

ESA-listed, naturally-produced, juvenile fish are proposed to be captured (with rotary screw traps, fyke traps, and a kodiak trawl), anesthetized, handled, allowed to recover from the anesthetic, and released. Associated indirect mortalities of juvenile, ESA-listed fish are also requested.

For Study 2, CDFG propose to determine the relationship between manageable physical habitat attributes (flow, temperature, channel aspects) and anadromous salmonids within the upper reaches of the Sacramento River and throughout the river system up to ocean entry. Information relating spawning distribution (temporal and spatial), spawning success, juvenile survival, production, and emigration will be determined relative to habitat conditions. This information will be used to identify management actions required for the survival of anadromous fish resources. Carcasses of adult, ESA-listed fish (both in-river and hatchery-reared) are proposed to be recovered and sampled for tissues and tags. Juvenile, ESA-listed, naturally-produced, fish are proposed to be captured (with rotary screw traps, a beach seine, and a kodiak trawl), anesthetized, handled, allowed to recover from the anesthetic, and released. Associated indirect mortalities of juvenile, ESA-listed fish are also requested.

Those individuals requesting a hearing should set out the specific reasons why a hearing on any of the applications 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 these application summaries are those of the applicants and do not necessarily reflect the views of NMFS.

Dated: October 9, 1996.

Robert C. Ziobro,

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

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[I.D. 100996D]

Endangered Species; Permits

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

ACTION: Issuance of incidental take permit 1,017 (P211K) and modification 5 to scientific research permit 818 (P211C).

SUMMARY: Notice is hereby given that NMFS has issued an incidental take permit and a modification to a scientific research permit that authorize takes of Endangered Species Act-listed species, subject to certain conditions set forth therein, to the Oregon Department of Fish and Wildlife (ODFW) at Portland, OR and La Grande, OR.

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

Office of Protected Resources, F/PR3, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

SUPPLEMENTARY INFORMATION: The permit and modification to a permit were issued under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-222).

Notice was published on August 7, 1996 (61 FR 41130) that an application had been filed by ODFW (P211K) for an incidental take permit. Permit 1,017 was issued to ODFW on September 30, 1996. Permit 1,017 authorizes ODFW an annual incidental take of resident, fluvial, and anadromous, endangered, Umpqua River cutthroat trout (*Oncorhynchus clarki clarki*) associated with the state of Oregon's recreational and commercial fisheries in the Umpqua River Basin. ODFW is charged by statute with the management and protection of the fish and wildlife resources of the state. An individual incidental take permit was issued since ODFW is responsible for establishing the State's fishing regulations and controls fishing activities by issuing licenses to citizens. Pursuant to the incidental take authorization, ODFW will implement a conservation plan that includes measures designed to minimize the incidental take of ESA-listed cutthroat trout. ODFW requested a five-year permit. However, since ODFW will monitor the fisheries in the Umpqua River Basin for at least three years to obtain more precise information on the incidental take of ESA-listed cutthroat trout, NMFS determined that permit 1,017 be issued for a period of three years, with annual review and authorization requirements. Accordingly, Permit 1,017 will expire on September 30, 1999.

Notice was published on August 6, 1996 (61 FR 40821) that an application

had been filed by ODFW (P211C) for modification 5 to scientific research permit 818. Modification 5 to permit 818 was issued to ODFW on September 30, 1996. Permit 818 authorizes annual takes of adult and juvenile, threatened, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) for scientific research. For modification 5, permit 818 has been extended to be effective for approximately five years. Permit 818 was issued to ODFW on April 22, 1993 and is now set to expire on June 30, 1998. Also for modification 5, ODFW is authorized an increase in the takes of adult and juvenile, ESA-listed salmon associated with new studies in the Wallowa River Basin. The new research will provide essential information on the life history and critical habitat of the spring chinook salmon populations in the Wallowa River Basin. The information collected will enable managers to make more effective decisions concerning the protection and enhancement of critical habitat.

Issuance of the permit and permit modification, as required by the ESA, was based on a finding that such actions: (1) Were requested in good faith, (2) will not operate to the disadvantage of the ESA-listed species that are the subject of the permits, and (3) are consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing ESA-listed species permits.

Dated: October 9, 1996.

Robert C. Ziobro,

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

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[I.D. 100396A]

Marine Mammals; Permit No. 976 (P5H)

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

ACTION: Scientific research permit amendment.

SUMMARY: Notice is hereby given that a request for amendment of scientific research permit no. 976 submitted by Dr. Donald B. Siniff, University of Minnesota, 1987 Upper Buford Circle, St. Paul, MN 55108, has been granted.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following office(s):