

presents substantial scientific or commercial information indicating that the petitioned action may be warranted. That finding is to be published promptly in the **Federal Register**.

In determining whether a petition contains substantial information, we consider information submitted with and referenced in the petition and all other information readily available in our files. We do not conduct additional research at this point, and we subject the petition to critical review. Our ESA implementing regulations at 50 CFR 424.14(b)(1) define $\geq$ substantial information $\geq$ as the amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted. If the petition is found to present such information, the Secretary must conduct a status review of the involved species. In making a finding on a petition to list a species, the Secretary must consider whether such a petition (i) clearly indicates the administrative measure recommended and gives the scientific and any common name of the species involved; (ii) contains detailed narrative justification for the recommended measure, describing, based on available information, past and present numbers and distribution of the species involved and any threats faced by the species; (iii) provides information regarding the status of the species over all or a significant portion of its range; and (iv) is accompanied by the appropriate supporting documentation in the form of bibliographic references, reprints of pertinent publications, copies of reports or letters from authorities, and maps (50 CFR 424.14(b)(2)).

The petition submitted by Trustees for Alaska presents substantial evidence in support of their request. The petition states the Cook Inlet population of beluga whales is a "species" under the definition of the ESA, and that NMFS in June 2000 wrote that the Cook Inlet population of beluga whales qualifies as a Distinct Population Segment (DPS, which is a species under the ESA) under the joint NMFS/U.S. Fish and Wildlife policy on the Recognition of Distinct Vertebrate Population Segments under the ESA (61 FR 4722; February 7, 1996). This policy states that a population can be considered a DPS if it is discrete from other conspecific populations and if it is significant to the taxon to which it belongs. The petitioner provides genetic and geographic information to support that the Cook Inlet beluga whale is discrete from other beluga whale populations, as well as rationale for why this population is also significant to the beluga whale species. It is the

petitioner's contention that the Cook Inlet beluga whale is in danger of extinction throughout its range, and, therefore, is an endangered species as defined under 16 U.S.C. 1532(6). The petition presents information on the abundance, demographics, and distribution of the Cook Inlet beluga whales, as well as a discussion of the applicability of the ESA section 4(a)(1) factors found at 16 U.S.C. 1533(a).

We evaluated whether the information provided or cited in the petition met the ESA's standard for "substantial information." After reviewing the information contained in the petition, as described above, as well as other scientific information readily available, we have determined that the petition presents substantial scientific information indicating that the petitioned action may be warranted.

We initiated a status review on March 29, 2006 (71 FR 14836), prior to receiving the petition. A status review is an evaluation of the available information about the biological vulnerability of a species, subspecies, or DPS. Information considered during a status review includes demographic information such as abundance, reproductive success, age structure, and distribution, and information provided in a petition for listing. A status review considers both historical and recent trends in these parameters, to the extent that this information is available. The status review must also evaluate current and potential threats facing the species and ongoing efforts to protect the species, subspecies, or DPS. We solicited information from the public to help us in evaluating the status of the Cook Inlet beluga whale when we announced the initiation of the status review (71 FR 14836; March 24, 2006).

Upon completion of the status review, and within 12 months of the petition, we must make one of the following findings: (1) The petitioned action is not warranted, in which case the Secretary shall promptly publish such finding in the Federal Register and so notify the petitioner; (2) the petitioned action is warranted, in which case the Secretary shall promptly publish in the **Federal Register** a proposed regulation to implement the action pursuant to 50 CFR 424.16; or (3) the petitioned action is warranted, but that (A) the immediate proposal and timely promulgation of a regulation to implement the petitioned action is precluded because of other pending proposals to list, delist, or reclassify species, and (B) expeditious progress is being made to list, delist, or reclassify qualified species, in which case such findings shall be promptly published in the **Federal Register**

together with a description and evaluation of the reasons and data on which the finding is based.

Authority

The authority for this action is the ESA, as amended (16 U.S.C. 1531 *et seq.*).

Dated: August 1, 2006.

William Hogarth,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. E6-12754 Filed 8-4-06; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 080106B]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Applications for seven scientific research permits (1135, 1290, 1318, 1322, 1330, 1333, 1461).

SUMMARY: Notice is hereby given that NMFS has received seven scientific research permit application requests relating to Pacific salmonids. 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 applications must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific standard time on September 6, 2006.

ADDRESSES: Written comments on the applications should be sent to the Protected Resources Division, NMFS, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232-1274. Comments may also be sent via fax to 503-230-5441 or by E-mail to resapps.nwr@NOAA.gov.

FOR FURTHER INFORMATION CONTACT: Garth Griffin, Portland, OR (ph.: 503-231-2005, Fax: 503-230-5441, E-mail: Garth.Griffin@noaa.gov). Permit application instructions are available from the address above.

SUPPLEMENTARY INFORMATION:

Species Covered in This Notice

The following listed species are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): threatened lower Columbia River (LCR), threatened upper Willamette River (UWR), threatened Snake River (SR) fall, threatened SR spring/summer, endangered upper Columbia River (UCR).

Chum salmon (*O. keta*): threatened Columbia River.

Steelhead (*O. mykiss*): threatened LCR, threatened UWR, threatened UCR, threatened SR, threatened middle Columbia River.

Coho salmon (*O. kisutch*): threatened LCR.

Sockeye salmon (*O. nerka*): endangered SR.

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 regulations governing listed fish and wildlife permits (50 CFR 222–226). NMFS issues permits based on findings that such permits: (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. The authority to take listed species is subject to conditions set forth in the permits.

Anyone 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**). Such hearings are held at the discretion of the Assistant Administrator for Fisheries, NMFS.

Applications Received

Permit 1135

The U. S. Geological Survey (USGS) is requesting a 5-year research permit to take adult and juvenile LCR steelhead. The purpose of this study is to collect information on the survival, growth, habitat use, population density, health, and life-histories of steelhead in the Wind River subbasin of southern Washington. The research would provide information to help state, tribal, and Federal managers in their efforts to restore LCR steelhead populations and habitats. Permit 1135 has been in place for almost five years and is due to expire on December 31, 2006. Adult and juvenile LCR steelhead would be observed/harassed during snorkel and habitat surveys. Juvenile LCR steelhead would be collected (using backpack electrofishers, minnow traps, angling, seines, and weir traps), anesthetized, sampled for biological data (length, weight, disease status) and tissues/scales. The fish would then be allowed

to recover from the anesthesia and released. In addition, some juvenile LCR steelhead would be tagged with passive integrated transponders (PIT-tags), some would be killed for pathological analyses, and a few more may die as an unintended result of the research.

Permit 1290

The Northwest Fisheries Science Center (NWFSC) is requesting a 5-year research permit that would allow them to take all fish species covered in this notice while conducting research in the Columbia River estuary. The purposes of the research are to determine the prevalence and intensity of pathogens in juvenile salmonids and investigate the relationship between forage fish populations in the estuary and salmonid survival. The research would benefit the fish by contributing information on (1) the extent to which diseases affect juvenile salmonid growth and survival in the estuarine and early ocean environments and (2) the relationship between forage fish abundance and salmonid survival in the estuary and marine environments. If the researchers cannot obtain enough fish samples from the Columbia River estuary, they ask to collect fish at the juvenile bypass facility at Bonneville Dam. Permit 1290 has been in place for almost five years and is due to expire on December 31, 2006. Juvenile salmonids would be variously collected (using beach and purse seines), anesthetized, weighed, scanned for tags, fin clipped, sampled for stomach contents, allowed to recover from the anesthesia, and released. Not all fish would undergo all these procedures, but all would be anesthetized. In addition, some juvenile salmonids would be killed for pathological analyses, and a few more may die as an unintended result of the research.

Permit 1318

The Oregon Department of Fish and Wildlife (ODFW) is requesting a 5-year research permit that would allow them to take all fish species covered in this notice while conducting research in the Deschutes, Willamette, and Columbia Rivers in Oregon. The application contains six projects: (1) Warm water fish management surveys; (2) investigations of natural production of spring Chinook salmon in the Mohawk River subbasin; (3) genetic characterization of rainbow trout in the Upper Willamette System; (4) fish abundance, population status, genetics and disease surveys in the Upper Willamette Basin; (5) native rainbow and cutthroat trout surveys for abundance, size composition, and

migration patterns in the mainstem McKenzie River; and (6) resident redband population estimates in the Deschutes River. The research would benefit the fish by providing information on fish population structure, abundance, genetics, disease occurrences, and species interactions. That information would be used to direct management actions to benefit listed species. Permit 1318 has been in place for almost five years and is due to expire on December 31, 2006. Juvenile salmonids would be collected (using boat electrofishing). Some fish would be anesthetized, sampled for length and weight, allowed to recover from the anesthesia, and released. Most salmonids would only be shocked and allowed to swim away, or be netted and released immediately. The ODFW does not intend to kill any of the fish being captured, but a small number may die as an unintended result of the activities.

Permit 1322

The NWFSC is requesting a 5-year research permit that would allow them to take all fish species covered in this notice while conducting research in the estuary and lower Columbia River. The objectives of the research are to (1) determine the presence and abundance of fall and spring Chinook, coho, and chum salmon in the estuary and lower Columbia River; (2) examine the relationship between juvenile salmon and lower Columbia River estuarine habitat; and (3) obtain information about flow change, sediment input, and habitat availability with the goal of developing a numerical model of the fishes' survival. The research would benefit listed salmonids by serving as a basis for estuarine restoration and preservation plans. Permit 1322 has been in place for almost five years and is due to expire on December 31, 2006. Juvenile salmonids would be collected (using trap nets, beach seines, and purse seines), anesthetized, measured, sampled for tissues, allowed to recover from the anesthesia, and released. Some juvenile salmonids would be killed to confirm species identification, catch composition, food habits, and timing of estuarine entry. A few more may die as an unintended result of the research.

Permit 1330

The Weyerhaeuser Company (Weyco) is requesting a 5-year research permit to take juvenile LCR Chinook salmon, LCR coho salmon, and LCR steelhead during the course of research to be conducted in the Toutle River and on lands owned by Weyco around Mt. St. Helens in Washington. The purposes of the research are to determine fish

abundance and distribution in the North Fork Toutle River and monitor juvenile salmonids in watersheds affected by the 1980 eruption of Mt. St. Helens. The information collected would be used to help develop and implement effective forest management practices and regulations. The research would benefit listed species by contributing information that would help Weyco maintain high quality habitat and develop recovery plans for listed species. Permit 1330 has been in place for almost five years and is due to expire on December 31, 2006. Weyco proposes to capture fish using backpack electrofishing, measure, and release them. They do not intend to kill any of the fish being captured, but a small number may die as an unintended result of the activities.

Permit 1333

The Oregon State University (OSU) Department of Fisheries and Wildlife is requesting a 5-year research permit to take adult and juvenile UWR Chinook and steelhead during the course of research designed to evaluate floodplain and riparian restoration activities, test the effectiveness of new assessment tools for conservation planning, and improve aquatic habitat. The study would benefit listed salmonids by helping determine what actions are needed to restore ecological processes in salmon and steelhead habitat. Permit 1333 has been in place for almost five years and is due to expire on December 31, 2006. The OSU proposes to capture (using boat electrofishing), measure, examine for abnormalities, and release juvenile fish. Adult fish may be encountered but would not be netted. The OSU does not intend to kill any of the fish being captured, but a few may die as an unintended result of the activities.

Permit 1461

The USGS is requesting a 5-year research permit that would allow them to take all fish species covered in this notice while conducting research at Crims Island and the Julia Butler Hanson National Wildlife Refuge in the lower Columbia River. The purpose of the research is to determine fish species composition, habitat use, and salmon diet composition in the areas sampled. The data gathered would be used to guide and determine the effectiveness of habitat restoration activities in the lower Columbia River. The species would benefit from well-planned and monitored habitat restoration activities as well as (ultimately) the restored habitat itself. Permit 1461 has been in place since 2004; the USGS is

requesting that the permit be issued for an additional five years. Juvenile salmonids would be collected (using beach seines, fyke nets, backpack electrofishing, and boat electrofishing), and variously anesthetized, measured for length and weight, sampled for stomach contents and scales, marked (using fluorescent elastomers, Pan-jet needle-less inoculators, or batch-marked with a flourochrome dye), PIT-tagged, allowed to recover from the anesthesia, and released. Not all fish would undergo all these procedures, but all would be anesthetized. The USGS does not intend to kill any fish, but a small number may die as an unintended result of the activities.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the application, associated documents, and comments submitted to determine whether the application meets the requirements of section 10(a) of the ESA and Federal regulations. The final permit decisions will not be made until after the end of the 30-day comment period. NMFS will publish notice of its final action in the **Federal Register**.

Dated: August 1, 2006.

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

[I.D. 072506A]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Issuance of scientific research permits.

SUMMARY: Notice is hereby given that NMFS has issued Permit 1047 - Modification 1 to Marin Municipal Water District (MMWD) in Corte Madera, CA; Permit 1079 - Modification 2 to Campbell Timberland Management, LLC (CTM) in Fort Bragg, CA; Permit 1162 - Modification 3 to Salmon Protection and Watershed Network (SPAWN) in Forest Knolls, CA; and Permit 1181 - Modification 1 to Mendocino Redwood Company, LLC (MRC) in Fort Bragg, CA.

ADDRESSES: The applications, permits, and related documents are available for review by appointment at: Protected Resources Division, NMFS, 777 Sonoma Avenue, Room 315, Santa Rosa, CA 95404 (ph: 707-575-6097, fax: 707-578-3435, e-mail: Jeffrey.Jahn@noaa.gov).

FOR FURTHER INFORMATION CONTACT: Jeffrey Jahn at phone number 707-575-6097, or e-mail: Jeffrey.Jahn@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).

Species Covered in This Notice

This notice is relevant to federally threatened Southern Oregon/Northern California Coast coho salmon (*Oncorhynchus kisutch*), endangered Central California Coast coho salmon (*O. kisutch*), threatened California Coastal Chinook salmon (*O. tshawytscha*), threatened Northern California steelhead (*O. mykiss*), and threatened Central California Coast steelhead (*O. mykiss*).

Permits Issued

Permit 1047 - Modification 1 was issued to MMWD on July 11, 2006, authorizing capture (by electrofishing or rotary screw trap), handling, sampling (by collection of scales or fin clips), marking (using fin clips or fin dye), and release of juvenile Central California Coast coho salmon, California Coastal Chinook salmon, and Central California Coast steelhead. Permit 1047 Modification 1 also authorizes MMWD to capture, handle, sample (by collection of scales, fin clips, or other tissue), mark, and release adult carcasses of Central California Coast coho salmon, California Coastal Chinook salmon, and Central California Coast steelhead. Permit 1047 - Modification 1 is for research to be conducted in the Walker Creek and Lagunitas Creek watersheds in Marin