

Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or by telephoning the contact listed here.

FOR FURTHER INFORMATION CONTACT:

Kimberly Skrupky, Office of Protected Resources, NMFS, (301) 713-2322, ext 163.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued.

Permission may be granted for periods of 5 years or less if NMFS finds that the taking will have no more than a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat, and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking.

Regulations governing the taking of marine mammals incidental to the U.S. Navy's operation of SURTASS LFA sonar were published on July 16, 2002 (67 FR 46712), and remain in effect until August 15, 2007. For detailed information on this action, please refer to that document. These regulations include mitigation, monitoring, and reporting requirements for the incidental taking of marine mammals by the SURTASS LFA sonar system.

Summary of Request

On June 27, 2003, NMFS received an application from the U.S. Navy for two LOAs, each LOA covering one ship, under the regulations issued on July 16, 2002 (67 FR 46712). The Navy requested that the LOAs become effective on August 16, 2003. This application updated the information contained in the original application for an LOA dated August 12, 1999, and the revised application submitted on April 6, 2000, for takings of marine mammals by harassment incidental to deploying the

SURTASS LFA sonar system for training, testing and routine military operations. The June 27, 2003, application requested authorization to take, by harassment, small numbers of marine mammals incidental to operation of the SURTASS LFA sonar system using the Research Vessel *Cory Chouest* and the *USNS Impeccable*, for a period not to exceed 1 year. The application's take estimates are based on 12 nominal 9-day active sonar missions (or equivalent shorter missions) among both vessels, regardless of which vessel is performing a specific mission, not to exceed a total of 432 hours of transmission time combined for both vessels.

The specified geographic regions identified in the application are the following oceanographic provinces described in Longhurst (1998) and identified in 50 CFR 216.180(a): the Archipelagic Deep Basins Province, the North Pacific Tropical Gyre (West) Province, and the North Pacific Tropical Gyre (East) Province, and the Western Pacific Warm Pool Province, all within the Pacific Trade Wind Biome; the Kuroshio Current Province, within the Pacific Westerly Winds Biome; the North Pacific Epicontinental Sea Province, within the Pacific Polar Biome; and the China Sea Coastal Province, within the North Pacific Coastal Biome. The Navy's operating areas, as identified in the application, are portions of the provinces but do not encompass the entire area of the provinces. Due to critical naval warfare requirements, the U.S. Navy has identified the necessity for both SURTASS LFA sonar vessels to be stationed in the North Pacific Ocean during fiscal year 2004.

Authority: Authorization

Accordingly, NMFS issued two LOAs to the U.S. Navy on August 14, 2003 authorizing the taking, by harassment only, of small numbers of marine mammals incidental to operating the SURTASS LFA sonar system for training, testing and routine military operations. Issuance of these LOAs is based on findings, described in the preamble to the final rule (67 FR 46712, July 16, 2002), that the activities described in the two LOAs will result in the taking of no more than small numbers of marine mammals, and the total taking will have no more than a negligible impact on marine mammal stocks, and will not have an unmitigable adverse impact on the availability of the affected marine mammal stocks for subsistence uses. A copy of the LOAs and other cited documents are available at: http://www.nmfs.noaa.gov/prot_res/

PR2/Acoustics_Program/Sound.htm#Sonar

These LOAs remain valid until August 15, 2004, provided the Navy is in conformance with the conditions of the regulations and the LOAs, and the mitigation, monitoring, and reporting requirements described in 50 CFR 216.184-216.186 (67 FR 46712, July 16, 2002) and in the LOAs are undertaken.

Dated: August 14, 2003.

Laurie K. Allen,

Acting Office Director, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 080703C]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Applications for scientific research permit modifications (1369, 1335).

SUMMARY: Notice is hereby given that NMFS received applications to modify existing scientific research permits related to threatened Pacific salmon and steelhead. The proposed research is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts.

DATES: Comments or requests for a public hearing on the permit modification requests must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific daylight savings time on September 19, 2003.

ADDRESSES: Written comments on the modification requests should be sent to Protected Resources Division, NMFS, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737. Comments may also be sent via fax to 503-230-5435. Comments will not be accepted if submitted via e-mail or the Internet.

FOR FURTHER INFORMATION CONTACT: Garth Griffin, Portland, OR (ph: 503-231-2005, Fax: 503-230-5435, e-mail: Garth.Griffin@noaa.gov). Permit applications are available at <http://www.nwr.noaa.gov>.

SUPPLEMENTARY INFORMATION:

Authority

Scientific research permits are issued in accordance with Section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et. seq.*) and Federal regulations governing listed fish and wildlife permits (50CFR Parts 222–226). NMFS issues permits and modifications based on findings that such permits and modifications: (1) Are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits and modifications.

Anyone requesting a hearing on the permit modification application listed in this notice should set out the specific reasons why a hearing would be appropriate (*see ADDRESSES*). The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA.

Species Covered in This Notice

The following listed species and evolutionarily significant units (ESUs) are covered in this notice:

Chinook salmon (*O. tshawytscha*): threatened naturally produced and artificially propagated Puget Sound (PS).

Permit Applications Received*Permit 1335–Modification 3*

The U.S. Forest Service in Corvallis, Oregon requests a modification to permit 1335 for annual take of juvenile threatened artificially propagated PS chinook salmon associated with its current study in the Puget Sound basin, Washington State. The purposes of the research are to assess watershed conditions and factors limiting salmonid health and production, and evaluate watershed health under the Northwest Forest Plan. The activities will benefit listed fish by generating information to improve forest management.

Permit 1369–Modification 1

The King County Department of Natural Resources and Parks in Seattle, Washington requests a modification to permit 1369 for increased annual take of juvenile threatened naturally produced PS chinook salmon associated with an expansion of work sites under its current study. The purpose of the study is to investigate scientific issues pertaining to how salmonid habitat in King County can be protected while concurrently providing local farmers with the technical and regulatory means to drain their farmlands to continue

agricultural production. This program will develop a comprehensive information base about the habitat quality; the extent of the current and potential salmonid use of habitat where most commercial agriculture occurs; and techniques to avoid, minimize, or mitigate agriculture-related impacts on listed salmonids and their habitat.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the applications and modification requests, associated documents, and any comments submitted to determine whether the applications and modification requests meet the requirements of section 10(a) of the ESA and Federal regulations. NOAA will not make any final determinations until after the end of the 30 day comment period. NMFS will publish notice of its final action in the **Federal Register**.

Dated: August 14, 2003.

Barbara Schroeder,

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

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 080703D]

**Endangered and Threatened Species;
Take of Anadromous Fish**

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

ACTION: Issuance of 16 scientific research permits (1114, 1119, 1124, 1134, 1152, 1194, 1379, 1403, 1406, 1410, 1421, 1422, 1423, 1426, 1427,) and six scientific research permit modifications (1290, 1291, 1322, 1335, 1366, 1382).

SUMMARY: Notice is hereby given that on June 30, 2003, NMFS' Northwest Region issued the permits and permit modifications allowing researchers to take endangered and threatened species for purposes of scientific research and enhancement under the Endangered Species Act (ESA).

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

Protected Resources Division, NOAA Fisheries, 525 NE Oregon Street, Suite 500, Portland, OR 97232–2737 (phone: 503–230–5400, fax: 503–230–5435).

FOR FURTHER INFORMATION CONTACT:

Garth Griffin, Portland, Oregon (phone: (503) 231–2005, fax: (503) 230–5435, e-mail: garth.griffin@noaa.gov).

SUPPLEMENTARY INFORMATION:**Authority:** Authority

Issuance of permits and permit modifications, 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. Scientific research and enhancement permits are issued in accordance with and subject to Section 10(a)(1)(A) of the ESA and NMFS' regulations governing listed fish and wildlife permits (50 CFR parts 222–226). Authority to take listed species is subject to conditions set forth in the permits.

Species Covered in this Notice

The listed species (evolutionarily significant units) covered by this notice are identified below and listed in the subsequent table by the numbers that precede each of them in the following list:

- (1) Endangered upper Columbia River steelhead (*Oncorhynchus mykiss*)
- (2) Endangered upper Columbia River Chinook Salmon (*O. tshawytscha*)
- (3) Endangered Snake River sockeye salmon (*O. nerka*)
- (4) Threatened Snake River fall chinook salmon (*O. mykiss*)
- (5) Threatened Snake River spring/summer chinook salmon (*O. mykiss*)
- (6) Threatened Snake River steelhead (*O. mykiss*)
- (7) Threatened middle Columbia River steelhead (*O. mykiss*)
- (8) Threatened lower Columbia River chinook salmon (*Oncorhynchus mykiss*)
- (9) Threatened lower Columbia River steelhead (*O. mykiss*)
- (10) Threatened lower Columbia River chum salmon (*O. keta*)
- (11) Threatened upper Willamette River chinook salmon (*O. mykiss*)
- (12) Threatened upper Willamette River steelhead (*O. mykiss*)
- (13) Threatened Puget Sound chinook salmon (*Oncorhynchus mykiss*)
- (14) Threatened Hood Canal summer chum (*O. keta*)
- (15) Threatened Ozette lake sockeye salmon (*O. nerka*)
- (16) Threatened Oregon coast coho salmon (*O. kisutch*)
- (17) Threatened southern Oregon–northern California coast coho salmon (*O. kisutch*)