

finned pilot whales (*Globicephala macrorhynchus*), and sperm whales (*Physeter macrocephalus*). NMFS received requests for LOAs from Merit Energy Company (Merit), Northstar Interests, LLC. (Northstar Interests), Northstar Offshore Energy Partners, LLC. (Northstar Offshore), Ridgelake Energy, Inc. (Ridgelake), Rosetta Resources Offshore, LLC. (Rosetta), and Sojitz Energy Venture, Inc. (Sojitz) for activities covered by the EROS regulations.

### Reporting

NMFS regulations require timely receipt of reports for activities conducted under the previously issued LOA and a determination that the required mitigation, monitoring, and reporting were undertaken. NMFS Galveston Laboratory's Platform Removal Observer Program (PROP) has provided reports for Merit Energy Company's (Merit) removal of offshore structures during 2010. While Merit did

not have a LOA in 2010 to 2011 or previous years, the energy company used the explosives company, Demex International, Inc., which was issued an LOA for 2010 to 2011, and renewed their LOA again for 2011 to 2012. Northstar Interests, Northstar Offshore, Ridgelake, Rosetta, and Sojitz have not conducted any EROS operations to date. NMFS PROP observers reported the following during Merit's EROS operations in 2010 to 2011:

Company	Structure	Dates	Marine mammal sightings (Individuals)	Biological impacts observed to marine mammals
Merit .....	High Island Area, Block 138, Platform A.	May 23 to 28, 2010 .....	Bottlenose dolphins (150) .....	None.
Merit .....	High Island Area, Block 39, Caisson #9.	May 23 to 24, 2010 .....	Bottlenose dolphins (1) .....	None.
Merit .....	High Island Area, Block 39, Platform B.	May 25 to 26, 2010 .....	None .....	None.
Merit .....	High Island Area, Block 39, Caisson #10.	May 27 to 30, 2010 .....	Bottlenose dolphins (4) .....	None.
Merit .....	Vermilion Area, Block 28, Platform A.	May 31 to June 4, 2010 ..	Bottlenose dolphins (33) .....	None.
Merit .....	High Island Area, Block 38, Caisson 1.	June 5 to 9, 2010 .....	Bottlenose dolphins (103) .....	None.
Merit .....	Matagorda Island Area, Block 682, Platform A.	June 6 to 14, 2010 .....	Bottlenose dolphins (16) .....	None.
Merit .....	High Island Area, Block 39, Platform A.	June 16, 2010 .....	Bottlenose dolphins (10) .....	None.
Merit .....	Matagorda Island Area, Block 672, Platform A.	June 15 to 20, 2010 .....	Bottlenose dolphins (13) .....	None.
Merit .....	Mustang Island Area, Block A22, Platform A.	June 21 to 27 and July 3 to 9, 2010.	Bottlenose dolphins (4) and Spotted dolphins (8).	None.
Merit .....	Mustang Island Area, Block 785, Platform A.	July 10 to 18, 2010 .....	Unidentified dolphins (15) .....	None.
Merit .....	Matagorda Island Area, Block 704, Platform B.	July 19 to 25, 2010 .....	Bottlenose dolphins (3) and Unidentified dolphins (29).	None.

Pursuant to these regulations, NMFS has issued an LOA to Merit, Northstar Interests, Northstar Offshore, Ridgelake, Rosetta, and Sojitz. Issuance of the LOAs is based on a finding made in the preamble to the final rule that the total taking by these activities (with monitoring, mitigation, and reporting measures) will result in no more than a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on subsistence uses. NMFS will review reports to ensure that the applicants are in compliance with meeting the requirements contained in the implementing regulations and LOA, including monitoring, mitigation, and reporting requirements.

Dated: April 20, 2011.

**James H. Lecky,**

Director, Office of Protected Resources,  
National Marine Fisheries Service.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA395**

#### Marine Mammals and Endangered Species; File Nos. 15415 and 14622

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

**ACTION:** Notice; issuance of permits.

**SUMMARY:** Notice is hereby given that NMFS has issued two permits to conduct research on marine mammals or sea turtles. See **SUPPLEMENTARY INFORMATION** for additional information regarding permittees.

**ADDRESSES:** The permits 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;

Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978)281-9328; fax (978)281-9394; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727)824-5312; fax (727)824-5309.

**FOR FURTHER INFORMATION CONTACT:** The following Amy Hapeman or Kristy Beard at (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On December 10, 2010, notice was published in the **Federal Register** (75 FR 76956) that a request for a permit to conduct research on North Atlantic right whales (*Eubalaena glacialis*) had been submitted by Scott D. Kraus, Ph.D. [File No. 15415]. On March 4, 2010, notice was published in the **Federal Register** (75 FR 9868) that a request for a permit to conduct research on green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricata*), Kemp's ridley (*Lepidochelys*

*kempii*), and loggerhead (*Caretta caretta*) sea turtles had been submitted by Allen Foley [File No. 14622]. The requested permits have been issued under the following authorities as applicable: 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 (ESA; 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). Scott Kraus, Ph.D. [File No. 15415], New England Aquarium Edgerton Research Laboratory, Central Wharf, Boston, MA 02110, was issued a three-year permit to study North Atlantic right whales along the U.S. East Coast from New York Harbor to the Maine-Canada border. Dr. Kraus is authorized to conduct control and experimental visual trials to determine if right whales are responsive to various color and light characteristics. Dr. Kraus is authorized to closely approach whales by vessel for photo-identification, observation, and monitoring during trials. The research would seek to determine whether the sensory and behavioral capabilities of right whales can be used to avoid entanglements at depth and in conditions of poor visibility.

Allen Foley [File No. 14622], Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute, 370 Zoo Parkway, Jacksonville, FL 32218, was issued a five-year permit to: (1) Monitor the abundance of loggerhead and green sea turtles; (2) characterize the aggregations of loggerhead, Kemp's ridley, and hawksbill sea turtles; and (3) determine the movements, behaviors, habitat-use, and reproductive status of loggerhead sea turtles in Florida Bay and the Everglades National Park. Researchers are authorized to approach green sea turtles during non-linear transect surveys and hand capture loggerhead, Kemp's ridley, and hawksbill sea turtles during capture-mark-recapture studies. Captured turtles would be examined, measured, photographed, weighed, flipper tagged, passive integrated transponder tagged, marked with paint, and blood sampled to determine and monitor sex ratios, genetic identities, health and reproductive status, growth, and subsequent movements and behaviors. A subset of animals would receive: skin and carapace sampling, a satellite transmitter attachment, ultrasound and/or laparoscopy and organ sampling before release.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), environmental assessments (EAs) were prepared analyzing the effects of the permitted activities on the human environment. Based on the analyses in the EAs, NMFS determined that issuance of the permits would not significantly impact the quality of the human environment and that preparation of an environmental impact statement was not required. That determination is documented in Findings of No Significant Impact (FONSI) for these actions.

As required by the ESA, issuance of the permits were based on a finding that such permits: (1) Were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: April 21, 2011.

**P. Michael Payne,**

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

[FR Doc. 2011–10175 Filed 4–26–11; 8:45 am]

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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Comment Request.

**SUMMARY:** The Department of Education (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the reporting burden on the public and helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 27, 2011.

**ADDRESSES:** Comments regarding burden and/or the collection activity requirements should be electronically

mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or mailed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202–4537. Please note that written comments received in response to this notice will be considered public records.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that Federal agencies provide interested parties an early opportunity to comment on information collection requests. The Director, Information Collection Clearance Division, Information Management and Privacy Services, Office of Management, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: April 22, 2011.

**James Hyler,**

*Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management.*

### Office of Postsecondary Education

*Type of Review:* Extension.

*Title of Collection:* Upward Bound Annual Performance Report.

*OMB Control Number:* 1840–0762.

*Agency Form Number(s):* N/A.

*Frequency of Responses:* Annually.

*Affected Public:* Not-for-profit institutions; State, Local, or Tribal Government, State Educational Agencies or Local Educational Agencies.

*Total Estimated Number of Annual Responses:* 1,143.

*Total Estimated Number of Annual Burden Hours:* 10,287.

*Abstract:* Grantees in the Upward Bound programs (Upward Bound, Upward Bound Math-Science, and Veterans Upward Bound) must submit this report annually. The Department uses the reports to evaluate the performance of grantees prior to awarding continuation funding and to assess grantees' prior experience at the end of the budget period. The Department will also aggregate the data