

must meet the requirements of the Animal Welfare Act (7 U.S.C. 2131 *et seq.*), 9 CFR parts 1, 2, and 3, and if appropriate, 21 CFR part 58. These regulations do not apply to proposed research using pre-existing images of animals or to research plans that do not include live animals that are being cared for, euthanized, or used by the project participants to accomplish research goals, teaching, or testing. These regulations also do not apply to obtaining animal materials from commercial processors of animal products or to animal cell lines or tissues from tissue banks.

**Limitation of Liability:** Funding for the programs listed in this notice is contingent upon the availability of funds. In no event will the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige the agency to award any specific project or to obligate any available funds.

**Executive Order 12866:** This funding notice was determined to be not significant for purposes of Executive Order 12866.

**Executive Order 13132 (Federalism):** It has been determined that this notice does not contain policies with federalism implications as that term is defined in Executive Order 13132.

**Executive Order 12372:** Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

**Administrative Procedure Act/Regulatory Flexibility Act:** Notice and comment are not required under the Administrative Procedure Act (5 U.S.C. 553) or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553 (a)). Because notice and comment are not required under 5 U.S.C. 553, or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice, 5 U.S.C. 601 *et seq.*

Dated: March 30, 2007.

**James E. Hill,**

*Acting Deputy Director, NIST.*

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**BILLING CODE 3510-13-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D./807B]

#### Endangered Species; File No. 1607

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Grants Pass Irrigation District (GPID), 200 Fruitvale Drive, Grants Pass, Oregon, has applied in due form for an incidental take permit for Southern Oregon/Northern California coho salmon for purposes of the continued operation and maintenance of Savage Rapids Dam. Unlisted covered species include Klamath Mountains Province (KMP) steelhead (*Oncorhynchus mykiss*) and Southern Oregon/Northern California Coastal (SONCC) Chinook salmon (*O. tshawytscha*).

**DATES:** Written, telefaxed, or e-mail comments must be received on or before May 7, 2007.

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

Northwest Region, Oregon State Habitat Office, Habitat Conservation Division, NMFS, 1201 NE Lloyd Boulevard, Suite 1100, Portland, OR 97232-1274; phone (503) 231-2202; fax (503) 231-6893; and Roseburg Field Office, NMFS, 2900 NW Stewart Parkway, Roseburg, OR 97470, phone (541) 957-3385; fax (541) 957-3386

Written comments or requests for a public hearing on this application should be mailed to the above address. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (503) 231-6893, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [Kenneth.Phippen@noaa.gov](mailto:Kenneth.Phippen@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1607.

**FOR FURTHER INFORMATION CONTACT:** Ken Phippen, (541)957-3385.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the

authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The Permit application is related to the continued operation and maintenance of Savage Rapids Dam in Josephine and Jackson Counties, in the State of Oregon. The dam is owned and operated by the GPID for the sole purpose of providing irrigation water to its customers. The GPID Habitat Conservation Plan (HCP) utilizes a combination of conservation measures that are expected to minimize and mitigate, to the maximum extent practicable, the impacts of take of ESA-listed coho salmon, and unlisted Chinook salmon and steelhead during irrigation operations in the period 2007-2009. A 1-year extension is considered in the assessments of this HCP. The HCP also requires GPID to take certain steps during the time the permit is effective to work to secure authorization and funding for dam removal and to install off-site electrical pumping stations along the Rogue River near Grants Pass, Oregon, by November 1, 2009, to provide for the long-term conservation of listed and unlisted covered species. The Bureau of Reclamation has awarded a contract for constructing the irrigation pumps and dismantling the dam. Pump construction was initiated in October 2006 and is expected to be completed along with dam dismantling prior to this ITP's expiration. To ensure that the mitigation and minimization strategies are effective, the HCP incorporates a variety of monitoring components, and if needed, adaptive management changes in the conservation measures set forth. It is expected that incidental take of the listed and unlisted species will occur from the normal operations and maintenance of the dam.

Adult and juvenile SONC coho salmon from the Upper Rogue River population will be exposed to the SRD facilities that pose a physical threat to these individuals. Some adults from the Middle Rogue and Applegate rivers population may also venture above SRD or within the area downstream that is affected by the flow modifications of the dam. Adults must navigate the river and the altered flows from SRD in order to locate the fish ladders. The adults' upstream migration is likely to be delayed while flow conditions reach levels that allow the fish to navigate the fish ladders. Total mortality of juveniles caused by SRD is estimated to be 10 to 15 percent by Oregon Department of Fish and Wildlife. This may be decreased by ongoing conservation

measures, such as forebay lighting. However, this may be off-set by low-water years and a greater percentage of fish exposed to the turbines. Therefore, based on estimates of juvenile coho salmon population sizes and the effects described above, the annual injury and mortality of salmonid juveniles each year during the interim period is estimated to be between 1,400 and 2,500 fish. Total mortality of adult coho salmon is estimated to be between 200 and 1,200 fish annually. On an annual basis for the four years of potential operation (three years approved and one potential extension), fish salvage operations in the fall and spring will result in additional levels of harm for juvenile salmon and rarely for adults. In the fall there is potential for one adult coho salmon to be encountered during the shutdown operations of SRD. Both spring and fall situations will result in approximately 130 juvenile SONC coho salmon captured and released during the salvage operations. It is expected that up to 10 of these may die.

Dated: March 30, 2007.

**Angela Somma,**

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

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 031507B]

#### Draft Programmatic Environmental Impact Statement; Seismic Surveys in the Beaufort and Chukchi Seas, Alaska

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

**ACTION:** Notice of Availability of a Draft Programmatic Environmental Impact Statement; notice of public hearings.

**SUMMARY:** NMFS and the Minerals Management Service (MMS) announce the availability of a Draft Programmatic Environmental Impact Statement (Draft PEIS) for Seismic Surveys in the Beaufort and Chukchi Seas, Alaska and the times, dates, and locations for public hearings in order to receive comments from the public on the Draft PEIS.

**DATES:** Public hearings on the Draft PEIS are scheduled as follows:

1. April 10, 2007, 6:30 p.m. – 9 p.m., Anchorage, AK.
2. April 17, 2007, 7 p.m. – 10 p.m. Nuiqsuk, AK

3. April 18, 2007, 7 p.m. – 10 p.m. Barrow, AK

4. April 23, 2007, 7 p.m. – 10 p.m. Point Hope, AK

5. April 24, 2007, 7 p.m. – 10 p.m. Point Lay, AK

6. April 25, 2007, 7 p.m. – 10 p.m. Wainwright, AK

Written comments will be accepted at these hearings as well as during the comment period. Written comments must be postmarked no later than May 14, 2007.

**ADDRESSES:** Written comments on the Draft PEIS should be addressed to Mr. P. Michael Payne, Chief of the Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. The mailbox address for providing e-mail comments is [PR1.ALASKAEIS@noaa.gov](mailto:PR1.ALASKAEIS@noaa.gov). Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

A copy of the Draft PEIS may be obtained by writing to this address or by telephoning the contact listed here and is also available at: <http://www.mms.gov/alaska/>.

The public hearings will be held at the following locations:

1. 3801 Centerpoint Drive, Anchorage, AK
2. City Hall, Nuiqsut, AK
3. Inupiat Heritage Center, Barrow, AK
4. Qalgi Center (City Hall), Point Hope, AK
5. High School Gymnasium, Point Lay, AK
6. Robert James Community Center, Wainwright, AK

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Hollingshead, (301) 713-2289, ext 128.

#### SUPPLEMENTARY INFORMATION:

##### Summary

On March 30, 2007, notice was published in the **Federal Register** of the availability of the subject Draft PEIS for review and comments. NMFS and MMS will hold public hearings under the National Environmental Policy Act (NEPA) to inform interested parties of the alternatives analyzed by NMFS and MMS and to accept comments on all aspects of the Draft PEIS.

##### Background

The NMFS and MMS have jointly prepared the subject Draft PEIS in order to fully describe and analyze the potential significant impacts on marine mammals, other Arctic marine life, and native subsistence lifestyles by

reasonably foreseeable proposed offshore oil and gas seismic surveys off Alaska. This document also addresses a number of mitigation measures that have been identified as alternatives for potentially reducing impacts on identified affected environments, particularly marine mammals and the endangered bowhead whale. This PEIS will be used for issuing: (1) permits for oil and gas exploration in the Arctic Ocean by MMS, and (2) Incidental Harassment Authorizations (IHAs) to the seismic industry by NMFS to take marine mammals incidental to oil and gas seismic surveys in the Arctic Ocean. As sounds generated by seismic survey operations and related activities have the potential to adversely impact marine mammals and other marine resources, IHAs would be warranted, under the Marine Mammal Protection Act, in order to legally harass marine mammals (particularly bowhead whales), incidental to conducting seismic surveys.

#### Summary of Draft PEIS

##### Activity

The Draft PEIS describes and analyzes the potential significant environmental impacts related to reasonably foreseeable proposed geophysical exploration using seismic surveys in waters of the Arctic Alaska Outer Continental Shelf. Specifically, the Draft PEIS assesses the environmental impacts of up to 6 consecutive surveys each in the Beaufort and Chukchi seas using deep-penetration 2D and 3D streamer and ocean bottom cable surveys, and high-resolution surveys and the issuance of IHAs to take marine mammals by these activities. As the sound generated by a seismic-survey operation and related activities has the potential to adversely impact marine mammals and other marine resources, IHAs would be warranted in order to incidentally harass marine mammals (particularly bowhead whales) while conducting seismic surveys.

##### Impacts

The best available scientific information indicates that marine seismic surveys may adversely impact archaeological sites, marine invertebrates, coastal and marine birds, essential fish habitat, marine fish, commercial fisheries, marine mammals, the sociocultural environment, and subsistence-harvest activities. Therefore, the analysis contained in the Draft PEIS focused on these resource categories. Of critical importance to NMFS for the proposed action of issuing IHAs are the impacts on marine mammals