

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

RIN 0648-XA97

**Marine Mammals; File Nos. 782-1889, 358-1888, 881-1893, 881-1890, 434-1892, 1049-1886, 1034-1887, 715-1884, 715-1885, 1118-1881, and 1119-1882**

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

**ACTION:** Notice; issuance of permits.

**SUMMARY:** Notice is hereby given that permits to conduct research on Steller sea lions (*Eumetopias jubatus*) have been issued to the following individuals and institutions: The National Marine Mammal Laboratory (NMML), NMFS, Seattle, WA (File No. 782-1889); Alaska Department of Fish and Game (ADF&G), Division of Wildlife Conservation, Juneau, AK (File No. 358-1888); The Alaska SeaLife Center (ASLC), Seward, AK (File No. 881-1890); the Oregon Department of Fish and Wildlife (ODFW), Corvallis, OR (File No. 434-1892); Kate Wynne, University of Alaska Fairbanks, Kodiak, AK (File No. 1049-1886); Dr. Markus Horning, Oregon State University, Hatfield Marine Science Center, Newport, OR (File No. 1034-1887); and the North Pacific Universities Marine Mammal Research Consortium (NPUMMRC), University of British Columbia, Vancouver, B.C. (File No. 715-1885).

Notice is hereby given that permits to conduct research on northern fur seals (*Callorhinus ursinus*) have been issued to the following individuals and institutions: the ASLC, Seward, AK (File No. 881-1893); the NPUMMRC, University of British Columbia, Vancouver, B.C. (File No. 715-1884); the Aleut Community of St. Paul Island, Tribal Government, Ecosystem Conservation Office, St. Paul Island, AK (File No. 1118-1881); and the Aleut Community of St. George Island, St. George Traditional Council, St. George Island, AK (File No. 1119-1882).

**ADDRESSES:** The permits and related documents are available for review upon written request or by appointment in the following office(s):

All Files: Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; <http://www.nmfs.noaa.gov/pr/permits/review.htm>;

File Nos. 782-1889 and 434-1892: Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426;

All Files except 434-1892: Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7221; fax (907)586-7249; and

File Nos. 782-1889 and 434-1892: Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

**FOR FURTHER INFORMATION CONTACT:** Tammy Adams, Amy Sloan, Kate Swails, or Jaclyn Daly, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On February 15, 2007, notice was published in the **Federal Register** (72 FR 7420) that requests for scientific research permits to take the species identified above had been submitted by the above-named individuals and institutions. The requested permits have been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*), as applicable.

All Files: All permits are valid through August 1, 2009 and contain requirements for coordination and monitoring of research as well as mitigation measures deemed appropriate by NMFS. These permits can not be amended or extended. No permits authorize intentional capture of adult female Steller sea lions, or use of remotely delivered drugs for capture of Steller sea lions.

File No. 782-1889: The permit issued to NMML authorizes activities to measure Steller sea lion population status, vital rates, foraging behavior, and condition in North Pacific Ocean areas including California, Washington, Oregon, and Alaska. The permit includes incidental harassment of harbor seals (*Phoca vitulina richardsi*), northern fur seals, and California sea lions (*Zalophus californianus*).

File No. 358-1888: The permit issued to ADF&G authorizes activities to investigate the various hypotheses for the decline or lack of recovery of Steller sea lions in Alaska. The permit includes incidental harassment of harbor seals, northern fur seals, and California sea lions.

File No. 881-1893: The permit issued to ASLC authorizes activities to characterize the movements, foraging behavior and habitat-associations of northern fur seal pups during their first winter at sea in Alaska.

File No. 881-1890: The permit issued to ASLC authorizes activities to conduct population monitoring and studies on health, nutrition, and foraging behavior of free ranging Steller sea lions in the Gulf of Alaska and the Aleutian Islands, and on temporarily captive Steller sea lions at the ASLC.

File No. 434-1892: The permit issued to ODFW authorizes activities to assess status and monitor trend in Steller sea lion abundance, ecology, and vital rates in the southern extent of the Steller sea lion eastern DPS throughout California, Oregon, and Washington. The permit also authorizes incidental harassment of harbor seals and California sea lions.

File No. 1049-1886: The permit issued to Kate Wynne authorizes activities to continue studies on the abundance, distribution, and diet of the western Distinct Population Segment (DPS) of Steller sea lions in the western and central Gulf of Alaska.

File No. 1034-1887: The permit issued to Dr. Horning authorizes activities to study condition and health status of juvenile Steller sea lions in the western DPS using remote imaging systems for 3-D photogrammetry at locations in Alaska and Oregon to census animals and monitor body mass, condition, and health trends. The permit also authorizes incidental harassment of California sea lions, harbor seals, and northern elephant seals (*Mirounga angustirostris*).

File No. 715-1884: The permit issued to NPUMMRC authorizes activities to continue to study the distribution, life history, physiology, and foraging and behavioral ecology of northern fur seals on the Pribilof Islands and Bogoslof Island in Alaska.

File No. 715-1885: The permit issued to NPUMMRC authorizes activities to continue a long-term research program to test various hypotheses for the decline of Steller sea lions in Alaska, including a study to assess pain and distress associated with hot-branding of Steller sea lions. The permit also authorizes incidental harassment of Northern fur seals, California sea lions, harbor seals, Northern elephant seals, and Killer whales (*Orcinus orca*).

File No. 1118-1881: The permit issued to the Aleut Community of St. Paul Island authorizes activities to fulfill their Biosampling, Disentanglement, and Island Sentinel program responsibilities as established under the co-management agreement

between NMFS and the Aleut Community. The permit also authorize incidental harassment of Steller sea lions and harbor seals.

File No. 1119-1882: The permit issued to the Aleut Community of St. George Island authorizes activities to fulfill their Biosampling, Disentanglement, and Island Sentinel program responsibilities as established under the co-management agreement between NMFS and the Aleut Community. The permit also authorizes incidental harassment of Steller sea lions and harbor seals.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a Programmatic Environmental Impact Statement (PEIS) for Steller Sea Lion and Northern Fur Seal Research was prepared to evaluate the potential environmental impacts of awarding grants and issuing permits to facilitate research on these species. Information about the PEIS is available at <http://www.nmfs.noaa.gov/pr/permits/eis/steller.htm>.

Issuance of the permits for research on Steller sea lions, as required by the ESA, was based on a finding that such permits: (1) were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: June 21, 2007.

**Carrie W. Hubbard,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA34

#### Notice of Availability of Draft Stock Assessment Reports

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** NMFS reviewed the Alaska, Atlantic, and Pacific regional marine mammal stock assessment reports (SARs) in accordance with the Marine Mammal Protection Act (MMPA). SARs for marine mammals in the Alaska, Atlantic, and Pacific regions were revised according to new information.

NMFS solicits public comments on draft 2007 SARs.

**DATES:** Comments must be received by September 26, 2007.

**ADDRESSES:** The 2007 draft stock assessment reports are available in electronic form via the Internet at <http://www.nmfs.noaa.gov/pr/sars/>.

Copies of the Alaska Regional SARs may be requested from Robyn Angliss, Alaska Fisheries Science Center, NMFS, 7600 Sand Point Way, NE BIN 15700, Seattle, WA 98115-0070.

Copies of the Atlantic and Gulf of Mexico Regional SARs may be requested from Gordon Waring, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543.

Copies of the Pacific Regional SARs may be requested from Jim Carretta, Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037-1508.

Send comments or requests for copies of reports to: Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: Stock Assessments. Comments may also be sent via facsimile (fax) to 301-427-2526 or via email to [mmsar.2007@noaa.gov](mailto:mmsar.2007@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Tom Eagle, Office of Protected Resources, 301-713-2322, ext. 105, e-mail [Tom.Eagle@noaa.gov](mailto:Tom.Eagle@noaa.gov); Robyn Angliss 206-526-4032, e-mail [Robyn.Angliss@noaa.gov](mailto:Robyn.Angliss@noaa.gov), regarding Alaska regional stock assessments; Gordon Waring, 508-495-2311, e-mail [Gordon.Waring@noaa.gov](mailto:Gordon.Waring@noaa.gov), regarding Atlantic regional stock assessments; or Jim Carretta, 858-546-7171, e-mail [Jim.Carretta@noaa.gov](mailto:Jim.Carretta@noaa.gov), regarding Pacific regional stock assessments.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 117 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*) requires NMFS and the U.S. Fish and Wildlife Service (FWS) to prepare stock assessments for each stock of marine mammals occurring in waters under the jurisdiction of the United States. These reports must contain information regarding the distribution and abundance of the stock, population growth rates and trends, estimates of annual human-caused mortality and serious injury from all sources, descriptions of the fisheries with which the stock interacts, and the status of the stock. Initial reports were completed in 1995.

The MMPA requires NMFS and FWS to review the SARs at least annually for

strategic stocks and stocks for which significant new information is available, and at least once every 3 years for non-strategic stocks. NMFS and the FWS are required to revise a SAR if the status of the stock has changed or can be more accurately determined. NMFS, in conjunction with the Alaska, Atlantic, and Pacific Scientific Review Groups (SRGs), reviewed the status of marine mammal stocks as required and revised reports in the Alaska, Atlantic, and Pacific regions to incorporate new information. NMFS solicits public comments on the draft 2007 SARs.

#### Alaska Reports

Twelve reports (11 strategic stocks and one non-strategic stock) were revised, and 24 reports were not revised. Most revisions included updates of abundance and mortality estimates and did not indicate a change in status of the affected stocks. The abundance of AT1 killer whales was reduced from eight to seven whales because one animal has not been seen in recent years and is presumed to have died.

The "Status of Stock" section of the gray whale, western North Pacific stock, was updated to show that the best available scientific information indicates the stock is within its Optimum Sustainable Population levels. The gray whale stock was estimated to be between 71 percent and 102 percent of its current carrying capacity in 2002.

The "Habitat Concerns" sections of the reports for Steller sea lions, western U.S. stock, and northern fur seals, Eastern Pacific stock, were expanded. Threats to the Steller sea lion stock were presented in a draft recovery plan released for public review and comment in May 2006 (71 FR 29919, May 24, 2006), and a summary of these threats was included in the revised SAR. For northern fur seals, the SAR was updated to include recent information, including the overlap in sizes of fish taken by fur seals and by commercial fishing.

#### Atlantic Reports

Fifty-six reports (16 strategic and 40 non-strategic) were revised in the Atlantic region, including all reports for marine mammals in the Gulf of Mexico. Two reports were not revised. Most updates were to include new abundance and mortality estimates and did not change the status of the affected stocks. The status of harbor porpoise, Gulf of Maine/Bay of Fundy stock, was updated to be strategic because human-caused mortality and serious injury have increased and PBR has decreased since the last mortality and abundance estimates were completed.