

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service**

[FWS-R9-IA-2011-N159; 96300-1671-0000-P5]

Endangered Species; Marine Mammals; Receipt of Applications for Permit**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Notice of receipt of applications for permit.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species, marine mammals, or both. With some exceptions, the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) prohibit activities with listed species unless a Federal permit is issued that allows such activities. Both laws require that we invite public comment before issuing these permits.

DATES: We must receive comments or requests for documents on or before September 8, 2011. We must receive requests for marine mammal permit public hearings, in writing, at the address shown in the **ADDRESSES** section by September 8, 2011.

ADDRESSES: Brenda Tapia, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203; fax (703) 358-2280; or e-mail DMAFR@fws.gov.

FOR FURTHER INFORMATION CONTACT: Brenda Tapia, (703) 358-2104 (telephone); (703) 358-2280 (fax); DMAFR@fws.gov (e-mail).

SUPPLEMENTARY INFORMATION:**I. Public Comment Procedures***A. How do I request copies of applications or comment on submitted applications?*

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an e-mail or address not listed under **ADDRESSES**. If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for

which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

B. May I review comments submitted by others?

Comments, including names and street addresses of respondents, will be available for public review at the address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

II. Background

To help us carry out our conservation responsibilities for affected species, section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR 17, and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR 18, require that we invite public comment before final action on these permit applications. Under the MMPA, you may request a hearing on any MMPA application received. If you request a hearing, give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Service Director.

III. Permit Applications*A. Endangered Species*

Applicant: GTWT, LLC. dba Bang 57 Ranch, Okeechobee, FL; PRT-48053A

The applicant requests a permit to authorize interstate and foreign commerce, export, and cull of excess barashings (*Rucervus duvauceli*) from the captive herd maintained at their facility for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: University of Michigan, Museum of Zoology, Ann Arbor, MI; PRT-46480A

The applicant requests a permit to import biological samples from howler monkeys (*Alouatta palliata mexicana*, *Alouatta pigra*, and *Alouatta palliata x Alouatta pigra* hybrids), collected in the wild in Mexico, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Multiple Applicants

The following applicants each request a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Applicant: Dennis Campbell, Dora, AL; PRT-48113A

Applicant: Harry Sanders, Fairfield, PA; PRT-48527A

Applicant: Stephen Pasquan, Belvedere, CA; PRT-45900A

Applicant: James Kelly, Fort Smith, AR; PRT-47165A

B. Endangered Marine Mammals and Marine Mammals

Applicant: Sea to Shore Alliance, Sarasota, FL; PRT-37808A

The applicant requests a permit to take, import, and export manatee specimens from West Indian manatees (*Trichechus manatus*) and West African manatees (*Trichechus senegalensis*) for the purpose of scientific research. Up to 50 *T. manatus* would be tagged and sampled and up to 2,000 animals would be subjected to harassment each year; samples from up to 50 live *T. senegalensis* and an unlimited number of samples from dead animals would be imported each year. This notification

covers activities to be conducted by the applicant over a 5-year period.

Applicant: Red Rock Films, Chevy Chase, MD; PRT-48293A

The applicant requests a permit to photograph polar bears (*Ursus maritimus*) on North Slope, Alaska, for commercial and educational purposes. This notification covers activities to be conducted by the applicant over a 1-year period.

Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Brenda Tapia,

Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2011-N130; 40120-1113-0000-C2]

Recovery Plan for the Endangered Pyne's Ground-plum (*Astragalus bibullatus*)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: We, the Fish and Wildlife Service, announce the availability of the final recovery plan for Pyne's ground-plum (*Astragalus bibullatus*), a species endemic to the Central Basin in Tennessee. The recovery plan includes specific recovery objectives and criteria to be met in order to reclassify this species to threatened status and delist it under the Endangered Species Act of 1973, as amended (Act).

ADDRESSES: You may obtain a copy of the recovery plan by contacting the Tennessee Field Office, U.S. Fish and Wildlife Service, 446 Neal Street, Cookeville, TN 38501 (telephone 931-528-6481), or by visiting our recovery plan Web site at <http://www.fws.gov/endangered/species/recovery-plans.html>.

FOR FURTHER INFORMATION CONTACT: Mr. Geoff Call at the above address, or telephone: (931) 528-6481, ext. 213.

SUPPLEMENTARY INFORMATION:

Background

We listed Pyne's ground-plum as an endangered species under the Act (16

U.S.C. 1531 *et seq.*), on September 26, 1991 (56 FR 48748). This species is a rare perennial member of the pea family (Fabaceae) endemic to the limestone cedar glades in the Central Basin Section of the Interior Low Plateau (Tennessee). It is currently known from only eight extant occurrences (specific locations or sites) located within 90 square miles in Rutherford County, Tennessee, within a short distance of the rapidly growing city of Murfreesboro.

Factors contributing to its endangered status are an extremely limited range and loss of habitat. The primary threat is the loss of habitat from residential, commercial, or industrial development; livestock grazing; woody encroachment; and recreational uses such as all-terrain vehicles.

The Act requires the development of recovery plans for listed species, unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act requires us to provide a public notice and an opportunity for public review and comment during recovery plan development. We made the draft recovery plan available for public comment from April 1 through June 1, 2010 (75 FR 16499). We considered information we received during this public comment period and information from peer reviewers in our preparation of this final recovery plan. We will forward comments to other Federal agencies so each agency can consider these comments in implementing approved recovery plans.

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the endangered species program. To help guide the recovery effort, we are preparing recovery plans for most listed species. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for downlisting or delisting, and estimate time and cost for implementing recovery measures.

The objective of this plan is to provide a framework for the recovery of this species so that protection under the Act is no longer necessary. *Astragalus bibullatus* will be considered for reclassification to threatened status when there are 11 viable protected occurrences distributed throughout the cedar glade ecosystem of the Stones River Basin which is located within Davidson, Rutherford, and Wilson Counties. Viability of each occurrence should be determined using a population viability analysis framework. Populations considered viable for

recovery purposes should exhibit either stable or increasing population growth trends and have been shown through at least 10 consecutive monitoring events to possess suitable population structure for maintaining observed population growth into the foreseeable future. In order for an *A. bibullatus* occurrence to be considered protected, it should be located:

- On lands owned and managed by a public agency, with a written plan committing to conserve *A. bibullatus* and the cedar glade ecosystem on that site; the plan must include necessary resources, management recommendations, etc. for the site; or
- On private lands protected by a permanent conservation easement, State Natural Area registry, or other legally binding agreement, with a written plan committing to conserve *A. bibullatus* and the cedar glade ecosystem on that site; the plan must include necessary resources, management recommendations, etc. for the site.

Astragalus bibullatus will be considered for delisting when there are 16 viable protected occurrences that are distributed throughout the cedar glade ecosystem of the Stones River Basin within Davidson, Rutherford, and Wilson Counties.

The reclassification and recovery criteria were made more protective in the final recovery plan than they were in the draft recovery plan for this plant based on: (1) Comments from peer reviewers that the plan should provide additional redundancy on the landscape to help protect this plant against threats like drought, (2) new scientific information showing that this plant exhibits density-dependent regulation of population growth, and (3) recognition that more information was needed about the role of this plant's seed bank in maintaining population viability.

As reclassification and recovery criteria are met, the status of the species will be reviewed and the species will be considered for reclassification or removal from the Federal List of Endangered and Threatened Plants.

Authority: The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: June 15, 2011.

Mark J. Musaus,

Acting Regional Director.

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