

*Reasons:* The foreign instrument provides a dual mirror image furnace with a homogeneous temperature gradient around the horizontal plane with a simultaneous steeper temperature gradient along the vertical portion for growth of various crystals. The National Aeronautics and Space Administration advised May 8, 2002, that (1) This capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use (comparable case).

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

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. 02-31155 Filed 12-9-02; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 120402A]

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Receipt of application for scientific research permit (1408) and request for comment.

**SUMMARY:** Notice is hereby given that NMFS has received an application for scientific research from California Department of Water Resources (CDWR) in Sacramento, CA (1408). This permit would affect three Evolutionarily Significant Units (ESUs) of salmonids identified in the **SUPPLEMENTARY INFORMATION** section below. This document serves to notify the public of the availability of the permit application for review and comment.

**DATES:** Written comments on the permit application must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on January 9, 2003.

**ADDRESSES:** Written comments on this request should be sent to the appropriate office as indicated below. Comments may also be sent via fax to the number indicated for the request. Comments will not be accepted if submitted via e-mail or the Internet. The

applications and related documents are available for review, by appointment, for permit 1408: Protected Resources Division, NMFS, 650 Capitol Mall, Suite 8-300, Sacramento, CA 95814 (ph: 916-930-3600; fax: 916-930-3629).

Documents may also be reviewed by appointment in the Office of Protected Resources, F/PR3, NMFS, 1315 East-West Highway, Silver Spring, MD 20910 3226 (301-713-1401).

**FOR FURTHER INFORMATION CONTACT:**

Rosalie del Rosario at phone number 916-930-3600, or e-mail:

*Rosalie.delRosario@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. 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 a 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**

This notice is relevant to 3 federally listed salmonid ESUs: endangered Sacramento River Winter-run Chinook salmon (*Oncorhynchus tshawytscha*), threatened Central Valley Spring-run Chinook salmon (*O. tshawytscha*), and threatened Central Valley steelhead (*O. mykiss*).

**New Applications Received**

CDWR requests a 2-year permit for incidental take of adult endangered Sacramento River Winter-run Chinook salmon, threatened Central Valley Spring-run Chinook salmon and threatened Central Valley steelhead in the mainstem of the Sacramento River.

The purpose of the study is to provide information on swimming performance and behavior of white sturgeon to assist the construction and operation of sturgeon passage structures that will be applicable to proposed North Delta Through Delta Facilities.

Dated: December 4, 2002.

**Margaret Lorenz,**

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

[FR Doc. 02-31158 Filed 12-9-02; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 120402B]

#### Endangered and Threatened Species; Take of Anadromous Fish

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

**ACTION:** Issuance of modification to permit 1044 to the Southwest Fisheries Science Center (SWFSC) in Santa Cruz, CA.

**SUMMARY:** Notice is given that NMFS has issued a modification to permit 1044 to SWFSC that authorizes takes of threatened Endangered Species Act (ESA) listed anadromous fish species for research purposes subject to certain conditions set forth therein.

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

Protected Resources Division, NMFS, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95404-6528.

**FOR FURTHER INFORMATION CONTACT:** For permit 1044: Diana Hines, Protected Resources Division, NMFS, Santa Rosa, CA (707) 575-6057, or e-mail: *diana.hines@noaa.gov.*

**SUPPLEMENTARY INFORMATION:**

**Species Covered in This Notice**

The following species and evolutionarily significant units are covered in this notice: Central California Coast steelhead (*Oncorhynchus mykiss*).

Issuance of this permit, as required by the ESA, was based on a finding that such modification was: (1) applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permit; and (3) is consistent with the purposes and policies set forth in section 2 of the