SUPPLEMENTARY INFORMATION:
The requested modifications have been
granted under the authority of the
Endangered Species Act of 1973, as
amended (ESA; 16 U.S.C. 1531 et seq.)
and the provisions of §222.306 of the
regulations governing the taking,
importing, and exporting of endangered
and threatened fish and wildlife (50 CFR
parts 222–226).

The New York State Department of
Environmental Conservation is
authorized to sample for and collect 300
shortnose sturgeon (Acipenser brevostrum) annually in the Hudson
River. The objectives of the study are to
collect data on current distribution,
abundance, length structure and
movements of shortnose sturgeon in this
river system. This modification will
extend the permit through October 31,
2006.

Dr. Kynard is authorized to sample for
and collect 300 shortnose sturgeon in the
Connecticut River. The objectives of the
study are to collect data on current
distribution, abundance, length
structure and movements of shortnose
sturgeon in this river system. This
modification will extend the permit through June 1, 2006.

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

Dated: January 22, 2005.
Stephen L. Leathery,
Chief, Permits, Conservation and Education
Division, Office of Protected Resources,
National Marine Fisheries Service.
[FR Doc. 05–2002 Filed 2–2–05; 8:45 am]

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric
Administration
[Docket No. 050114009–5009–01; I.D. 011105B]
Whaling Provisions; Aboriginal
Subsistence Whaling Quotas
AGENCY: National Marine Fisheries
Service (NMFS), National Oceanic and
Atmospheric Administration (NOAA),
Commerce.
ACTION: Notice.
SUMMARY: NMFS announces the
aboriginal subsistence whaling quota for
bowhead whales, and other limitations
deriving from regulations adopted at the
2002 Special Meeting of the
International Whaling Commission
(IWC). For 2005, the quota is 75
bowhead whales struck. This quota and
other limitations will govern the harvest
of bowhead whales by members of the
Alaska Eskimo Whaling Commission
(AEWC).
DATES: Effective February 3, 2005.

ADDRESSES: Office of Protected
Resources, National Marine Fisheries
Service, 1315 East West Highway, Silver
Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT:
Cheri McCarty, (301) 713–2322.

SUPPLEMENTARY INFORMATION:
Aboriginal subsistence whaling in the United States
is governed by the Whaling Convention
Act (16 U.S.C. 916 et seq.). Regulations
that implement the Act, found at 50 CFR
230.6, require the Secretary of
Commerce (Secretary) to publish, at
least annually, aboriginal subsistence
whaling quotas and any other
limitations on aboriginal subsistence
whaling deriving from regulations of the
IWC.

At the 2002 Special Meeting of the
IWC, the Commission set quotas for
aboriginal subsistence use of bowhead
whales from the Bering-Chukchi-
Beaufort Seas stock. The bowhead quota
was based on a joint request by the
United States and the Russian
Federation, accompanied by
documentation concerning the needs of
two Native groups: Alaska Eskimos and
Chukotka Natives in the Russian Far
East.

This action by the IWC thus
authorized aboriginal subsistence
whaling by the AEWC for bowhead
whales. This aboriginal subsistence
harvest is conducted in accordance with
a cooperative agreement between NOAA
and the AEWC.

The IWC set a 5-year block quota of
280 bowhead whales landed. For each
of the years 2003 through 2007, the
number of bowhead whales struck may
not exceed 67, except that any unused
portion of a strike quota from any year,
including 15 unused strikes from the
1998 through 2002 quota, may be
carried forward. No more than 15 strikes
may be added to the strike quota for any
one year. At the end of the 2004 harvest,
there were 15 unused strikes available
for carry-forward, so the combined
strike quota for 2005 is 82 (67 + 15).

This arrangement ensures that the
total quota of bowhead whales landed
and struck in 2005 will not exceed the
quotas set by the IWC. Under an
arrangement between the United States
and the Russian Federation, the Russian
natives may use no more than seven
strikes, and the Alaska Eskimos may use
no more than 75 strikes.

Other Limitations
The IWC regulations, as well as the
NOAA rule at 50 CFR 230.4(c), forbid
the taking of calves or any whale
accompanied by a calf.

NOAA rules (at 50 CFR 230.4) contain
a number of other prohibitions relating
to aboriginal subsistence whaling, some
of which are summarized here. Only
licensed whaling captains or crew under
the control of those captains may engage
in whaling. They must follow
the provisions of the relevant cooperative
agreement between NOAA and a Native
American whaling organization. The
aboriginal hunters must have adequate
crew, supplies, and equipment. They
may not receive money for participating
in the hunt. No person may sell or offer
for sale whale products from whales
taken in the hunt, except for authentic
articles of Native handicrafts. Captains
may not continue to whale after the
relevant quota is taken, after the season
has been closed, or if their licenses have
been suspended. They may not engage
in whaling in a wasteful manner.

Rebecca Lent,
Deputy Assistant Administrator for
Regulatory Programs, National Marine
Fisheries Service.
[FR Doc. 05–2001 Filed 2–2–05; 8:45 am]

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