

## Conclusion

We have reviewed the status of the Southeast Alaska DPS of Pacific herring, fully considering the best scientific and commercial data available, including the status review report. We have reviewed the threats to herring in Southeast Alaska, as well as other relevant factors, and given consideration to conservation efforts.

Our review of the information pertaining to the five ESA section 4(a)(1) factors and ERA team evaluation of the current and projected status of herring in Southeast Alaska does not support a conclusion that there are threats acting on the species or its habitat that have rendered herring in Southeast Alaska in danger of extinction, or likely to become so in the foreseeable future, throughout all or a significant portion of its range. Therefore, listing the Southeast Alaska DPS of Pacific herring as threatened or endangered under the ESA is not warranted at this time.

## References Cited

A complete list of all references cited in this notice can be found on our Web site at <http://alaskafisheries.noaa.gov> and is available upon request (see ADDRESSES).

## Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: March 27, 2014.

### Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2014-07368 Filed 4-1-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XC325

### Endangered Species; File No. 15809

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that Paul Jobsis, Ph.D., University of the Virgin Islands, Department of Biology, 2 John Brewers Bay, St Thomas, VI 00802, has been issued a permit to take green (*Chelonia mydas*) and hawksbill (*Eretmochelys imbricata*) sea turtles for purposes of scientific research.

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

Permits and Conservation 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 Ave South, St. Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309.

### FOR FURTHER INFORMATION CONTACT:

Kristy Beard or Amy Hapeman, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** On November 9, 2012, notice was published in the *Federal Register* (77 FR 67341) that a request for a scientific research permit to take green and hawksbill sea turtles had been submitted by the above-named individual. The requested permit has been issued under the authority of 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).

A 5-year permit was issued to conduct research on sea turtles around protected bays of St. Thomas and St. John, U.S. Virgin Islands. The purpose of the research is to assess the ecological movements of juvenile green and hawksbill sea turtles. Researchers are authorized to directly capture up to 40 sea turtles using tangle nets and up to 40 hawksbill sea turtles by hand or using dip nets each year. No more than 40 total sea turtles (both species combined) may be captured in a year. The following procedures may be conducted on sea turtles: Count/survey, attach flipper and passive integrated transponder tags, attach acoustic transmitters using epoxy or a combination of wire and epoxy, measure, photograph, weigh, and sample tissue.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: March 24, 2014.

### Donna S. Wieting,

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

[FR Doc. 2014-07315 Filed 4-1-14; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XC632

### Marine Mammals; File No. 14809

**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 Douglas Nowacek, Ph.D., Duke University—Marine Laboratory, 135 Duke Marine Lab Rd, Beaufort, NC 28516, to conduct research on 34 cetacean species for 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:

Amy Hapeman or Courtney Smith, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** On April 23, 2013, notice was published in the *Federal Register* (78 FR 23908) that a request for a permit to conduct research on 34 cetacean species, including three endangered species: humpback (*Megaptera novaeangliae*), sperm (*Physeter macrocephalus*), and southern right (*Eubalaena australis*) whales, 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.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

Dr. Nowacek has been issued a permit to conduct comparative research on cetaceans in the North Atlantic, North Pacific and Southern Oceans. Authorized activities include suction cup tagging, acoustic playbacks, passive acoustics, biopsy sampling, photo-identification, behavioral observations, and incidental harassment during vessel surveys. The primary research objectives are to: (1) Document baseline foraging and social behavior of cetacean species under different ecological conditions; (2) place these behaviors in a population-level context; and (3) determine how these species respond to various natural sound sources. The

permit is valid for five years from the date of issuance.

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.

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

Documents may be reviewed in the following locations:

Permits and Conservation Division,  
Office of Protected Resources, NMFS,  
1315 East-West Highway, Room  
13705, Silver Spring, MD 20910;  
phone (301) 427-8401; fax (301) 713-0376;

Alaska Region, NMFS, P.O. Box 21668,  
Juneau, AK 99802-1668; phone (907)  
586-7221; fax (907) 586-7249;

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

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

Greater Atlantic 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.

Dated: March 27, 2014.

**Tammy C. Adams,**

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

[FR Doc. 2014-07378 Filed 4-1-14; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric  
Administration**

**RIN 0648-XX47**

**Marine Mammals; File No. 14097**

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

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

**SUMMARY:** Notice is hereby given that National Marine Fisheries Service, Southwest Fisheries Science Center (SWFSC) (Responsible Party: Lisa Ballance, Ph.D.), Protected Resources Division, 8901 La Jolla Shores Drive, La Jolla, CA 92037, has applied for two amendments to Scientific Research Permit No. 14097-03.

**DATES:** Written, telefaxed, or email comments must be received on or before May 2, 2014.

**ADDRESSES:** The applications 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 home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 14097, Modification #24 or #25 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices: See

**SUPPLEMENTARY INFORMATION.**

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed below. 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 and Conservation 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:**

Kristy Beard or Amy Hapeman,  
(301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject amendments to Permit No. 14097-03 are requested 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 (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. 14097, issued on July 7, 2010, (75 FR 40776), authorizes the SWFSC to conduct scientific research on 5 pinniped species, 57 cetacean species, and 5 sea turtle species in U.S. territorial and international waters of the Pacific, Southern, Indian, and Arctic Oceans for three projects. Under Project I (Pinnipeds) population assessments are conducted of northern elephant

seals (*Mirounga angustirostris*), California sea lions (*Zalophus californianus*), Steller sea lions (*Eumetopias jubatus*), and harbor seals (*Phoca vitulina*) via aerial photography, ground or vessel surveys, and photogrammetry to determine abundance, distribution patterns, length frequencies, and breeding densities. Scats and spewings are collected from California sea lions to determine their diet. Under Project II (Cetaceans) surveys are conducted to determine the abundance, distribution, movement patterns, and stock structure of cetaceans. These studies are conducted through vessel surveys, aerial surveys, small plane photogrammetry, photo-identification (from vessels and small boats), biological sampling, radio tagging, and satellite tagging. Under Project III (Sea Turtles) surveys are conducted to determine the abundance, distribution, movement patterns, stock structure, and diet of sea turtles. Sea turtles may be opportunistically captured during Project II surveys for biological sampling and to attach satellite tags. Cetacean, pinniped, and sea turtle biological samples may be imported/exported. The permit was amended (to version no. 14097-01) on July 7, 2011, to authorize use of less invasive suction cup tags instead of a portion of the authorized dart/barb tag takes. The permit was amended (to version no. 14097-02) on September 6, 2012, to authorize (1) the attachment of dart/barb tags or implantable tags on Arnoux's beaked whales (*Berardius arnuxii*) in the Southern Ocean; and (2) an increase in the takes of pinniped species encountered during aerial, ground, and vessel surveys in the Pacific Ocean, to account for ten additional surveys per year. The permit was amended (to version no. 14097-03) on September 13, 2013, to (1) authorize the development of cell lines; and (2) add individuals as authorized recipients of sea turtle samples. Permit No. 14097 has also had numerous modification requests to add personnel, making these requests numbers 24 and 25.

In Modification #24, the SWFSC is requesting the permit be amended to include authorization to (1) use an unmanned aerial system to photograph cetaceans and collect breath samples from gray whales (*Eschrichtius robustus*); (2) suction cup tag gray whales; (3) attach dart/barb tags to 15 bottlenose (*Tursiops truncatus*) and 15 Risso's dolphins (*Grampus griseus*) per year. Except for the requested bottlenose and Risso's dolphins, the number of cetaceans that would be taken annually would not change from what is