

SUPPLEMENTARY INFORMATION:

Application (P609) requests a five-year permit under the authority of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-227). The applicant requests authorization for the incidental take of sea turtles by shrimp trawling activities in North Carolina in a restricted area up to 1 nm offshore from Rich's Inlet (34°17.6'N) to Brown's Inlet (34°35.7'N). This permit would replace the NMFS 1992-1995 temporary rules which allowed shrimp trawlers to use shorter tow times in lieu of towing turtle excluder devices (TEDs), due to the heavy concentration of algae in this restricted area which clogs the TEDs and renders them inoperable. The exemption period would be from April 1 through November 30 from 1996-2000. Tow times, measured from the time the trawl doors enter the water until the time they are removed from the water, would be limited to 55 minutes between April 1 and October 30, and 75 minutes for the month of November. The applicants would consult with NMFS if the following lethal take occurred in any one year that was directly attributable to tow-time exemption tows: one Kemp's ridley, hawksbill, green, or leatherback turtle, or two loggerhead turtles. There are approximately 45 shrimp trawlers utilizing the restricted area. Tow times will be monitored from shore, and the applicants plan to have 5% observer coverage in the restricted area for at least the first year of the permit. In addition, the applicant has proclamation power over this fishery, and may impose further restrictions as appropriate.

Those individuals requesting a hearing should set out the specific reasons why a hearing on this particular application would be appropriate (see **ADDRESSES**). The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in this application summary are those of the applicant and do not necessarily reflect the views of NMFS.

Dated: May 30, 1996.

Margaret Lorenz,
*Acting Chief, Endangered Species Division,
Office of Protected Resources, National
Marine Fisheries Service.*

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[I.D. 051396I]

Endangered Species; Permits

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

ACTION: Notice of receipt of application for a scientific research permit (P611).

SUMMARY: Notice is hereby given that Drs. Frank A. Chapman and Wallis H. Clark from the University of Florida have applied in due form for a permit to take listed shortnose sturgeon for the purpose of scientific research.

DATES: Written comments or requests for a public hearing on this application must be received on or before July 8, 1996.

ADDRESSES: The application and related documents are available for review by appointment in the following offices:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Hwy., Room 13307, Silver Spring, MD 20910-3226 (301-713-1401); and

Director, Southeast Region, NMFS, NOAA, 9721 Executive Center Drive, St. Petersburg, FL 33702-2432 (813-893-3141).

Written comments, or requests for a public hearing on this application should be submitted to the Chief, Endangered Species Division, Office of Protected Resources.

SUPPLEMENTARY INFORMATION:

Application (P611) requests a permit under the authority of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-227). The applicant requests authorization to conduct research on 200 captive shortnose sturgeon: rearing, tagging, and taking tissue samples. The purpose of the research is to determine physical, chemical, and biological parameters necessary for optimal survival and growth of wild populations.

Those individuals requesting a hearing should set out the specific reasons why a hearing on this particular application would be appropriate (see **ADDRESSES**). The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in this application summary are those of the applicant and do not necessarily reflect the views of NMFS.

Dated: May 30, 1996.

Margaret Lorenz,
*Acting Chief, Endangered Species Division,
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[I.D. 052996A]

Endangered Species; Permits

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

ACTION: Issuance of modification 1 to permit 972 (P503R) and modification 1 to permit 973 (P211I).

SUMMARY: Notice is hereby given that NMFS has issued modifications to two permits that authorize takes of an Endangered Species Act-listed species for the purpose of scientific research/enhancement, subject to certain conditions set forth therein, to the Idaho Department of Fish and Game at Boise, Idaho (IDFG) and the Oregon Department of Fish and Wildlife at Portland, Oregon (ODFW).

ADDRESSES: The applications and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

SUPPLEMENTARY INFORMATION: The modifications to permits were issued under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-222).

Notice was published on April 1, 1996 (61 FR 14296) that an application had been filed by IDFG (P503R) for modification 1 to scientific research/enhancement permit 972. Modification 1 to permit 972 was issued to IDFG on May 24, 1996. Permit 972 authorizes IDFG takes of juvenile, ESA-listed, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) associated with the implementation of a captive rearing program. In 1995, under the authority of permit 972, IDFG captured no more than 25 percent of the ESA-listed juvenile fish from three upper Salmon River populations that are part of the Snake River salmon

Evolutionarily Significant Unit: West Fork Yankee Fork of the Salmon River, upper East Fork Salmon River, and Lemhi River (60 FR 42147, August 15, 1995). The ESA-listed fish captured in 1995 are being reared in captivity until mature and will be outplanted as adults back into their natal streams to spawn.

For Modification 1, IDFG is authorized to transfer ESA-listed juveniles to the NMFS Manchester Marine Experimental Station at Manchester, WA. The NMFS staff at the laboratory, under the direction of Dr. Conrad Mahnken, is authorized to rear and maintain the ESA-listed fish as an agent of IDFG under permit 972. The objective of the transfer is to dilute the risk of an unanticipated catastrophic event, possibly causing a decimation of the gene pool at one hatchery location, by allocating ESA-listed juvenile fish to another hatchery location. The transfer of ESA-listed juvenile fish is valid in 1996 only. The authorization for NMFS's responsibility to rear and maintain the ESA-listed fish as an agent of IDFG under permit 972 is valid for the duration of the permit. Permit 972 expires on September 30, 1998.

Notice was published on March 22, 1996 (61 FR 11808) that an application had been filed by ODFW (P211I) for modification 1 to scientific research/enhancement permit 973. Modification 1 to permit 973 was issued to ODFW on May 24, 1996. Permit 973 authorizes ODFW takes of juvenile, ESA-listed, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) associated with the implementation of a captive broodstock program. In 1995, ODFW captured no more than 25 percent of the ESA-listed juvenile fish from three salmon populations that are part of the Snake River salmon Evolutionarily Significant Unit: Catherine Creek, Lostine River, and the upper Grande Ronde River (60 FR 42147, August 15, 1995). The ESA-listed fish captured in 1995 are being reared in captivity until mature and will spawn in the hatcheries. The resulting offspring will be reared to the smolt stage and released back into the river of parent origin.

For Modification 1, ODFW is authorized to transfer ESA-listed juveniles to the NMFS Manchester Marine Experimental Station at Manchester, WA. The NMFS staff at the laboratory, under the direction of Dr. Conrad Mahnken, is authorized to rear and maintain the ESA-listed fish as an agent of ODFW under permit 973. The objective of the transfer is to dilute the risk of an unanticipated catastrophic event, possibly causing a decimation of the gene pool at one hatchery location,

by allocating ESA-listed juvenile fish to another hatchery location. The transfer of ESA-listed juvenile fish is valid in 1996 only. The authorization for NMFS's responsibility to rear and maintain the ESA-listed fish as an agent of ODFW under permit 973 is valid for the duration of the permit. Permit 973 expires on September 30, 1998.

Issuance of the permit modifications, as required by the ESA, was based on a finding that such actions: (1) Were requested in good faith, (2) will not operate to the disadvantage of the ESA-listed species that is the subject of the permits, and (3) are consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing ESA-listed species permits.

Dated: May 29, 1996.

Margaret Lorenz,

Acting Chief, Endangered Species Division,
Office of Protected Resources, National
Marine Fisheries Service.

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[I.D. 053096C]

Endangered Species; Permits

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

ACTION: Issuance of modification 1 to permit 948 (P563A).

SUMMARY: Notice is hereby given that NMFS has issued a modification to a permit that authorizes takes of Endangered Species Act-listed species for the purpose of scientific research/monitoring, subject to certain conditions set forth therein, to the Northern Wasco County People's Utility District at The Dalles, OR (NWCPUD).

ADDRESSES: The application and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

SUPPLEMENTARY INFORMATION: The modification to a permit was issued under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-222).

Notice was published on March 5, 1996 (61 FR 8568) that an application had been filed by NWCPUD (P563A) for modification 1 to scientific research/monitoring permit 948. Modification 1 to permit 948 was issued on May 10, 1996. Permit 948 authorizes

takes of juvenile, endangered, Snake River sockeye salmon (*Oncorhynchus nerka*); juvenile, threatened, naturally-produced and artificially-propagated, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*); and juvenile, threatened, Snake River fall chinook salmon (*Oncorhynchus tshawytscha*) associated with an annual monitoring study designed to assess run-of-the-river juvenile anadromous fish condition after passage through the screened turbine intake channel at The Dalles Dam, located on the Columbia River. Continued observation of individual fish condition likely to be affected by passage through the screened intake channel during the smolt migration provides specific information on possible unsuitable passage conditions below the water surface which are not directly observable.

For Modification 1, NWCPUD is authorized an increase in their annual take of juvenile, threatened, artificially-propagated, Snake River spring/summer chinook salmon and juvenile, threatened, Snake River fall chinook salmon as a result of NMFS's 1996 juvenile outmigration estimates. A corresponding increase in the number of indirect mortalities of these ESA-listed species is also authorized. Modification 1 is valid for the duration of the permit. Permit 948 expires on September 30, 1999.

Issuance of the modification, as required by the ESA, was based on a finding that such action: (1) Was requested in good faith, (2) will not operate to the disadvantage of the ESA-listed species that are the subject of the permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing ESA-listed species permits.

Dated: May 30, 1996.

Margaret Lorenz,

Acting Chief, Endangered Species Division,
Office of Protected Resources, National
Marine Fisheries Service.

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