

§ 670.22

§ 670.22 [Reserved]

Subpart E—Specially Protected Species of Mammals, Birds, and Plants

§ 670.23 Specific issuance criteria.

Permits authorizing the taking of mammals, birds, or plants designated as a Specially Protected Species of mammals, birds, and plants in § 670.25 may only be issued if:

- (a) There is a compelling scientific purpose for such taking;
- (b) The actions allowed under any such permit will not jeopardize the existing natural ecological system, or the survival of the affected species or population;
- (c) The taking involves non-lethal techniques, where appropriate; and
- (d) The authorized taking, transporting, carrying or shipping will be carried out in a humane manner.

§ 670.24 Content of permit applications.

In addition to the information required in subpart C of this part, an applicant seeking a permit to take a Specially Protected Species shall include the following in the application:

- (a) A detailed scientific justification of the need for taking the Specially Protected Species, including a discussion of possible alternative species;
- (b) Information demonstrating that the proposed action will not jeopardize the existing natural ecological system or the survival of the affected species or population; and
- (c) Information establishing that the taking, transporting, carrying, or shipping of any native bird or native mammal will be carried out in a humane manner.

§ 670.25 Designation of specially protected species of native mammals, birds and plants.

The following two species have been designated as Specially Protected Species by the Antarctic Treaty Parties and are hereby designated Specially Protected Species:

Common Name and Scientific Name
Kerguelen Fur Seal—*Arctocephalus tropicales gazella*.

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Ross Seal—*Ommatophoca rossii*.

[63 FR 50164, Sept. 21, 1998, as amended at 66 FR 46740, Sept. 7, 2001]

§ 670.26 [Reserved]

Subpart F—Antarctic Specially Protected Areas

§ 670.27 Specific issuance criteria.

Permits authorizing entry into any Antarctic Specially Protected Area designated in § 670.29 may only be issued if:

- (a) The entry and activities to be engaged in are consistent with an approved management plan, or
- (b) A management plan relating to the area has not been approved by the Antarctic Treaty Parties, but
 - (1) There is a compelling scientific purpose for such entry which cannot be served elsewhere, and
 - (2) The actions allowed under the permit will not jeopardize the natural ecological system existing in such area.

§ 670.28 Content of permit application.

In addition to the information required in subpart C of this part, an applicant seeking a permit to enter an Antarctic Specially Protected Area shall include the following in the application:

- (a) A detailed justification of the need for such entry, including a discussion of alternatives;
- (b) Information demonstrating that the proposed action will not jeopardize the unique natural ecological system in that area; and
- (c) Where a management plan exists, information demonstrating the consistency of the proposed actions with the management plan.

§ 670.29 Designation of Antarctic specially protected areas, specially managed areas and historic sites and monuments.

The following areas have been designated by the Antarctic Treaty Parties for special protection and are hereby designated as Antarctic Specially Protected Areas (ASPAs). The Antarctic Conservation Act of 1978, as amended, prohibits, unless authorized by a permit, any person from entering or engaging in activities within an ASPA.