

breeding, spawning, rearing, migrating, feeding or sheltering (50 CFR 222.102). Under limited circumstances pursuant to section 10(a)(1)(B) of the ESA (16 U.S.C. 1539(a)(1)(B)), NMFS may issue permits to authorize incidental take of listed fish or wildlife; i.e., take that is incidental to, and not the purpose of, otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species under NMFS' jurisdiction are found at 50 CFR 222.307.

NMFS has received an application from PacifiCorp Energy (PacifiCorp or Applicant) for an incidental take permit (Permit) for operation and maintenance of the Klamath Hydroelectric Project (Project) and implementation of the Plan for a 10-year period. The application was prepared and submitted by the Applicant, the owner and operator of the Project. The Applicant has requested incidental take permit coverage from NMFS for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of coho salmon *Oncorhynchus kisutch*. The Applicant has prepared the Plan to satisfy the application requirements for an incidental take permit under section 10(a)(1)(B) of the ESA.

The area covered by the Permit would include the Applicant's existing facilities and the adjacent water and land areas potentially influenced by Project maintenance and operations, including the mainstem Klamath River and reservoirs from Link River dam at the outlet of Upper Klamath Lake in Southern Oregon down to the estuary in Northern California, inclusive.

Project facilities at Iron Gate dam in Northern California, which is the Project dam furthest downstream on the Klamath River, do not include fish passage structures. Thus, anadromous fish passage, including passage of listed coho salmon, is currently blocked at Iron Gate dam. Subject to certain conditions and a pending determination in March 2012 by the Secretary of the Interior, the Klamath Hydroelectric Settlement Agreement (KHSA; for more information about the KHSA, see <http://klamathrestoration.gov>) anticipates that four Project dams on the Klamath River (Iron Gate, Copco No. 1, Copco No. 2, and J.C. Boyle) will be removed by December 31, 2020, to accomplish volitional fish passage for listed coho salmon and other species. The removal of the dams envisioned in the KHSA modifies an earlier proposal by PacifiCorp to the Federal Energy Regulatory Commission (FERC) to relicense and continue to operate the Project for 50 years. If the dams are not removed under the KHSA or the KHSA

terminates for any other reason, the Project would revert to the FERC relicensing proceedings. NMFS has prescribed mandatory fishways, which FERC must include as conditions of any new license for operation of the Project, in the FERC relicensing process. These fishways would provide volitional fish passage for listed coho salmon and other species. Therefore, the requested 10-year period of the Permit is consistent with the expectation that there would be volitional fish passage under either dam removal pursuant to the KHSA or FERC's issuance of a new license for the Project by approximately the end of 2020, and volitional fish passage under either of these processes will provide substantial benefits to coho salmon and other anadromous fish species at the completion of the interim term of the Permit.

NMFS is now considering whether to issue an incidental take permit for the interim operation and maintenance of the Klamath Hydroelectric Project during the interim period described above. Issuance of the incidental take permit by NMFS would be contingent on the implementation of the Plan and adherence to any permit conditions. The Plan that PacifiCorp included with its application for a Permit includes a series of conservation measures to minimize and mitigate the effects of operation of the Project on potential incidental take of listed coho salmon during the interim period described above, including a turbine venting system at Iron Gate Dam; coordinated participation in flow variability and flow ramp rate measures at Iron Gate Dam; placement of large woody debris downstream of Iron Gate Dam; funding fish disease research to benefit coho salmon; and a fund that would be used to implement various projects designed to benefit coho salmon by enhancing habitat conditions in the Klamath River and tributaries downstream of Iron Gate Dam.

National Environmental Policy Act Compliance

Proposed permit issuance triggers the need for compliance with the National Environmental Policy Act of 1969, as amended (NEPA). NMFS has prepared a draft EA which evaluates the impacts of the proposed issuance of the Permit and implementation of the Plan, as well as the No Action Alternative in which the Permit would not be issued and the Plan would not be implemented. Copies of the draft EA are available for review as described earlier in the **ADDRESSES** section of this document.

Public Comments Solicited

NMFS invites the public to comment on the Plan, IA, and draft EA as described above in the **ADDRESSES** section during a 60-day public comment period described above in the **DATES** section. All comments and materials received, including names and addresses, will become part of the administrative record and may be released to the public. This notice is provided pursuant to section 10(c) of the ESA (16 U.S.C. 1539(c)) and regulations for implementing NEPA (40 CFR 1506.6). We provide this notice in order to allow the public, agencies, or other organizations to review and comment on these documents. The final NEPA determinations will not be made until after the 60-day public comment period has ended and after NMFS has fully considered all relevant comments received during the comment period.

Special Accommodations

The public meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Lisa Roberts, NMFS, at (707) 825-5178, at least 5 working days prior to the public meeting date.

Next Steps

NMFS will evaluate the application, associated documents, and public comments submitted to prepare final decision documents.

Dated: April 28, 2011.

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

[File No. 15510]

RIN 0648-XA165

Marine Mammals

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

ACTION: Notice; issuance of permit.

SUMMARY: Notice is hereby given that Jennifer Burns, Ph.D., University of Alaska Anchorage, Biology Department, 3101 Science Circle, Anchorage, AK, has been issued a permit to conduct

scientific research on marine mammal parts.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following offices:

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) 713-0376; and Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7221; fax (907) 586-7249.

FOR FURTHER INFORMATION CONTACT: Amy Sloan or Laura Morse, (301) 713-2289.

SUPPLEMENTARY INFORMATION: On January 24, 2011, notice was published in the **Federal Register** (76 FR 4091) that Dr. Burns had requested a permit to collect/receive, import, and export marine mammal parts for scientific research studies. The requested permit has 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.).

Permit No. 15510 authorizes Dr. Burns to conduct physiology studies on development, thermoregulation, muscle performance, oxygen stores, and hormonal and other regulatory processes using marine mammal parts. Annually, Dr. Burns can obtain samples from up to 50 animals of each of the following species: Harp seal, *Pagophilus groenlandica*; hooded seal, *Cystophora cristata*; gray seal, *Halichoerus grypus*; bearded seal, *Erignathus barbatus*; ringed seal, *Phoca hispida*; harbor seal, *Phoca vitulina*; spotted seal, *Phoca largha*; and ribbon seal, *Histiophoca fasciata*, and; to import samples annually from up to 6 captive Northern fur seals, *Callorhinus ursinus*; and 6 captive Steller Sea lions, *Eumetopias jubatus*. Samples may be from subsistence-harvested animals in Alaska, and other scientific and/or subsistence collections including but not limited to the national waters of Canada, Norway, the United Kingdom, and in international waters. Samples may be collected, received nationally, and imported and exported worldwide over a five-year period for laboratory analysis to support the research objectives.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

As required by the ESA, issuance of this permit was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: April 25, 2011.

P. Michael Payne,

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

National Climate Assessment and Development Advisory Committee (NCADAC)

AGENCY: Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of open public meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the DOC NOAA National Climate Assessment and Development Advisory Committee (NCADAC).

The members will discuss and provide advice on issues outlined below.

Date and Time: The meeting is scheduled for: Friday, May 20, from 1-5 p.m. Eastern Time.

ADDRESSES: Conference call. Public access will be available at a location to be determined. Please check the National Climate Assessment Web site for this information at <http://www.globalchange.gov/what-we-do/assessment>.

FOR FURTHER INFORMATION CONTACT: Dr. Cynthia Decker, Designated Federal Official, National Climate Assessment and Development Advisory Board, NOAA, Rm. 11230, 1315 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301-734-1156, Fax: 301-713-1459, E-mail: Cynthia.decker@noaa.gov)

SUPPLEMENTARY INFORMATION: The National Climate Assessment and Development Advisory Committee were established in December 2010. The committee's mission is to synthesize and summarize the science and information pertaining to current and future impacts of climate change upon the United States; and to provide advice and recommendations toward the development of an ongoing, sustainable national assessment of global change impacts and adaptation and mitigation strategies for the Nation. Within the scope of its mission, the committee's specific objective is to produce a National Climate Assessment.

Matters To Be Considered

Consideration of white papers provided by ad hoc working groups on the subjects of:

1. The National Climate Assessment Interim Strategy, the NCA Draft Outline, and Federal Activities.
2. Engagement Strategy and Requests for Information.
3. Scenarios and Regional Summaries.
4. Peer Review, Data Management and Development of a NCA Portal.

STATUS: The meeting will be open to public participation at a location to be determined with a 10-minute public comment period from 4:45-4:55 p.m. The NCADAC expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of two minutes. Written comments should be received in the NCADAC DFO's office by May 16, 2011 to provide sufficient time for NCADAC review. Written comments received by the NCADAC DFO after May 16, 2011, will be distributed to the NCADAC, but may not be reviewed prior to the meeting date.

Dated: April 28, 2011.

Mark E. Brown,

Chief Financial Officer/Chief Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

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COMMODITY FUTURES TRADING COMMISSION

Agricultural Advisory Committee; Meeting

AGENCY: Commodity Futures Trading Commission ("CFTC").