

Baker Street, NW, Atlanta, Georgia 30313, has applied for an amendment to Scientific Research Permit No. 14352.

DATES: Written, telefaxed, or e-mail comments must be received on or before September 7, 2010.

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

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

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, Florida 33701; phone (727) 824-5312; fax (727) 824-5309.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713-0376, or by email to NMFS.Pr1Comments@noaa.gov. Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Carrie Hubbard or Kristy Beard, (301) 713-2289.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 14352 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Permit No. 14352, issued on October 15, 2009, authorizes the permit holder to capture and release bottlenose dolphins (*Tursiops truncatus*) for health assessment purposes in the Indian River Lagoon (IRL), Florida. Captured dolphins receive a complete clinical workup including: measurements, weight, photographs, sample collection, freeze brand, and ultrasound. The holder is requesting the permit be amended to include a second study area in the vicinity of Charleston, South Carolina. Fifty bottlenose dolphins would be captured, sampled, and released annually. Females with calves less than one year old would not be captured. Captured dolphins would receive the same clinical workup as is authorized in the IRL. All captured animals would receive a roto tag. Up to ten animals per year would also receive

a VHF tag. An experienced veterinarian would be on site during captures and the dolphins' vital signs would be closely monitored. Processing would take about forty minutes. Individual dolphins would only be sampled once per year. Samples would be analyzed to examine a variety of health topics such as: infectious diseases, immune status, contaminant exposure, antibiotic resistance, and genetics. An additional 400 dolphins per year may be harassed during pre- and post-capture surveys. The objectives of the new study area are the same as the IRL project and having two study areas will allow comparisons between dolphin populations. The amended permit would be valid until October 31, 2014.

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

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: August 2, 2010.

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

RIN 0648-XX85

Endangered and Threatened Species; Recovery Plans

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of Availability; recovery plan for the fin whale.

SUMMARY: The National Marine Fisheries Service (NMFS) announces the adoption of an Endangered Species Act (ESA) Recovery Plan for the Fin whale (*Balaenoptera physalus*). The Recovery Plan contains revisions and additions in consideration of public comments received on the proposed draft Recovery Plan for the fin whale.

ADDRESSES: Additional information about the Recovery Plans may be

obtained by writing to Monica DeAngelis, National Marine Fisheries Service, Southwest Regional Office, Protected Resources Division, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802 or send an electronic message to Monica.DeAngelis@noaa.gov.

Electronic copies of the Recovery Plan and a summary of NMFS' response to public comments on the Recovery Plan are available online at the NMFS Office of Protected Resources website: www.nmfs.noaa.gov/pr/species/mammals/cetaceans/finwhale.htm.

FOR FURTHER INFORMATION CONTACT: Monica DeAngelis (562) 980-3232, e-mail Monica.DeAngelis@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

Recovery plans describe actions considered necessary for the conservation and recovery of species listed under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). The ESA requires that recovery plans incorporate (1) objective, measurable criteria that, when met, would result in a determination that the species is no longer threatened or endangered; (2) site-specific management actions necessary to achieve the plan's goals; and (3) estimates of the time required and costs to implement recovery actions. The ESA requires the development of recovery plans for listed species unless such a plan would not promote the recovery of a particular species. NMFS' goal is to restore endangered fin whale (*Balaenoptera physalus*) populations to the point where they are again secure, self-sustaining members of their ecosystems and no longer need the protections of the ESA.

The fin whale was listed as an endangered species under the ESA on December 2, 1970 (35 FR 18319). Fin whales have a global distribution and can be found in the Atlantic and Pacific Oceans and the Southern Hemisphere. Although most populations were depleted by modern whaling in the mid-twentieth century, there are still tens of thousands of fin whales worldwide. Currently, the population structure of fin whales has not been adequately defined. Most models have assigned arbitrary boundaries, often based on patterns of historic whaling activity and catch reports, rather than on biological evidence. Populations are often divided on an ocean basin level. Since the Southern Ocean often refers only to waters surrounding Antarctica and fin whales occur not only in those waters but also in temperate waters, we refer to the geographic area for the fin whale

subspecies (*Balaena physalus quoyi*) as the Southern Hemisphere. Therefore, the Recovery Plan is organized, for convenience, by ocean basin and discussed in three sections: those fin whales in the North Atlantic Ocean, those in the North Pacific Ocean and its adjoining seas and gulfs, and those in the Southern Hemisphere, referring particularly to areas near Antarctica. There is a need for an improved understanding of the genetic differences among and between populations, in order to determine distinct population units. Although there is new information, existing knowledge of population structure remains poor. New information is currently insufficient to identify units that are both discrete and significant to the survival of the species.

NMFS released the draft Recovery Plan and requested comments from the public on July 6, 2006 (71 FR 38385). A summary of comments and NMFS responses to comments are available electronically (see ADDRESSES). Concurrent with the public comment period, NMFS requested comments from three independent peer-reviewers. The peer-review comment period was extended for another 60 days after the public comment period was closed to allow peer-reviewers more time.

The final Recovery Plan contains: (1) a comprehensive review of fin whale ecology, (2) a threats assessment, (3) biological and recovery criteria for downlisting and delisting, (4) actions necessary for the recovery of the species, (5) an implementation schedule, and (6) estimates of time and cost to recovery.

The Recovery Plan presents a recovery strategy to address the potential threats based on the best available science and presents guidance for use by agencies and interested parties to assist in the recovery of the fin whale. The threats assessment ranked threats as either having a/an Unknown, Unknown but Potentially High, Low, Medium, or High relative impact to the recovery of fin whales. Ranking assignments were determined by an expert panel with contributions from reviewers. Following are the threat rankings relative to the recovery of the fin whale:

- Anthropogenic noise from ship noise, oil and gas exploration, and military sonar and explosives, and competition for resources were ranked as having an unknown impact
- Ship strikes and loss of prey base due to climate and ecosystem change or shifts in habitat were ranked as unknown but potentially high
- Fishery interactions (gillnet, trawl, pot/trap, purse seine, and longline),

anthropogenic noise from coastal development, disturbance from whale watching and other vessels, contaminants and pollutants, disease, injury from marine debris, disturbance due to research, and predation and natural mortality were ranked as having a low impact; and

- Direct harvest was ranked as having a medium impact.

No threats were identified as having a high impact relative to the recovery of the fin whale.

The Recovery Plan identifies nine measures that need to be taken to ensure the recovery of fin whales in the North Atlantic, North Pacific, and Southern Hemisphere. Key elements of the proposed recovery program for this species are (1) coordinate state, Federal, and international actions to implement recovery efforts; (2) determine population discreteness and stock structure; (3) develop and apply methods to estimate population size and monitor trends in abundance; (4) conduct risk analyses; (5) identify and protect habitat important to fin whale survival and recovery; (6) identify causes and minimize human-caused injury and mortality; (7) determine and minimize any detrimental effects of anthropogenic noise in the oceans; (8) maximize efforts to acquire scientific information from dead, stranded, and entangled or entrapped fin whales; and (9) develop a post-delisting monitoring plan.

Criteria for the reclassification of the fin whale are included in the final Recovery Plan. In summary, the fin whale may be reclassified from endangered to threatened when all of the following have been met: (1) given current and projected threats and environmental conditions, the overall fin whale population in each ocean basin in which it occurs (North Atlantic, North Pacific, and Southern Hemisphere) satisfies the risk analysis standard for threatened status (has no more than a 1 percent chance of extinction in 100 years) and at least 500 mature, reproductive individuals remain (consisting of at least 250 mature females and at least 250 mature males). Mature is defined as the number of individuals known, estimated or inferred to be capable of reproduction. Any factors or circumstances that are thought to substantially contribute to a real risk of extinction that cannot be incorporated into a Population Viability Analysis will be carefully considered before downlisting takes place; and (2) none of the known threats to fin whales (summarized in the five listing factors) are known to limit the continued growth of populations. Specifically, the factors

in 4(a)(1) of the ESA are being or have been addressed. The population will be considered for delisting if all of the following can be met: (1) given current and projected threats and environmental conditions, the overall fin whale population in each ocean basin in which it occurs (North Atlantic, North Pacific, and Southern Hemisphere) satisfies the risk analysis standard for unlisted status (has less than a 10 percent probability of becoming endangered (has more than a 1 percent chance of extinction in 100 years) in 20 years). Any factors or circumstances that are thought to substantially contribute to a real risk of extinction that cannot be incorporated into a Population Viability Analysis will be carefully considered before delisting takes place, and (2) none of the known threats to fin whales (summarized in the five listing factors) are known to limit the continued growth of populations. Specifically, the factors in 4(a)(1) of the ESA are being or have been addressed.

Time and cost for recovery actions are contained in the Recovery Plan. The recovery program for the fin whale will cost \$225.42 million dollars for the first 5 fiscal years and \$245.98 million dollars to full recovery, assuming recovery date of 2020 for the North Atlantic and North Pacific Ocean regions and 2030 for the Southern Hemisphere.

In accordance with the 2003 Peer Review Policy as stated in Appendix R of the Interim Endangered and Threatened Species Recovery Planning Guidance, NMFS solicited independent peer-review on the draft Recovery Plan concurrent with the public comment period. Independent peer-reviews were requested from three scientists and managers with expertise in recovery planning, statistical analyses, fisheries, and marine mammals. Many of the recommendations that were made by the reviewers were addressed and provided in detail in the final Recovery Plan. New information, research results, and references that have become available since the draft Recovery Plan was released were also incorporated into the final Recovery Plan.

Conclusion

NMFS revised the final Recovery Plan for the fin whale and evaluated all comments received by the public as well as independent peer-reviewers. NMFS concludes that the Recovery Plan meets the requirements of the ESA.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: August 2, 2010.
Angela Somma,
Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE

Minority Business Development Agency

[Docket No.: 100730316-0318-02]

Extension of the Award Period for Certain Minority Business Enterprise Centers

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) publishes this notice of a funded extension of up to nine months, on a non-competitive

basis, of the award periods for those Minority Business Enterprise Centers (MBECs) identified in this notice. This action is necessary to allow for continued program delivery by the incumbent MBEC operators while MBDA completes the development of a new minority business development grant program, solicits competitive applications and processes new awards.

DATES: The extension and related funding, if approved, will commence at the end of the current award period and will continue for a period not to exceed nine months.

FOR FURTHER INFORMATION CONTACT: Mr. Efrain Gonzalez, Chief, Office of Business Development, Minority Business Development Agency, 1401 Constitution Avenue, NW., Room 5075, Washington, DC 20230. Mr. Gonzalez may be reached by telephone at (202) 482-1940 and by e-mail at egonzalez@mbda.gov.

SUPPLEMENTARY INFORMATION: Pursuant to Executive Order 11625, the MBEC

Program provides standardized business assistance and development services directly to eligible minority-owned businesses. The MBEC Program is a key component of MBDA's overall business development assistance program; it promotes the growth and competitiveness of minority business enterprises, and further incorporates an entrepreneurial approach to the delivery of client services. This strategy expands the reach and service delivery of the MBEC Program by requiring project operators to develop and build upon strategic alliances with public and private sector partners as a means of serving eligible businesses within each MBEC's applicable geographical service area.

MBDA amends its prior competitive solicitations under the MBEC Program, as referenced in the below table, to provide funding extensions of up to nine months, on a non-competitive basis, to the award period for the following MBEC projects:

Name of Project	Name of Operator	Geographical Service Area	Original Federal Register Notice
Alabama MBEC	Mobile Area Chamber of Commerce, Inc.	State of Alabama	71 FR 42351, as amended by 71 FR 45773 and by 74 FR 58246.
Georgia MBEC	Georgia Tech Research Corporation.	State of Georgia	71 FR 42351, as amended by 74 FR 58246.
Miami MBEC	M. Gill & Associates, Inc	Miami/Ft. Lauderdale/Pompano Beach MSA.	72 FR 67277, as amended by 74 FR 58246.
Mississippi MBEC	Arkansas Regional Minority Business Council.	State of Mississippi	71 FR 42351, as amended by 71 FR 45773 and 74 FR 58246.
North Carolina MBEC	North Carolina Institute of Minority Economic Development.	State of North Carolina	71 FR 42351, as amended by 74 FR 58246.
South Carolina MBEC	DESA, Inc.	State of South Carolina	71 FR 42351, as amended by 74 FR 58246.
Chicago MBEC	Chicago Community Ventures	State of Illinois	71 FR 42351, as amended by 74 FR 58246.
Detroit MBEC	Michigan Minority Business Development Council.	State of Michigan	71 FR 42351, as amended by 71 FR 58788 and by 74 FR 58246.
Indianapolis MBEC	State of Indiana	State of Indiana	71 FR 42351, as amended by 74 FR 58246.
St. Louis MBEC	St. Louis Minority Business Development Council.	State of Missouri	71 FR 42351, as amended by 74 FR 58246.
Dallas MBEC	Grijalva & Allen, P.C	Dallas/Fort Worth/Arlington MSA.	71 FR 42351, as amended by 74 FR 58246.
El Paso MBEC	El Paso Hispanic Chamber of Commerce.	El Paso MSA	72 FR 71621, as amended by 74 FR 58246.
New Mexico MBEC	NEDA Business Consultants, Inc.	State of New Mexico	71 FR 42351, as amended by 74 FR 58246.
San Antonio MBEC	University of Texas at San Antonio.	San Antonio MSA	71 FR 42351, as amended by 74 FR 58246.
Pennsylvania	The Enterprise Center	State of Pennsylvania	71 FR 42351, as amended by 74 FR 58246.
Puerto Rico MBEC	Asociacion Productos de Puerto Rico.	Puerto Rico Islandwide	71 FR 42351, as amended by 74 FR 58246.
Queens MBEC	Jamaica Business Resource Center.	New York Counties of: Queens, Nassau & Suffolk.	71 FR 42351, as amended by 74 FR 58246.
Washington DC Metro MBEC	National Community Reinvestment Coalition, Inc.	Washington, DC/Arlington/Alexandria MSA.	71 FR 42351, as amended by 74 FR 58246.
Williamsburg MBEC	ODA Community Development Corporation.	New York Counties of: Kings & Richmond.	71 FR 42351, as amended by 74 FR 58246.
Arizona MBEC	Arizona Hispanic Chamber of Commerce Foundation.	State of Arizona	71 FR 42351, as amended by 74 FR 58246.
Honolulu MBEC	University of Hawaii	Honolulu MSA	72 FR 67277, as amended by 74 FR 58246.
Inland Empire MBEC	CHARO Community Development Corporation.	California Counties of: Orange, Riverside, Inland Empire, San Diego & San Bernardino.	71 FR 42351, as amended by 74 FR 58246.