

circumstances, to take listed species if such taking is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity, under section 10(a)(1)(B) of the ESA. NMFS regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

In an application package received on December 31, 2009, the IDFG submitted an application to NMFS for a modification to existing ESA section 10(a)(1)(B) permit 1481. The modification would extend the duration of permit 1481 by one year, until May 31, 2011. The purpose of the extension is to provide authorization for recreational fisheries in Idaho affecting ESA-listed anadromous salmon and steelhead, while a coordinated harvest management framework process is developed by co-managers in the basin. Other than the extended duration, fisheries would be implemented under the proposed extension consistent with the current permit.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate each application package, associated documents, and comments submitted thereon to determine whether the applications meets the requirements of section 10(a)(1)(B) of the ESA. If it is determined that the requirements are met, permit 1481 will be extended for one year, and the modified permit will be issued to the IDFG. NMFS will publish a record of its final action in the **Federal Register**.

Dated: March 18, 2010.

**Angela Somma,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XV39

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

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

**ACTION:** Notice of receipt and request for comment.

**SUMMARY:** Notice is hereby given that NMFS has received four applications for direct take permits, in the form of Hatchery and Genetic Management Plans (HGMPs) pursuant to the

Endangered Species Act of 1973, as amended (ESA); two applications from the Public Utility District No. 1 (PUD) of Chelan County and two from the Public Utility District No. 2 (PUD) of Grant County. The Washington Department of Fish and Wildlife (WDFW) is identified as a co-permit applicant in each of these HGMPs. The duration of each of the proposed Permits is ten (10) years. This document serves to notify the public of the availability for comment of the permit applications. All comments received will become part of the public record and will be available for review pursuant to section 10(c) of the ESA.

**DATES:** Comments must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5:00 p.m. Pacific time on April 23, 2010.

**ADDRESSES:** Written comments on the application should be sent to Kristine Petersen, National Marine Fisheries Services, Salmon Recovery Division, 1201 N.E. Lloyd Boulevard, Suite 1100, Portland, OR 97232. Comments may also be submitted by e-mail to: [WenatcheeHGMPs.nwr@noaa.gov](mailto:WenatcheeHGMPs.nwr@noaa.gov). Include in the subject line of the e-mail comment the following identifier: Comments on Wenatchee HGMPs. Comments may also be sent via facsimile (fax) to (503) 872-2737. Requests for copies of the permit applications should be directed to the National Marine Fisheries Services, Salmon Recovery Division, 1201 N.E. Lloyd Boulevard, Suite 1100, Portland, OR 97232. The documents are also available on the Internet at <http://www.nwr.noaa.gov>. Comments received will also be available for public inspection, by appointment, during normal business hours by calling (503) 230-5409.

**FOR FURTHER INFORMATION CONTACT:** Kristine Petersen at (503) 230-5409 or e-mail: [kristine.petersen@noaa.gov](mailto:kristine.petersen@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Species Covered in This Notice

Chinook salmon (*Oncorhynchus tshawytscha*): endangered, naturally produced and artificially propagated Upper Columbia River spring-run.

Steelhead (*O. mykiss*): threatened, naturally produced and artificially propagated Upper Columbia River.

##### 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.

In an application received on October 15, 2009, the Chelan PUD submitted an application to NMFS for an ESA section 10(a)(1)(A) permit for the direct take of ESA listed upper Columbia River spring Chinook salmon from the Chiwawa River in order to carry out an artificial propagation (hatchery) program to enhance the species. The purpose of this program is to mitigate for un-avoidable mortality of upper Columbia River spring Chinook salmon at Rock Island and Rocky Reach Dams as well as to conserve, and ultimately restore the naturally spawning Chiwawa River spring Chinook salmon spawning aggregate, which is part of the Wenatchee population within the Upper Columbia River basin.

In an application received on October 15, 2009, the Chelan PUD submitted an application to NMFS for an ESA section 10(a)(1)(A) permit for the direct take of ESA listed upper Columbia River steelhead from the Wenatchee River in order to carry out an artificial propagation (hatchery) program to enhance the species. The purpose of this program is to mitigate for un-avoidable mortality of upper Columbia River steelhead at Rock Island and Rocky Reach Dams as well as to conserve, and ultimately restore the naturally spawning Wenatchee River steelhead population within the Upper Columbia River basin.

In an application received on February 25, 2010, the Grant PUD submitted an application with an addendum to NMFS for an ESA section 10(a)(1)(A) permit for the direct take of ESA listed upper Columbia River spring Chinook salmon from the Nason Creek in order to carry out an artificial propagation (hatchery) program to enhance the species. The purpose of this program is to mitigate for un-avoidable mortality of spring Chinook salmon at Priest Rapids and Wanapum Dams as well as to conserve, and ultimately restore the naturally spawning Nason Creek spring Chinook salmon spawning aggregate, which is part of the Wenatchee population within the Upper Columbia River basin.

In an application received on February 25, 2010, the Grant PUD submitted an application with an addendum to NMFS for an ESA section

10(a)(1)(A) permit for the direct take of ESA listed upper Columbia River spring Chinook salmon from the White River in order to carry out an artificial propagation (hatchery) program to enhance the species. The purpose of this program is to mitigate for un-avoidable mortality of spring Chinook salmon at Priest Rapids and Wanapum Dams as well as to conserve, and ultimately restore the naturally spawning White River spring Chinook salmon spawning aggregate, which is part of the Wenatchee population within the Upper Columbia River basin.

#### Authority

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate each application, associated documents, and comments submitted thereon to determine whether the applications meets the requirements of section 10(a)(1)(A) of the ESA. If it is determined that the requirements are met, permits will be issued to the Chelan and Grant PUDs with the WDFW as co-permit holder for the purpose of carrying out the enhancement program. NMFS will publish a record of its final action in the **Federal Register**.

Dated: March 18, 2010.

Angela Somma,

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XV35

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

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

**ACTION:** Receipt of applications for scientific research permits; request for comments.

**SUMMARY:** Notice is hereby given that NMFS has received applications for permits for scientific research from National Resource Scientists, Inc. (NRSI) in Red Bluff, CA (14685, 14688), and California Department of Fish and Game (CDFG), North Central Region 2, in Rancho Cordova, CA (14808). This notice is relevant to federally endangered Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*), threatened Central Valley

spring-run Chinook salmon (*O. tshawytscha*), threatened Central Valley steelhead (*O. mykiss*), and threatened Southern Distinct Population Segment of North American green sturgeon (*Acipenser medirostris*). This document serves to notify the public of the availability of the permit applications for review and comment.

**DATES:** Written comments on the permit applications must be received no later than 5 p.m. Pacific Standard Time on April 23, 2010.

**ADDRESSES:** Written comments on the permit applications should be sent to the appropriate office as indicated below. Comments may also be sent via e-mail to: [FRNpermitsSAC@noaa.gov](mailto:FRNpermitsSAC@noaa.gov) or fax to the number indicated for the request. The applications and related documents are available for review by appointment: Protected Resources Division, NMFS, 650 Capitol Mall, Suite 8-300, Sacramento, CA 95814 (ph: 916-930-3600, fax: 916-930-3629).

**FOR FURTHER INFORMATION CONTACT:**

Shirley Witalis at phone number 916-930-3606, or e-mail: [FRNpermitsSAC@noaa.gov](mailto:FRNpermitsSAC@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

#### 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. 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 governing listed fish and wildlife permits (50 CFR parts 222-226).

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

#### Species Covered in This Notice

This notice is relevant to federally-listed endangered Sacramento River winter-run Chinook salmon

(*Oncorhynchus tshawytscha*), threatened Central Valley spring-run Chinook salmon (*O. tshawytscha*) ESU, threatened Central Valley steelhead (*O. mykiss*), threatened Central California Coast steelhead (*O. mykiss*), and threatened Southern Distinct Population of North American green sturgeon (*Acipenser medirostris*).

#### Applications Received

NRSI requests a 5-year permit (14685) for an estimated annual take of 20 adult and 100 juvenile Central Valley steelhead associated with the Merced River salmonid monitoring program. The program researches anadromous salmonid spawning and rearing habitats, migration timing of adult Chinook salmon, and juvenile Chinook salmon outmigration and survival in the lower Merced River. NRSI proposes to monitor fish by conducting snorkel surveys, and employing Didson sonar cameras into fish weirs. NRSI proposes to capture fish by rotary screw trap and beach seine, anesthetize and sample fish for species identification, tags, marks and fin clips, lengths and weights, and release back to the river. NRSI requests authorization for an estimated total take of 100 adults and 500 juveniles (with an estimated total of 10 percent non-intentional mortality). NRSI does not propose to kill any fish being captured but some trapped fish may die as an unintentional result of research activities. No mortality is anticipated with passive monitoring.

NRSI requests a 2-year permit (14688) for an estimated annual take of 943 juvenile Sacramento River winter-run Chinook salmon, 97 Central Valley spring-run Chinook salmon, 56 Central Valley steelhead, and 125 Southern Distinct Population Segment of North American green sturgeon at five irrigation diversion sites (river miles [RMs] 88.2, 90.1, 102.5, 103.3, and 114.3) off the Sacramento River, CA. This research is part of an on-going investigation for developing prioritization criteria for fish screening projects, and will correlate fish entrainment with the physical, hydraulic, and habitat variables at each diversion site. NRSI proposes to use fyke nets to capture fish already entrained in diversion canals. Fish will be captured on the outfall side of pumped diversions and are expected to have been mortally injured by pressurized pipes and warm water, or lost to the water distribution systems. Dead and moribund fish will be identified to species/race, enumerated, measured, and placed back into the canals; any captured live fish will be immediately returned to the riverside of