

behavior, and responses to sound of marine mammals, including endangered species. The results would be integrated with related studies and directly contribute to conservation management for sound producers and regulatory agencies by identifying characteristics of target species that are critical for passive monitoring, detection, and/or density estimation and by demonstrating how specific sounds, including simulated military sonar, may evoke behavioral responses in marine mammals. The experimental design involves temporarily attaching individual recording tags to measure vocalization, behavior, and physiological parameters as well as sound exposure. Behavior will be measured before, during, and after carefully controlled exposures of sound in conventional playback experiments. Tagged subjects will be exposed to received sound levels up to 180 dB re: 1 $\mu$ Pa. This study will involve various activities that could take animals by harassment, including close approaches, attachment of tags, and sound exposure. Small fragments of sloughed skin, which often remain attached to retrieved tags, would be used for genetic analyses. Target species include beaked whales and other odontocetes, key baleen whales, and pinniped species for whom such data have not been previously obtained; other marine species may be incidentally impacted. Please refer to the tables in the application for the numbers of marine mammals, by species and stock, that are proposed for this permit. The research will be focused in the waters within the U.S. Navy's Southern California Range Complex, and primarily near the vicinity of San Clemente Island.

The applicant has revised the application to (1) increase the number of Risso's dolphins (*Grampus griseus*), bottlenose dolphins (*Tursiops truncatus*), Pacific white-sided dolphins (*Lagenorhynchus obliquidens*), and northern elephant seals (*Mirounga angustirostris*) that may be harassed by close approach, focal follow, tag attachment, and sound exposure, to include these species as focal animals in the overall objectives; (2) increase the number of requested "tagless" playbacks for some cetacean species, such as blue whales (*Balaenoptera musculus*) and fin whales (*B. physalus*) and the social pelagic delphinids, but not for the more solitary and deep-diving beaked whale species, to increase data obtained on behavioral responses; (3) modify the proposed action area slightly northward to 35° 0' N; the longitude boundaries remain as before (from 116° 0' to 127°

0' W); and (4) clarify tagging and playback protocols and mitigation for when dependent calves are present.

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: March 3, 2010.

**Tammy C. Adams,**

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

[FR Doc. 2010-5014 Filed 3-9-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XU85

#### Marine Mammals; File No. 15261

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

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

**SUMMARY:** Notice is hereby given that Paul Ponganis, Ph.D., University of California at San Diego, La Jolla, CA 92093, has applied in due form for a permit to conduct research on leopard seals (*Hydrurga leptonyx*) in Antarctica.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before April 9, 2010.

**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. 15261 from the list of available applications.

These documents are also available upon written request or by appointment in the following office(s):

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; and

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

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 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, 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:** Kate Swails or Amy Sloan, (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.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Dr. Ponganis proposes to study the foraging behavior of leopard seals at Cape Washington, Antarctica. Backpack digital cameras and time depth recorders would be deployed on up to five leopard seals annually over five years (no more than ten seals total) to document diving and foraging behavior near the emperor penguin colony, and, for the first time, construct time-activity budgets and prey intake rates of these seals. The action could result in the incidental harassment of one leopard seal annually. The applicant requested incidental mortality of up to one leopard seal over a five-year period.

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: March 4, 2010.

**P. Michael Payne,**

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

[FR Doc. 2010-5148 Filed 3-9-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XT21

#### Marine Mammals; File No. 555-1870

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; issuance of permit amendment.

**SUMMARY:** Notice is hereby given that James T. Harvey, Ph.D., Moss Landing Marine Laboratories, 8272 Moss Landing Road, Moss Landing, CA 95039, has been issued a major amendment to Permit No. 555-1870-00.

**ADDRESSES:** The permit amendment and related documents are available for review 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; and Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

**FOR FURTHER INFORMATION CONTACT:** Amy Sloan or Tammy Adams, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On December 8, 2009, notice was published in the **Federal Register** (74 FR 64686) that a request for an amendment to Permit No. 555-1870-00 to conduct research on harbor seals (*Phoca vitulina*) had been submitted by the above-named applicant. One project in the requested permit amendment (increasing the number of animals taken in the wild) has been issued and another project in the requested amendment (temporary captivity of wild seals) has been denied 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 permit amendment (Permit No. 555-1870-01) authorizes an increase in the number of harbor seal pups taken annually in California by capture, sedation, tagging, and sampling from 40 seals (20 males and 20 females) to 70 seals (35 males and 35 females). The request to bring up to six seals into temporary captivity for a pilot study to assess the efficacy of a modified sedation protocol for the surgical implantation of subcutaneous tag implants was denied. The facility proposed did not meet minimum standards for space as required by Animal Welfare Act regulations for the humane handling, care and treatment of marine mammals. Therefore, the applicant could not demonstrate that the activity proposed was humane and did not present any unnecessary risks to

the health and welfare of the marine mammals (50 CFR 216.34(1)(a)).

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

Dated: February 24, 2010.

**Tammy C. Adams,**

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

[FR Doc. 2010-5144 Filed 3-9-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XV01

#### Fisheries of the South Atlantic; South Atlantic Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting of Wreckfish Shareholders for the South Atlantic region to discuss draft Amendment 20 to the Snapper Grouper Fishery Management Plan (FMP) which considers changes to the Wreckfish Individual Fishing Quota (IFQ) program.

**SUMMARY:** The South Atlantic Fishery Management Council will hold a meeting of Wreckfish Shareholders for the South Atlantic region. See **SUPPLEMENTARY INFORMATION.**

**DATES:** The meeting will take place March 29-30, 2010. The meeting will be held from 1 p.m. until 5 p.m. on March 29, 2010 and 8:30 a.m. until 12 noon on March 30, 2010.

**ADDRESSES:** The meeting will be held at the office of the South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571-4366 or toll free (866) SAFMC-10; fax: (843) 769-4520. Persons interested in listening to the discussions may call (877) 774-6707, PIN 1 294.

**FOR FURTHER INFORMATION CONTACT:** Kim Iverson, Public Information Officer, South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571-4366 or toll free: (866) SAFMC-10; fax: (843) 769-4520; email: kim.iverson@safmc.net.

**SUPPLEMENTARY INFORMATION:** The meeting is being convened to gather input from Wreckfish Shareholders on changes the Council is considering for the current ITQ program in Amendment 20 to the Snapper Grouper FMP. Some of the changes considered include implementing a cost recovery program, re-issuing unused quota, and implementing an Annual Catch Limit (ACL) for the wreckfish stock.

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 3 days prior to the meetings.

Note: The times and sequence specified in this agenda are subject to change.

Dated: March 5, 2010.

**William D. Chappell,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2010-5088 Filed 3-9-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XV00

#### Gulf of Mexico Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene a meeting of the Ad Hoc Data Collection Advisory Panel.

**DATES:** The meeting will convene at 1 p.m. on Monday, March 29, 2010 and conclude by 4:30 p.m. on Tuesday, March 30, 2010.