

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

RIN 0648-XA620

**Endangered Species; File No. 1551**

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

**ACTION:** Notice; receipt of application for permit modification.

**SUMMARY:** Notice is hereby given that NMFS, Southeast Fisheries Science Center (SEFSC), 75 Virginia Beach Drive, Miami, FL 33149 (Responsible Party: Bonnie Ponwith), has requested a modification to scientific research Permit No. 1551-02.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before September 7, 2011.

**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. 1551-03 from the list of available applications.

These documents are also available 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) 427-8401; fax (301) 713-0376; and Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the above address. Comments may also be submitted by facsimile to (301) 713-0376, or by e-mail to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. in the subject line of the e-mail 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:** Amy Hapeman or Carrie Hubbard, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject modification to Permit No. 1551-02 is requested under the

authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 1551, issued on July 24, 2008 (73 FR 44225), authorizes research on loggerhead (*Caretta caretta*), green (*Chelonia mydas*), Kemp's ridley (*Lepidochelys kempi*), olive ridley (*Lepidochelys olivacea*), hawksbill (*Eretmochelys imbricata*), and leatherback (*Dermochelys coriacea*) sea turtles in coastal and inshore waters of the North Atlantic, Gulf of Mexico and Caribbean Sea. Turtles may be taken by harassment during aerial and vessel surveys and direct capture. Researchers may also access animals legally captured incidental to fishing activities. Researchers are authorized to conduct a variety of sampling and tagging activities in order to collect biological and ecological information on these species that will aid conservation of the species.

The SEFSC requests a modification to the permit to increase the number of sea turtles (an additional 75 leatherback, 1,150 loggerhead, 75 green, 100 Kemp's ridley, and 900 unidentified hardshell sea turtles annually) that may be harassed during aerial surveys. This work would assess potential injury from Mississippi Canyon 252 oil on sea turtle populations in the northern Gulf of Mexico as part of the post-spill Natural Resources Damage Assessment of the BP Deepwater Horizon event. The modification would be valid through July 1, 2013.

Dated: August 2, 2011.

**P. Michael Payne,**

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

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**BILLING CODE 3510-22-P**

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

RIN 0648-XA160

**Marine Mammals; File No. 15330**

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

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

**SUMMARY:** Notice is hereby given that a permit has been issued to Robin Baird, PhD, Cascadia Research, 218½ W. 4th Avenue, Olympia, WA 98501 to take

marine mammals in the Pacific Ocean for the purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following offices: See **SUPPLEMENTARY INFORMATION.**

**FOR FURTHER INFORMATION CONTACT:** Laura Morse or Carrie Hubbard, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** On February 25, 2011, notice was published in the **Federal Register** (76 FR 10560) that a request for a permit to conduct research on forty species of cetaceans and unidentified mesoplodon and baleen species in all U.S. and international waters in the Pacific Ocean, including Alaska, Washington, Oregon, California, Hawaii, and other U.S. territories had been submitted by the above-named applicant. The requested permit has been issued under the authority 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), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

Authorized research will include harassment of 40 cetacean species through vessel approach for sighting surveys, photographic identification, behavioral research, opportunistic sampling (breath, sloughed skin, fecal material, and prey remains), and aerial over-flights for the purpose of locating animals and conducting aerial validation studies. All cetacean species (except harbor porpoise (*Phocoena phocoena*), right whales (*Eubalaena japonica*), and Cook Inlet beluga whales (*Delphinapterus leucas*)) and unidentified mesoplodon and baleen species will be targeted for dart and/or suction-cup tagging. Import and export of marine mammal prey specimens, sloughed skin, fecal and breath samples obtained is authorized. Seven species of pinnipeds may be incidentally harassed during research activities. The permit is valid until August 1, 2016.

An environmental assessment (EA) was prepared analyzing the effects of the permitted activities on the human environment in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Based on the analyses in the EA, NMFS determined that issuance of the permit would not significantly impact the quality of the human environment and