

Dated: May 18, 2011.

P. Michael Payne,

*Chief, Permits, Conservation and Education
Division, Office of Protected Resources,
National Marine Fisheries Service.*

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BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA432

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coral and Coral Reefs Off the Southern Atlantic States; Exempted Fishing Permit

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

ACTION: Notice of receipt of an application for an exempted fishing permit; request for comments.

SUMMARY: NMFS announces the receipt of an application for an exempted fishing permit (EFP) from Mr. Don DeMaria. If granted, the EFP would authorize the applicant, with certain conditions, to collect and retain limited numbers of gorgonian corals from the exclusive economic zone (EEZ), off Port Canaveral, FL, north to the North Carolina/Virginia border. The specimens would be used to support research efforts towards a grant awarded to the National Cancer Institute to screen marine invertebrates for possible anti-cancer compounds.

DATES: Comments must be received no later than 5 p.m., eastern time, on June 23, 2011.

ADDRESSES: You may submit comments on the application by either of the following methods:

- *E-mail:* Nikhil.Mehta@noaa.gov.

Include in the subject line of the e-mail comment the following document identifier: "DonDeMaria_EFP 2011".

- *Mail:* Nikhil Mehta, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

The application and related documents are available for review upon written request to any of the above addresses.

FOR FURTHER INFORMATION CONTACT: Nikhil Mehta, 727-824-5305; *e-mail:* Nikhil.Mehta@noaa.gov.

SUPPLEMENTARY INFORMATION: The EFP is requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C 1801 *et seq.*), and regulations at

50 CFR 600.745(b) concerning exempted fishing.

This action involves activities covered by regulations implementing the Fishery Management Plan for Coral, Coral Reefs, and Live/Hardbottom Habitat of the South Atlantic Region. The applicant has requested authorization to collect a maximum of 11 lb (5 kg) of gorgonian corals belonging to the Genus *Thesea* per year. Specimens would be collected in Federal waters off Port Canaveral, FL, north to the North Carolina/Virginia border. The project proposes to use SCUBA gear to make the collections. Samples would be collected from July 1, 2011 to July 31, 2014.

The overall intent of the project is to support research efforts to screen marine invertebrates for possible anti-cancer compounds. The research is part of a contract (No. HHSN261200900012C) between the National Cancer Institute (<http://www.cancer.gov/>) and the Coral Reef Research Foundation (CRRF, <http://www.coralreefresearchfoundation.org/>). Samples would be collected by Mr. DeMaria, who is a sub-contractor for CRRF.

NMFS finds this application warrants further consideration. Based on a preliminary review, NMFS intends to issue the requested EFP, pending receipt of public comments, as per 50 CFR 600.745(b)(3)(i). Possible conditions the agency may impose on this permit, if it is indeed granted, include but are not limited to, a prohibition on conducting research within marine protected areas, marine sanctuaries, special management zones, or artificial reefs without additional authorization. A report on the project findings is due at the end of the collection period, to be submitted to NMFS and reviewed by the South Atlantic Fishery Management Council.

A final decision on issuance of the EFP will depend on NMFS's review of public comments received on the application, consultations with the affected state, the South Atlantic Fishery Management Council, and the U.S. Coast Guard, as well as a determination that it is consistent with all applicable laws.

Authority: 16 U.S.C 1801 *et seq.*

Dated: May 19, 2011.

Margo Schulze-Haugen,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA396

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Shallow Hazards Survey in the Chukchi Sea, Alaska

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

ACTION: Notice; proposed incidental harassment authorization; request for comments.

SUMMARY: NMFS received an application from Statoil USA E&P Inc. (Statoil) for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to a proposed open water shallow hazards survey in the Chukchi Sea, Alaska, between July through November 2011. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to Statoil to take, by Level B harassment only, thirteen species of marine mammals during the specified activity.

DATES: Comments and information must be received no later than June 23, 2011.

ADDRESSES: Comments on the application should be addressed to Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. The mailbox address for providing e-mail comments is ITA.Guan@noaa.gov. NMFS is not responsible for e-mail comments sent to addresses other than the one provided here. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental.htm> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

A copy of the application used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR**