

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Availability of Seats for the Gray's Reef National Marine Sanctuary Advisory Council**

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice and request for applications.

**SUMMARY:** The ONMS is seeking applications for the following vacant seat on the Gray's Reef National Marine Sanctuary Advisory Council: Georgia conservation. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the sanctuary. Applicants who are chosen as members should expect to serve 3-year terms, pursuant to the council's Charter.

**DATES:** Applications are due by June 30, 2011.

**ADDRESSES:** Application kits may be obtained from Becky Shortland, Council Coordinator ([becky.shortland@noaa.gov](mailto:becky.shortland@noaa.gov)), 10 Ocean Science Circle, Savannah, GA 31411; 912-598-2381). Completed applications should be sent to the same address.

**FOR FURTHER INFORMATION CONTACT:** Becky Shortland, Council Coordinator ([becky.shortland@noaa.gov](mailto:becky.shortland@noaa.gov)), 10 Ocean Science Circle, Savannah, GA 31411; 912-598-2381.

**SUPPLEMENTARY INFORMATION:** The sanctuary advisory council was established in August 1999 to provide advice and recommendations on management and protection of the sanctuary. The advisory council, through its members, also serves as liaison to the community regarding sanctuary issues and represents community interests, concerns, and management needs to the sanctuary and NOAA.

**Authority:** 16 U.S.C. Sections 1431, *et seq.* (Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: April 29, 2011.

**Daniel J. Basta,**

*Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**RIN 0648-XA426**

**Marine Mammals; Photography Permit Application No. 16360**

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

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

**SUMMARY:** Notice is hereby given that Oceanic Nature Film Productions (Responsible Party: Dietrich Paulmann), P.O. Box 301 722, Albany 0752, Auckland, New Zealand has applied in due form for a permit to conduct commercial/educational photography of cetaceans off Hawaii.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before June 10, 2011.

**ADDRESSES:** The application 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 Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814-4700; phone (808) 944-2200; fax (808) 973-2941.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is

[NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 16360.

**FOR FURTHER INFORMATION CONTACT:** Carrie Hubard or Laura Morse, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of § 104(c)(6) 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). Section 104(c)(6) provides for photography for educational or commercial purposes involving non-endangered and non-threatened marine mammals in the wild.

The applicant requests a four-month photography permit to film cetaceans in the waters off Kona, Hawaii. Using one or two sailing catamarans as a base, filmmakers would conduct surface and underwater photography. Additionally, a passive acoustic array would be towed to obtain marine mammal vocalizations. The applicant has identified 12 species of cetaceans that would be approached for filming. The permit would not authorize approaches of species listed as threatened or endangered. Up to 50 animals from each species may be harassed as a result of filming. Footage would be used in a feature film intended to educate the public about marine mammal conservation issues, as well as the importance of the Pacific islands to the oceans. Filming would occur over a four-month period in summer and fall 2011.

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: May 5, 2011.

**Tammy C. Adams,**

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

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