

life stages of each species would be intentionally collected and killed to document occurrence of spawning in systems. Up to three Atlantic sturgeon and two shortnose sturgeon may unintentionally die annually during research.

File No. 20528: Bill Post, South Carolina Department of Natural Resources, 217 Fort Johnson Road, Charleston, SC 29412, requests a permit to conduct research on Atlantic and shortnose sturgeon to determine their presence, status, health, habitat use, and movements in South Carolina waters. Studies would involve using gill nets to capture fish. Upon capture, fish would be measured, weighed, PIT tagged, tissue sampled, and photographed. A subset of individuals would be acoustically tagged, fin ray sampled, and gonadal biopsied. Early life stages of each species would be intentionally collected and killed to document occurrence of spawning in systems. Up to two sturgeon of each species may unintentionally die annually during research.

File No. 20548: Dwayne Fox, Delaware State University, Department of Agriculture and Natural Resources, 1200 North DuPont Highway, Dover, DE 19901, requests a permit to conduct research on Atlantic and shortnose sturgeon using gillnets, D-ring nets, egg pad collectors, biotelemetry, and hydroacoustic tools in the Delaware River/Estuary, Hudson River/Estuary, and coastal environment between Virginia and New York to develop quantitative estimates of run size, recruitment, and habitat assessment. Upon capture, fish would be measured, weighed, PIT tagged, tissue sampled, and photographed. A subset of individuals would be externally and/or internally tagged, fin ray sampled, blood sampled, and gonadal biopsied. Early life stages of Atlantic sturgeon would be intentionally collected and killed to document occurrence of spawning in systems. Up to one sturgeon of each species may unintentionally die annually during research.

File No. 20651: Anthony Vitale, Entergy Indian Point, 450 Broadway, Buchanan, NY 10511, requests a permit to conduct research on Atlantic and shortnose sturgeon for the Hudson River Biological Monitoring Program (HRBMP) using trawls and seines. The HRBMP takes place within in the Hudson River estuary and involves fisheries sampling to monitor ichthyoplankton and juvenile fish abundance and distribution from Battery Park, Manhattan, upstream to Troy Dam during March through October, and in portions of New York

Harbor during November through April. Upon capture, individual fish would be measured, weighed, PIT tagged, tissue sampled, and photographed. Early life stages of each species would be intentionally collected and killed to document occurrence of spawning in systems.

Dated: January 11, 2017.

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-XF148

Marine Mammals; File No. 20294

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Robert DiGiovanni, Jr., 6 Wakefield Rd. Hampton Bays, New York 11946, has applied in due form for a permit to conduct research on North Atlantic right whales (*Eubalaena glacialis*) and 44 other protected marine mammal and sea turtle species.

DATES: Written, telefaxed, or email comments must be received on or before February 17, 2017.

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. 20294 from the list of available applications.

These documents are also available 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.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713-0376, or by email to 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:

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

SUPPLEMENTARY INFORMATION:

The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 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 222-226).

The applicant proposes to conduct aerial, vessel, and ground surveys of North Atlantic right whales (*Eubalaena glacialis*) and 44 other protected cetaceans, pinnipeds, and sea turtles in the Mid-Atlantic U.S. waters, from Massachusetts to North Carolina. Nine of the target species are threatened or endangered: North Atlantic right, blue (*Balaenoptera musculus*), fin (*B. physalus*), sei (*B. borealis*), and sperm (*Physeter macrocephalus*) whales; and green (*Chelonia mydas*), Kemp's ridley (*Lepidochelys kempii*), loggerhead (*Caretta caretta*), and leatherback (*Dermodochelys coriacea*) sea turtles. Surveys will be conducted using fixed wing aircraft and vessels to assess seasonal abundance and distribution of marine mammals in the area. Ground surveys will be conducted on foot and with remote cameras to obtain counts of seals throughout different tidal cycles and to document prevalence of human interaction around seal haul-out sites accessible to the public. Seal scat will be collected for health assessment studies. The permit would be valid for five years.

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 the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: January 11, 2017.

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-XF160

Fisheries of the Exclusive Economic Zone Off Alaska; Application for an Exempted Fishing Permit

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

ACTION: Notice; receipt of application to renew an exempted fishing permit.

SUMMARY: This notice announces receipt of an application from the Alaska Seafood Cooperative and co-applicants to renew exempted fishing permit (EFP) 2016-01 as modified on January 10, 2017. NMFS announced receipt of the application for EFP 2016-01 on January 25, 2016. NMFS issued EFP 2016-01 on May 6, 2016, and modified the EFP on January 10, 2017. If granted, this renewal would extend the expiration date of modified EFP 2016-01 from April 30, 2017, to December 31, 2017. The objective of EFP 2016-01 is to allow the applicants to remove halibut from a trawl codend on the deck, and release those halibut back to the water in a timely manner to increase survivability. Under the EFP, halibut are sampled by NMFS-trained observers for length and physical condition using standard International Pacific Halibut Commission halibut mortality assessment methods. The objectives of EFP 2016-01 are to (1) test methods for sorting halibut on deck for suitability as an allowable fish handling mode for the non-pollock catcher/processor trawl fisheries (Amendment 80, community development quota, and trawl limited access) in the Bering Sea and Aleutian Islands under an eventual regulated program; and (2) simplify and improve on elements that worked under a 2015 deck sorting EFP project. This experiment has the potential to promote the objectives of the Magnuson-Stevens Fishery Conservation and Management Act and the Northern Pacific Halibut Act of 1982.

DATES: Comments on this EFP application must be submitted to NMFS on or before February 7, 2017. The

North Pacific Fishery Management Council (Council) will consider the application at its meeting from January 30 through February 6, 2017, in Seattle, WA.

ADDRESSES: The Council meeting will be held at the Renaissance Seattle Hotel, 515 Madison Street, Seattle, WA 98104. The agenda for the Council meeting is available at <http://www.npfmc.org>. You may submit comments on this document, identified by NOAA-NMFS-2017-0006, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0006, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address) submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

Electronic copies of the EFP application, modified EFP 2016-01, and the basis for a categorical exclusion under the National Environmental Policy Act are available from the Alaska Region, NMFS Web site at <http://alaska.fisheries.noaa.gov/>.

FOR FURTHER INFORMATION CONTACT: Brandee Gerke, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the domestic groundfish fisheries in the Bering Sea and Aleutian Islands management area (BSAI) under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP), which the Council prepared under the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing the BSAI groundfish fisheries appear at 50 CFR parts 600 and 679. The FMP and the implementing regulations at § 600.745(b) and § 679.6 allow the NMFS Regional Administrator to

authorize, for limited experimental purposes, fishing that would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing regulations.

The International Pacific Halibut Commission (IPHC) and NMFS manage fishing for Pacific halibut (*Hippoglossus stenolepis*) through regulations established under the authority of the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Convention) and the Northern Pacific Halibut Act of 1982. The IPHC promulgates regulations pursuant to the Convention. The IPHC's regulations are subject to approval by the Secretary of State with concurrence from the Secretary of Commerce (Secretary).

Background

Regulations implemented by the IPHC allow Pacific halibut to be commercially harvested by the directed North Pacific longline fishery. Halibut is a prohibited species in the groundfish fishery, requiring immediate return to the sea with a minimum of injury. Halibut caught incidentally by catcher/processors in the nonpelagic trawl groundfish fisheries must be weighed on a NMFS-approved scale, sampled by observers, and returned to the ocean as soon as possible. The Council establishes annual maximum halibut bycatch allowances and seasonal apportionments adjusted by an estimated halibut discard mortality rate (DMR) for groundfish fisheries. The DMRs are based on the best information available, including information contained in the annual Stock Assessment and Fishery Evaluation report, available at <http://www.alaskafisheries.noaa.gov/>. NMFS approves the halibut DMRs developed and recommended by the IPHC and the Council for the BSAI groundfish fisheries for use in monitoring the halibut bycatch allowances and seasonal apportionments.

Directed fishing in a groundfish fishery closes when the halibut mortality apportionment for the fishery is reached, even if the target species catch is less than the seasonal or annual quota for the directed fishery. In the case of the Bering Sea flatfish fishery, seasons have been closed before fishery quotas have been reached to prevent the fishery from exceeding the halibut mortality apportionment.

With the implementation of Amendment 80 to the FMP on September 14, 2007 (72 FR 52668), halibut mortality apportionments were established for the Amendment 80