

East-West Highway, Silver Spring, Maryland, 20910, phone (240) 533-0813, email ocm.czara@noaa.gov.

FOR FURTHER INFORMATION CONTACT:

Copies of the proposed Findings Document and Programmatic Environmental Assessment may be found on the NOAA Web site at <http://coast.noaa.gov/czm/pollutioncontrol/> or may be obtained upon request from: Allison Castellan, Stewardship Division (N/OCM6), Office for Coastal Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, phone (240) 533-0799, email allison.castellan@noaa.gov.

SUPPLEMENTARY INFORMATION: The requirements of 40 CFR parts 1500-1508 (Council on Environmental Quality (CEQ) regulations to implement the National Environmental Policy Act) apply to the preparation of Environmental Assessments. Specifically, 40 CFR 1506.6 requires agencies to provide public notice of the availability of environmental documents. This notice is part of NOAA's action to comply with this requirement.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: May 18, 2016.

W. Russell Callender,

Deputy Assistant Administrator for Ocean Services, National Oceanic and Atmospheric Administration.

Joel Beauvais,

Deputy Assistant Administrator, Office of Water, Environmental Protection Agency.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA756

Marine Mammals; File No. 15537

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 an amendment to Permit No. 15537 has been issued to Institute for Marine Mammal Studies (IMMS), P.O. Box 207, Gulfport, MS 39502 (Dr. Moby Solangi, Responsible Party).

ADDRESSES: The permit amendment and related documents are available for review upon written request or by

appointment in the 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.

FOR FURTHER INFORMATION CONTACT: Jennifer Skidmore or Amy Sloan, (301) 427-8401.

SUPPLEMENTARY INFORMATION: On June 30, 2015, notice was published in the **Federal Register** (80 FR 37235) that NMFS was considering an amendment to Permit No. 15337 in response to a court decision to remand this permit to NMFS for reconsideration. The requested permit amendment 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).

Permit No. 15537 was issued on October 5, 2011 authorizing the acquisition of up to eight stranded, releasable California sea lions (*Zalophus californianus*) from the NMFS Marine Mammal Health and Stranding Response Program for the purposes of public display. After NMFS issued the permit, IMMS challenged the provisions of the permit in U.S. District Court. As described in the Court's opinion, the Court remanded the permit to NMFS for reconsideration. *IMMS v. NMFS*, No. 1:11CV318-LG-JMR (S.D. Miss. 2014). NMFS has amended the permit to remove Permit Condition B.3 and change Permit Condition B.2 to state the following:

Condition B.2.: This permit does not guarantee that the Permit Holder will be able to obtain any releasable sea lions from rehabilitation facilities, and does not require NMFS to direct or make arrangements for any rehabilitation facilities to provide the Permit Holder with releasable sea lions. Final decisions with respect to the use of rehabilitated marine mammals for public display purposes in lieu of take from the wild are at the ultimate discretion of the Office Director in accordance with 50 CFR 216.27(b)(4).

In addition, NMFS has extended the permit for one additional year, to expire on October 5, 2017.

In compliance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*), NMFS has determined that the activities proposed are consistent with those analyzed in the environmental assessment (EA) for issuance of Permit No. 15537, and no additional NEPA analysis is necessary as the minor changes in the proposed amendment will not change the effects to the human environment in a manner not previously

considered. Based on the analyses in the EA, NMFS determined that the activities proposed 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 a Finding of No Significant Impact.

Dated: May 19, 2016.

Julia Harrison,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XE490

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the San Francisco Ferry Terminal Expansion Project, South Basin Improvements Project

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

ACTION: Notice; proposed incidental harassment authorization; request for comments.

SUMMARY: NMFS has received a request from the San Francisco Bay Area Water Emergency Transportation Authority (WETA) for authorization to take marine mammals incidental to construction activities as part of a ferry terminal expansion and improvements project. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting public comment on its proposal to issue an incidental harassment authorization (IHA) to WETA to incidentally take marine mammals, by Level B harassment only, during the specified activity.

DATES: Comments and information must be received no later than June 24, 2016.

ADDRESSES: Comments on this proposal should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910, and electronic comments should be sent to ITP.mccue@noaa.gov.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or