

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.

#### Species Covered in this Notice

The following species and evolutionary significant units (ESUs) are covered in this notice:

##### Sea turtles

Threatened and endangered Green turtle (*Chelonia mydas*)

Endangered Hawksbill turtle (*Eretmochelys imbricata*)

Endangered Kemp's ridley turtle (*Lepidochelys kempii*)

Endangered Leatherback turtle (*Dermochelys coriacea*)

Threatened Loggerhead turtle (*Caretta caretta*)

Threatened and endangered Olive ridley turtle (*Lepidochelys olivacea*)

##### Fish

Sockeye salmon (*Oncorhynchus nerka*): endangered Snake River (SnR).

Chinook salmon (*O. tshawytscha*): endangered, naturally produced and artificially propagated, upper Columbia River (UCR) spring; threatened, naturally produced and artificially propagated, SnR spring/summer.

Steelhead (*O. mykiss*): endangered, naturally produced and artificially propagated, UCR; threatened SnR; threatened middle Columbia River.

#### New Applications Received

##### Application 1303

The applicant requests authorization to allow take of listed sea turtles while conducting experiments on methods for reducing sea turtle take by longline fisheries in the Pacific Ocean and to allow import of living, deeply hooked sea turtles for treatment and rehabilitation. The applicant proposes to take a total of 15 green, 43 leatherback, 221 loggerhead and 24 olive ridley turtles over the three-year life of the permit. This application is available for download and review from the Office of Protected Resources permitting web site: <http://www.nmfs.noaa.gov/prot-res/PR3/Permits/ESAPermit.html>.

#### Modification Requests Received

##### Permit #1245

The applicant requests a modification to Permit 1245. Permit 1245 authorizes the take of listed sea turtles for scientific research purposes. Permit #1245 authorizes the take of 250 loggerhead, 10 green, 50 Kemp's ridley, five hawksbill and one leatherback turtles

annually. Modification #2 would authorize researchers to intubate and ventilate a turtle verified to be unconscious, allow researchers to collect skin biopsies from each turtle, collect an additional biopsy of any abnormal growth and to collect a keratin sample from the carapace of each turtle for mercury content analysis.

#### Permits and Modified Permits Issued

##### Permit #1297

Notice was published on March 5, 2001 (66 FR 13305) that Donna McDonald, of Ocean Planet Research, Incorporated applied for a scientific research permit (1297).

The purpose of this project is to continue long-term monitoring of the status of sea turtles in San Diego Bay. Numbers present, species, size, sex, health status, and presence or absence of tag will be recorded. Permit 1297 was issued on April 27, 2001, authorizing take of listed species. Permit 1297 expires May 31, 2006.

##### Permit #1237

Notice was published on February 16, 2000 (65 FR 7855) that the Corps applied for an enhancement permit (1237). Permit 1237 was issued to the Corps on March 22, 2001 (see 66 FR 18447, April 9, 2001). Permit 1237 authorizes the Corps annual takes of ESA-listed Snake River salmon and steelhead associated with transporting juvenile anadromous fish around the dams and past the reservoirs on the mainstem lower Snake and Columbia Rivers in the Pacific Northwest. The purpose of the Corps' Juvenile Fish Transportation Program is to increase juvenile fish survival over the alternative of in-river passage, given existing in-river migratory conditions. On April 26, 2001, NMFS issued an amendment of enhancement permit 1237. For the permit amendment, the Corps is authorized takes of ESA-listed fish species associated with juvenile fish transport at McNary Dam on the lower Columbia River during the spring 2001 juvenile salmonid outmigration season. The Corps requested the additional ESA-listed fish takes (associated with spring transport at McNary Dam) in its original permit application (see 65 FR 7855, February 16, 2000). Since the beginning of 2001, forecasted river conditions and anticipated estimates of the project passage survival of juvenile fish migrating in the lower Columbia River during 2001 have progressively deteriorated. It now appears that the survival rate of spring-migrating juvenile salmonids between McNary

Dam and Bonneville Dam may be lower than previously expected for the 2001 juvenile salmonid outmigration season. Therefore, NMFS has determined that spring transport at McNary Dam by the Corps will not operate to the disadvantage of the ESA-listed fish in 2001. The Corps will load the juvenile fish into aerated trucks and barges for transportation to below Bonneville Dam on the Columbia River. Further handling of the fish does not occur, except for loading via raceways or when the fish are handled for monitoring purposes by Corps personnel or for scientific research purposes by individuals holding separate take authorizations. The amendment is valid for the duration of Permit 1237. However, the conduct of spring transport at McNary Dam in future years will be subject to annual approval by NMFS. Additional annual takes of ESA-listed adult fish associated with handling fallbacks at the juvenile fish transportation facility at McNary Dam are also authorized by the permit amendment. Permit 1237 expires on December 31, 2005.

Dated: May 4, 2001.

##### Chris Mobley,

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

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[I.D.050101E]

##### Endangered Species; Permit 1067

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

**ACTION:** Receipt of application to modify permit 1067.

**SUMMARY:** Notice is hereby given of the following action regarding permits for takes of endangered and threatened species for the purposes of scientific research and/or enhancement. NMFS has received an application from California Department of Fish and Game, Sacramento, CA to modify permit 1067.

**DATES:** Comments or requests for a public hearing on any of the new applications or modification requests must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific daylight time on June 11, 2001.

**ADDRESSES:** Written comments on any of the new applications or modification requests should be sent to Protected Resources Division, NMFS, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95404-6528. Comments may also be sent via fax to (707) 578-3435. Comments will not be accepted if submitted via e-mail or the Internet.

The application and related documents are available for review in the following office, by appointment: Office of Protected Resources, F/PR3, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401).

**FOR FURTHER INFORMATION CONTACT:** Permits Coordinator, Protected Resources Division, (707-575-6053).

**SUPPLEMENTARY INFORMATION:**

**Authority**

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications are (1) 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 and modifications 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 set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such 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.

**Species Covered in This Notice**

The following species and evolutionarily significant units (ESU's) are covered in this notice: Threatened Central California Coast (CCC) steelhead trout (*Oncorhynchus mykiss*), threatened (CCC) coho salmon (*Oncorhynchus kisutch*), threatened, California Coastal (CC) chinook salmon (*Oncorhynchus tshawytscha*).

**Modification Requests Received**

The California Department of Fish and Game (CDFG) requests a

modification to permit 1067 for takes of adult and juvenile threatened CCC coho salmon (*Oncorhynchus kisutch*) associated with a proposal to develop a conservation hatchery program for coho salmon at the Congressman Don Clausen Fish Hatchery at Warm Springs Dam in Sonoma County, CA. The purpose of this program is to prevent extirpation of portions of the CCC coho salmon ESU by restoring lost or declining stocks and to provide a mechanism to conserve potential broodstock of CCC coho salmon. The overall goal of the program is to restore self-sustaining and self-regulating stocks of coho salmon to the CCC coho salmon ESU. Presently, permit 1067 authorizes intentional takes of adult and juvenile CCC coho salmon for research projects throughout the CCC coho salmon ESU. This requested modification would add additional intentional takes of adult and juvenile CCC coho salmon to the CDFG permit and include authorization to implement an enhancement program. These activities may also result in incidental takes of threatened CCC steelhead (*O. mykiss*) and threatened, California Coastal (CC) chinook salmon, (*O. tshawytscha*). This requested modification to permit 1067 would authorize intentional take of adult and juvenile CCC coho salmon and incidental take of CCC steelhead and CC chinook salmon. Permit 1067 expires on June 30, 2002.

Dated: May 4, 2001.

**Chris Mobley,**

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

[FR Doc. 01-11841 Filed 5-9-01; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 042501C]

**Marine Mammals; File No. 995-1608**

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that Mr. Thomas F. Norris, Science Applications International Corp., 3990 Old Town Avenue, Suite 105A, San Diego, California 92110, has been issued a permit to take gray (*Eschrichtius robustus*), minke (*Balaenoptera acutorostrata*), and Bryde's

(*Balaenoptera edeni*) whales for purposes of scientific research.

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

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

Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206) 526-6150; fax (206) 526-6426;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018; and

Protected Species Coordinator, Pacific Area Office, NMFS, 1601 Kapiolani Blvd., Rm. 1110, Honolulu, HI 96814-4700; phone (808) 973-2935; fax (808) 973-2941.

**FOR FURTHER INFORMATION CONTACT:**

Tammy Adams or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On

December 21, 2000, notice was published in the **Federal Register** (65 FR 80420) that a request for a scientific research permit to take gray (*Eschrichtius robustus*), minke (*Balaenoptera acutorostrata*), Bryde's (*Balaenoptera edeni*), blue (*Balaenoptera musculus*), fin (*Balaenoptera physalus*), and humpback (*Megaptera novaengliae*) whales had been submitted by the above-named individual. The requested permit has been issued for the three non-endangered species of whale (gray, minke, and Bryde's) only, under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216). The request for a permit related to the three endangered species of whale (blue, fin, and humpback) is deferred pending receipt of a report of the effects of the tags on the non-endangered species.

Dated: May 4, 2001.

**Ann D. Terbush,**

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

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