

the Atlantic Coastal Act. Under the Atlantic Coastal Act, the Secretary of Commerce (Secretary) must make two findings within 30 days after receiving the non-compliance referral. First, the Secretary must determine whether the state in question (in this case, Delaware) has failed to carry out its responsibilities under the ISFMP. Second, the Secretary must determine whether the measures that the State has failed to implement or enforce are necessary for the conservation of the fishery in question. If the Secretary of Commerce makes affirmative findings on both criteria, then the Secretary must implement a moratorium on fishing in the fishery in question (in this case American eel) within the waters of the non-complying state (in this case, Delaware). Further, the moratorium must become effective within six months of the date of the Secretary's non-compliance determination. To the extent that the allegedly offending state later implements the involved measure, the Atlantic Coastal Act allows the state to petition the Commission that it has come back into compliance, and if the Commission concurs, the Commission will notify the Secretary and, if the Secretary concurs, the moratorium will be withdrawn. The Secretary has delegated Atlantic Coastal Act authorities to the Assistant Administrator for Fisheries at NMFS.

NMFS has notified the State of Delaware, the Commission, and the Mid-Atlantic Fishery Management Council in separate letters, of its receipt of the Commission's non-compliance referral. In the letters, NMFS solicits comments from the Commission and Councils to the extent either entity is interested in providing such comments. NMFS also indicated to the State of Delaware that the State is entitled to meet with and present its comments directly to NMFS if the State so desires.

NMFS intends to make its non-compliance determination on or about September 18, 2015, which is 30 days after receipt of the Commission's non-compliance referral. NMFS will announce its determination by **Federal Register** notice immediately thereafter. To the extent that NMFS makes an affirmative non-compliance finding, NMFS will announce the effective date of the moratorium in that **Federal Register** notice.

**Authority:** 16 U.S.C. 5101 *et seq.*

Dated: August 21, 2015.

**Alan D. Risenhoover,**  
Director, Office of Sustainable Fisheries,  
National Marine Fisheries Service.

[FR Doc. 2015-21228 Filed 8-26-15; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XC268**

#### Marine Mammals; File No. 16239

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

**ACTION:** Notice; receipt of application for permit amendment.

**SUMMARY:** Notice is hereby given that Dan Engelhaupt, Ph.D., HDR EOC, 5700 Lake Wright Drive, Norfolk, VA 23502-1859, has applied for an amendment to Scientific Research Permit No. 16239.

**DATES:** Written, telefaxed, or email comments must be received on or before September 28, 2015.

**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 home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 16239 from the list of available applications.

These documents are also available upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

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

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation 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:** Carrie Hubard or Courtney Smith, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 16239 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (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 (16 U.S.C. 1531 *et seq.*), and the regulations governing the

taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

Permit No. 16239, issued on September 11, 2013 (78 FR 60852), authorizes the permit holder to harass cetacean and pinniped species during vessel and aerial survey activities, including behavioral observations and photo-identification. Cetacean species may also be harassed during underwater photography and collection of sloughed skin and fecal samples. Surveys may be conducted year-round in all U.S. and international waters in the Pacific Ocean (including Alaska, Washington, Oregon, California, Hawaii, Guam, Marianas Islands, and other U.S. territories) and Atlantic Ocean (including the Gulf of Mexico, western North Atlantic, Caribbean Sea, and Sargasso Seas). The permit expires September 30, 2018.

The permit holder is requesting the permit be amended to include authorization for: (1) Increasing takes for some species during aerial and vessel visual surveys to document presence/absence, behavior, and movement of marine mammals before, during, and after Naval training exercise operations, offshore energy installations, oil and gas exploration and production, and pier refurbishment/replacement; (2) collecting biopsy samples to document genetic variation within populations, gender, foraging patterns, and stress levels; and (3) using multiple tag types, including satellite and digital acoustic tags, to document movement and dive patterns, social and population structure, and habitat use. See tables in the permit amendment application for numbers of takes by species, stock and activity. The research would be conducted to collect data on population and genetic variations and habitat use, and to monitor behavioral changes during activities associated with U.S. Navy, renewable energy, oil and gas exploration and production, and pier-based construction.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

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

Dated: August 18, 2015.

**Julia Harrison,**

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

[FR Doc. 2015-21215 Filed 8-26-15; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XE075

#### Marine Mammals; File No. 18636

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that  
Iain Kerr, D.H.L., Ocean Alliance, 32  
Horton Street, Gloucester, MA 01930,  
has applied in due form for a permit to  
conduct research on multiple cetacean  
species.

**DATES:** Written, telefaxed, or email  
comments must be received on or before  
September 28, 2015.

**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. 18636 from the list of  
available applications.

These documents are also available  
upon written request or by appointment  
in the Permits and Conservation  
Division, Office of Protected Resources,  
NMFS, 1315 East-West Highway, Room  
13705, Silver Spring, MD 20910; phone  
(301) 427-8401; fax (301) 713-0376.

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

Those individuals requesting a public  
hearing should submit a written request  
to the Chief, Permits and Conservation  
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:**  
Courtney Smith or Amy Hapeman, (301)  
427-8401.

**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), and the Endangered Species  
Act of 1973, as amended (ESA; 16  
U.S.C. 1531 *et seq.*).

The applicant requests a five-year  
permit to determine how environmental  
toxicants affect cetaceans and vary  
spatially and temporally across species;  
and determine the route of exposure.  
Research would occur in U.S. waters  
and the high seas of the Pacific, Atlantic  
and Indian Oceans via vessel surveys  
targeting live cetaceans, tissue  
collection of dead, stranded cetaceans,  
and the import/export/receipt of  
biological samples collected in foreign  
waters/countries. Field research  
activities on live animals would include  
collection of sloughed skin and feces,  
biopsy sampling, photo-identification,  
videography, passive acoustic recording,  
focal follows, behavioral observation,  
and breath sampling via a small  
unmanned aircraft system. The  
applicant requests to annually harass  
and sample the following species during  
vessel surveys as follows. In the North  
Atlantic: 150 takes for the primary study  
species, sperm whales (*Physeter  
macrocephalus*); 30 takes for Bryde's  
whales (*Balaenoptera brydei*); 40 takes  
for humpback whales (*Megaptera  
novaeangliae*); and 20 takes for all other  
requested species [blue (*B. musculus*),  
dwarf sperm (*Kogia sima*), false killer  
(*Pseudorca crassidens*), fin (*B.  
physalus*), killer whales (*Orcinus orca*),  
minke (*B. acutorostrata*), pilot  
(*Globicephala spp.*), pygmy sperm  
(*Kogia breviceps*), sei (*B. borealis*), and  
beaked whale species and dolphins]. In  
the Pacific Ocean, the applicant requests  
up to 100 takes of sperm whales, and 20  
takes of all other species, annually: blue,  
pygmy and dwarf sperm, fin, humpback,  
Bryde's, minke, short- and long-finned  
pilot, sei, Eastern gray (*Eschrichtius  
robustus*), false killer, and killer whales,  
and several beaked whale and dolphin  
species.

Additionally, the applicant requests  
to annually import/export/receive up to  
150 biological samples (parts) for sperm  
whales; 200 parts for southern right  
whales; 40 parts for humpback whales;  
30 parts for Bryde's whales; and 20 parts  
for all other requested species.

In compliance with the National  
Environmental Policy Act of 1969 (42  
U.S.C. 4321 *et seq.*), an initial  
determination has been made that the  
activity proposed is categorically  
excluded from the requirement to  
prepare an environmental assessment or  
environmental impact statement.

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: August 18, 2015.

**Julia Harrison,**

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

[FR Doc. 2015-21216 Filed 8-26-15; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading  
Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the  
Paperwork Reduction Act of 1995  
("PRA"), this notice announces that the  
Information Collection Request ("ICR")  
abstracted below has been forwarded to  
the Office of Management and Budget  
("OMB") for review and comment. The  
ICR describes the nature of the  
information collection and its expected  
costs and burden.

**DATES:** Comments must be submitted on  
or before September 28, 2015.

**ADDRESSES:** Comments regarding the  
burden estimated or any other aspect of  
the information collection, including  
suggestions for reducing the burden,  
may be submitted directly to the Office  
of Information and Regulatory Affairs  
("OIRA") in OMB, within 30 days of the  
notice's publication, by email at  
[OIRASubmissions@omb.eop.gov](mailto:OIRASubmissions@omb.eop.gov). Please  
identify the comments by OMB Control  
No. 3038-0007. Please provide the  
Commission with a copy of all  
submitted comments at the address  
listed below. Please refer to OMB  
Reference No. 3038-0007, found on  
<http://reginfo.gov>.

Comments may also be mailed to the  
Office of Information and Regulatory  
Affairs, Office of Management and  
Budget, Attention: Desk Officer for the  
Commodity Futures Trading  
Commission, 725 17th Street NW.,  
Washington, DC 20503. You may also  
submit comments, identified by  
Renewal of Collection Number 3038-  
0007 and "Regulation of Domestic  
Exchange-Traded Options," by any of  
the following methods:

- The Agency's Web site, via its  
Comments Online process: <http://comments.cftc.gov>. Follow the