Sea polar bear population in Canada for personal use.

Dated: September 26, 2003.

**Monica Farris,**

*Senior Permit Biologist, Branch of Permits, Division of Management Authority.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of Applications for Permit

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt of applications for permit.

**SUMMARY:** The public is invited to comment on the following applications to conduct certain activities with endangered species and/or marine mammals.

**DATES:** Written data, comments or requests must be received by November 7, 2003.

**ADDRESSES:** Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203; fax 703/358-2281.

**FOR FURTHER INFORMATION CONTACT:** Division of Management Authority, telephone 703/358-2104.

#### SUPPLEMENTARY INFORMATION:

##### Endangered Species

The public is invited to comment on the following applications for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*). Written data, comments, or requests for copies of these complete applications should be submitted to the Director (address above).

*Applicant: Peter H. Johnson, St. Albans, MO, PRT-077229*

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

*Applicant: Gregory B. Jacobs, New York, NY, PRT-077237*

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

*Applicant: Fred Hutchinson Cancer Research Center—Trask Lab, Seattle, WA, PRT-066400*

The applicant requests a permit to acquire in interstate commerce cell line samples of gorilla (*Gorilla gorilla*) and orangutan (*Pongo pygmaeus*) for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a five-year period.

*Applicant: University of Central Florida, Orlando, FL, PRT-076985*

The applicant requests a permit to import biological samples obtained from hawksbill sea turtle (*Eretmochelys imbricata*), as well as loggerhead sea turtle (*Caretta caretta*), and green sea turtle (*Chelonia mydas*), obtained from the wild in Oman, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a five-year period.

Dated: September 19, 2003.

**Michael S. Moore,**

*Senior Permit Biologist, Branch of Permits, Division of Management Authority.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Withdrawal of Finding of No Significant Impact and Final Environmental Assessment on Management of Mute Swans in the Atlantic Flyway

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice.

**SUMMARY:** The U.S. Fish and Wildlife Service (the Service) published a

Finding of No Significant Impact (FONSI) and Final Environmental Assessment (FEA) for the Management of Mute Swans in the Atlantic Flyway on August 7, 2003. The Service is withdrawing those decision documents. Effective immediately, these documents will not be used to support the issuance of depredation permits authorizing the take of mute swans (*Cygnus olor*) under the Migratory Bird Treaty Act (MBTA). No new mute swan depredation permits will be issued pending completion of further review under the National Environmental Policy Act (NEPA).

#### FOR FURTHER INFORMATION CONTACT:

Brian A. Millsap, U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Mail Stop MS MBSP-4107, 4401 North Fairfax Drive, Arlington, Virginia 22203.

**SUPPLEMENTARY INFORMATION:** On July 2, 2003, the U.S. Fish and Wildlife Service (the Service) provided notice (68 FR 39593) that a Draft Environmental Assessment for the Management of Mute Swans in the Atlantic Flyway was available for public review and comment. The 15-day public comment period ended on July 16, 2003. On August 7, 2003, the Service published a notice of availability (68 FR 47084) of the FEA and the full text of the FONSI.

On August 11, 2003, in accordance with the FEA and the FONSI, the Service issued a permit under authority of the MBTA to the Maryland Department of Natural Resources authorizing the take of up to 525 mute swans between August 27 and December 12, 2003. The Service's issuance of this permit was challenged in Federal court. A preliminary injunction enjoining the take of any mute swans under this permit pending a final ruling on the merits was issued by the U.S. District Court for the District of Columbia on September 9, 2003 ("*The Fund for Animals, et al. v. Norton*, Civil Action No. ECF-03-1710").

The Court's decision on the preliminary injunction raised serious issues regarding the FEA and FONSI referenced above and the Service therefore is withdrawing these documents. Effective immediately, these documents will no longer be used to support the issuance of depredation permits authorizing the take of mute swans. No new mute swan depredation permits will be issued pending completion of a new review under NEPA.