

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XA185

Marine Mammals; File No. 15274

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Dan Salden, Ph.D., Hawaii Whale Research Foundation, 52 Cheshire Drive, Maryville, IL 62062, has applied in due form for a permit to conduct research on humpback whales (*Megaptera novaeangliae*).

DATES: Written, telefaxed, or e-mail comments must be received on or before March 2, 2011.

ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 15274 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376;

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7221; fax (907)586-7249; and Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814-4700; phone (808)944-2200; fax (808)973-2941.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the address listed above. Comments may also be submitted by facsimile to (301)713-0376, or by e-mail to NMFS.Pr1Comments@noaa.gov. Please include the File No. in the subject line of the e-mail comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Joselyd Garcia-Reyes or Carrie Hubbard, (301)713-2289.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the

authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The applicant requests a permit to conduct passive acoustics, underwater photography and videography, photo-identification surveys, and to collect sloughed skin to study humpback whales, Hawaiian Insular false killer whales (*Pseudorca crassidens*), and non-ESA listed cetaceans around the waters of Hawaii, primarily Kona Coast and Maui County near-Lanai waters, Kalohi Channel, and Pailolo Channel. Research would also occur in Southeast Alaska and Kachemak Bay area when platforms become available. Up to 3000 humpback whales and 150 Hawaiian Insular false killer whales could be harassed each year during photo-identification surveys. Additionally, false killer whales, killer whales (*Orcinus orca*), short-finned pilot whales (*Globicephala macrorhynchus*), bottlenose dolphins (*Tursiops truncatus*), spinner dolphins (*Stenella longirostris*), and pantropical spotted dolphins (*Stenella attenuata*) may be harassed. See the application for specific take numbers by species. The purposes of the proposed research are to: (1) Continue and expand a study of humpback whales, (2) examine the role and function of competitive groups as they relate to the mating system of humpback whales, (3) study the life histories of known individual humpback whales, and (4) opportunistically study the stock structure, life history parameters (reproductive rates, mortality, etc.) and abundance of other cetaceans. The permit would be valid for a period of five years.

A draft environmental assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), to examine whether significant environmental impacts could result from issuance of the proposed scientific research permit. The draft EA is available for review and comment simultaneous with the scientific research permit application.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: January 25, 2011.

P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2011-2066 Filed 1-28-11; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XA183

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Issuance of a scientific research permit.

SUMMARY: Notice is hereby given that NMFS has issued scientific research Permit 15390 to the Resource Conservation District of the Santa Monica Mountains (RCD), in southern California.

ADDRESSES: The permit application, the permit, and related documents are available for review, by appointment, at the foregoing address at: Protected Resources Division, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802 (ph: 562-980-4026, fax: 562-980-4027, e-mail at:

Matthew.McGoogan@noaa.gov). The permit application is also available for review online at the Authorizations and Permits for Protected Species Web site at <https://apps.nmfs.noaa.gov>.

FOR FURTHER INFORMATION CONTACT: Matt McGoogan at 562-980-4026, or e-mail: Matthew.McGoogan@noaa.gov.

SUPPLEMENTARY INFORMATION:**Authority**

The issuance of permits, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits: (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 are issued in accordance with and are subject to the ESA and NMFS regulations (50 CFR parts 222-226) governing listed fish and wildlife permits.

Species Covered in This Notice

This notice is relevant to the federally endangered Southern California Distinct Population Segment of steelhead (*Oncorhynchus mykiss*).

Permit Issued

A notice of the receipt of an application for Permit 15390 was published in the **Federal Register** on May 7, 2010 (75 FR 25205). Permit 15390 was issued to the RCD on October 8, 2010. Permit 15390 authorizes the RCD to conduct a scientific study of steelhead in Topanga Creek, Arroyo Sequit, and Malibu Creek. The purpose of this study is to gather information that will contribute to the understanding of migration patterns, diet, and the abundance and distribution of steelhead in the subject streams. Monitoring methods authorized by the permit include direct underwater observation techniques for estimating abundance and distribution of steelhead, migratory trapping, and Passive Integrated Transponder (PIT) tagging. Authorized sampling methods to obtain steelhead for abundance counts and PIT tagging include hand nets, seine nets, angling, fyke traps, and electrofishing.

Permit 15390 authorizes an annual non-lethal take of 1150 juvenile steelhead, 100 smolts, and 10 adult steelhead as well as an annual collection and possession of up to 950 steelhead tissue samples and 10 steelhead carcasses. The permit authorizes 100 smolts and up to 850 juvenile steelhead (depending on size) to be processed for PIT tags. The capture of adult steelhead in fyke traps is authorized by the permit, but PIT tagging of adults is not. The permit authorizes gastric lavage to be performed on up to 30 juvenile steelhead to gather information on feeding habits and diet. The authorized unintentional lethal take for the permit is 36 juvenile steelhead annually. No unintentional lethal take of adult steelhead nor intentional lethal take of any steelhead is authorized with this permit. All mortalities will be sent to NMFS Protected Resource Division in Long Beach, CA for genetic research and processing. Field activities associated with Permit 15390 began in October 2010 when the permit was issued and will cease when the permit expires on December 31, 2020.

Dated: January 25, 2011.

Therese Conant,

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

[FR Doc. 2011-2130 Filed 1-28-11; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA182

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Notice of receipt of a permit application; request for comments.

SUMMARY: Notice is hereby given that NMFS has received an application for a permit to conduct research for scientific purposes from Stillwater Sciences (Stillwater) in Arcata, California. The requested permit would affect the endangered Southern California (SC) Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*). The public is hereby notified of the availability of the permit application for review and comment before NMFS either approves or disapproves the application.

DATES: Written comments on the permit application must be received at the appropriate address or fax number (*see ADDRESSES*) on or before March 2, 2011.

ADDRESSES: Written comments on the permit application should be sent to Matt McGoogan, Protected Resources Division, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Comments may also be sent using e-mail (FRNpermits.lb@noaa.gov) or fax (562.980.4027). The permit application is available for review, by appointment, at the foregoing address and is also available for review online at the Authorizations and Permits for Protected Species Web site at <https://apps.nmfs.noaa.gov>.

FOR FURTHER INFORMATION CONTACT: Matt McGoogan at phone number (562.980.4026) or e-mail: matthew.mcgoogan@noaa.gov.

SUPPLEMENTARY INFORMATION:

Authority

Issuance of permits, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits: (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 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 provide 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.

Permit Application Received

Stillwater has applied for a permit (permit 15774) to study steelhead in the Santa Maria River watershed. The purpose of this study is to gather information that will contribute to the understanding of steelhead rearing and over-summering patterns in the Santa Maria River estuary and abundance and distribution of steelhead in the upper Sisquoc River (a tributary to the Santa Maria River). In the Santa Maria River estuary monitoring methods include the use of hand nets, seine nets, and minnow traps to sample for the presence of steelhead during different times of the year. In the upper Sisquoc River direct underwater observation techniques (*i.e.* snorkel surveys) are proposed for estimating abundance and distribution of steelhead. Field activities will occur between March 2011 and December 2015. Stillwater has requested an annual non-lethal take of 100 juvenile steelhead and 20 smolts for the activities proposed in the Santa Maria River estuary. In the upper Sisquoc River, Stillwater is requesting permission to observe up to 3000 juvenile and 10 adult steelhead annually during snorkel surveys. The unintentional lethal take that may occur as a result of research activities in the Santa Maria River estuary is up to 1 juvenile steelhead and 1 smolt annually. No unintentional lethal take is expected from research activities in the Sisquoc River. Overall, no intentional lethal take steelhead is expected in association with any aspect of these research activities.