DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XC104
Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Issuance of two scientific research permits.

SUMMARY: Notice is hereby given that NMFS has issued Permit 16110 to Marin Municipal Water District and Permit 15730 to Salmon Protection and Watershed Network.

PERMITS ISSUED
Permit 15730

Issuance of two scientific research permits, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531–1543) (ESA), is based on a finding that such permits/modifications: (1) Are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations (50 CFR parts 222–226) governing listed fish and wildlife permits.

Species Covered in This Notice
This notice is relevant to federally endangered Central California Coast coho salmon (Oncorhyncus kisutch), threatened Central California Coast steelhead (O. mykiss), and threatened California Coastal Chinook Salmon (O. tshawytscha).

Permits Issued
Permit 16110

A notice of the receipt of an application for a scientific research permit renewal (16110) was published in the Federal Register on June 1, 2011 (76 FR 31590). Permit 16110 was issued to the Marin Municipal Water District on June 5, 2012 and expires on June 30, 2017.

Permit 16110 is for research to be conducted in the Lagunitas Creek and Walker Creek watersheds in Marin County, California. The main purpose of the research is to conduct habitat assessments, biological inventories, and monitor salmon populations in these watersheds. Permit 16110 authorizes capturing (backpack electrofishing, trapping, observing (snorkel surveys), anesthetizing, handling (measuring), tissue sampling, and release of juvenile Central California Coast (CCC) coho salmon, Central California Coast (CCC) steelhead, and California Coastal (CC) Chinook Salmon, henceforth referred to as ESA-listed salmonids.

Permit 11610 authorizes non-lethal take and low levels of unintentional lethal take of juvenile ESA-listed salmonids, as well as adult carcasses of these species. Permit 16110 does not authorize any lethal take of adult ESA-listed salmonids.

Permit 15730

A notice of the receipt of an application for a scientific research and enhancement permit renewal (15730) was published in the Federal Register on June 1, 2011 (76 FR 31590). Permit 15730 was issued to the Salmon Protection and Watershed Network (SPAWN) on June 5, 2012, and expires on June 30, 2017.

Permit 15730 is for research to be conducted in Lagunitas Creek in Marin County, CA. The primary objectives to which ESA-listed salmonids may be taken are to provide baseline data on salmonid presence, habitat use, and abundance in study watersheds and to rescue and relocate stranded juvenile salmonids. Take activities associated with research on juvenile steelhead include the following: capture (backpack electrofishing, observing (spawner surveys), anesthetizing, scale and tissue sampling, tagging (Passive

Dated: July 9, 2012.

Gwelinar Banks,
Management Analyst, Office of the Chief Information Officer.

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Dated: July 9, 2012.
Angela Somma,
Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

FOR FURTHER INFORMATION CONTACT: Brett Farman at (503) 231–6222 or email: brett.farman@noaa.gov.

SUPPLEMENTARY INFORMATION:
Species Covered in This Notice
Chinook salmon (Oncorhynchus tshawytscha): Threatened, naturally produced and artificially propagated Snake River fall-run.

Background
Section 9 of the ESA and Federal regulations prohibit the “taking” of a species listed as endangered or threatened. The term “take” is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may issue permits to take listed species for any act otherwise prohibited by section 9 for scientific purposes or to enhance the propagation or survival of the affected species, under section 10(a)(1)(A) of the ESA. NMFS regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

The proposed action is to issue the two section 10(a)(1)(A) direct take permits. The receipt of the applications for the permits was previously noticed (76 FR 43986, July 22, 2011), and comments were invited. Hatchery operations to be permitted would be carried out at the Nez Perce Tribal Hatchery, and at Lyons Ferry, Oxbow, and Irrigon Hatcheries, and associated facilities. The purpose of these programs is to mitigate for losses of Snake River fall Chinook salmon caused by the four lower Snake River dams, the Federal Columbia River Power System, and the Hells Canyon dam complex.

Authority
NEPA requires Federal agencies to conduct an environmental analysis of their proposed actions to determine if the actions may affect the human environment. NMFS expects to take action on two ESA section 10(a)(1)(A) permits. Therefore, NMFS is seeking public input on the scope of the required NEPA analysis, including the range of reasonable alternatives and associated impacts of any alternatives.

Dated: July 9, 2012.
Angela Somma,
Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.