

pinnipeds of rookeries and haulouts in the project area, based on over 20 years of monitoring data; and

- The presumed efficacy of planned mitigation measures in reducing the effects of the specified activity to the level of least practicable impact.

In combination, we believe that these factors, as well as the available body of evidence from other similar activities, demonstrate that the potential effects of the specified activity will be short-term on individual animals. The specified activity is not expected to impact rates of recruitment or survival and will therefore not result in population-level impacts. Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the planned activity will have a negligible impact on the affected marine mammal species or stocks.

Small Numbers

As noted above, only small numbers of incidental take may be authorized under Section 101(a)(5)(D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

The numbers of authorized takes would be considered small relative to the relevant stocks or populations (less than 22 percent for all species and stocks). It is important to note that the number of expected takes does not necessarily represent of the number of individual animals expected to be taken. Our small numbers analysis accounts for this fact. Multiple exposures to Level B harassment can accrue to the same individual animals over the course of an activity that occurs multiple times in the same area (such as SpaceX's planned activity). This is especially likely in the case of species that have limited ranges and that have site fidelity to a location within the project area, as is the case with harbor seals.

As described above, harbor seals are non-migratory, rarely traveling more than 50 km from their haulout sites. Thus, while the estimated abundance of

the California stock of Pacific harbor seals is 30,968 (Carretta *et al.*, 2017), a substantially smaller number of individual harbor seals is expected to occur within the project area. We expect that, because of harbor seals' documented site fidelity to haulout locations at VAFB and the NCI, and because of their limited ranges, the same individuals are likely to be taken repeatedly over the course of the specified activities (maximum of twelve Falcon 9 First Stage recovery actions). Therefore, the number of instances of Level B harassment among harbor seals over the course of the authorization (*i.e.*, the total number of takes shown in Table 6) is expected to accrue to a much smaller number of individuals encompassing a small portion of the overall regional stock. The maximum number of individual of harbor seals expected to be taken by Level B harassment, per Falcon 9 First Stage recovery action, is 1,384. As we believe the same individuals are likely to be taken repeatedly over the course of the specified activities, we use the estimate of 1,384 individual animals taken per Falcon 9 First Stage recovery activity for the purposes of estimating the percentage of the stock abundance likely to be taken over the course of the entire activity.

Based on the analysis contained herein of the planned activity (including the mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in CE B4 of the Companion Manual for NAO 216-6A, which do not individually or cumulatively have the potential for

significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

There is one marine mammal species (Guadalupe fur seal) listed under the ESA with confirmed occurrence in the area expected to be impacted by the planned activities. The NMFS West Coast Region has determined that NMFS OPR's issuance of the IHA to SpaceX for the take of marine mammals incidental to Falcon 9 First Stage recovery activities is not likely to adversely affect the Guadalupe fur seal. Therefore, formal ESA section 7 consultation on this IHA is not required.

Authorization

NMFS has issued an IHA to SpaceX for the potential harassment of small numbers of six marine mammal species incidental to Falcon 9 First Stage recovery activities in California and at contingency landing locations offshore, provided the previously mentioned mitigation, monitoring and reporting requirements are incorporated.

Dated: December 20, 2017.

Donna S. Wieting,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XF909

Marine Mammals; File No. 21386

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that North Slope Borough Department of Wildlife Management (Responsible Party: Taqulik Hepa), P.O. Box 69, Barrow, AK 99723, has applied in due form for a permit to collect, receive, import, and export marine mammal parts for scientific research.

DATES: Written, telefaxed, or email comments must be received on or before January 25, 2018.

ADDRESSES: The application and related documents are available for review by

selecting “Records Open for Public Comment” from the “Features” box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 21386 from the list of available applications.

These documents are also available upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

Written comments on this application should be submitted to the Chief, Permits and Conservation 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. 21386 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation 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: Shasta McClenahan or Jennifer Skidmore, (301) 427-8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 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.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The applicant proposes to collect, receive, import, and export biological

samples from pinnipeds and cetaceans annually for scientific research.

Pinniped samples may include up to 100 each of bearded (*Erignathus barbatus*), ringed (*Phoca hispida*), spotted (*P. larga*), and ribbon (*Histiophoca fasciata*) seals. Cetacean samples may include up to 100 beluga whales (*Delphinapterus leucas*), 70 bowhead whales (*Balaena mysticetus*), 10 each of minke (*Balaenoptera acutorostrata*) and gray (*Eschrichtius robustus*) whales, and 10 harbor porpoise (*Phocoena phocoena*). Receipt, import, and export is requested worldwide. The primary source of samples will be subsistence harvested marine mammals in Alaska, however additional sources of samples may include foreign subsistence harvests, marine mammal strandings in foreign countries, and other foreign and domestic authorized researchers. The requested duration of the permit is 5 years.

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 the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: December 20, 2017.

Julia Harrison,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Marine Mammals and Endangered Species

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

ACTION: Notice; issuance of permits and permit amendments.

SUMMARY: Notice is hereby given that permits or permit amendments have been issued to the following entities under the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA), as applicable.

ADDRESSES: The permits and related documents are available for review upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

FOR FURTHER INFORMATION CONTACT: Lisa Lierheimer (File No. 21217 and 21397), Sara Young (File No. 17152-02), and Shasta McClenahan (File No. 20556).

SUPPLEMENTARY INFORMATION: Notices were published in the **Federal Register** on the dates listed below that requests for a permit or permit amendment had been submitted by the below-named applicants. To locate the **Federal Register** notice that announced our receipt of the application and a complete description of the research, go to www.federalregister.gov and search on the permit number provided in the table below.

File No.	RIN	Applicant	Previous Federal Register notice	Permit or amendment issuance date
17152-02	0648-XC136	Point Blue Conservation Science (Responsible Party: Russell Bradley), 3820 Cypress Drive, #11, Petaluma, California 94954.	77 FR 48130; August 13, 2012	November 9, 2017.
20556	0648-XF508	Georgia Department of Natural Resources (Responsible Party: Jonathan Ambrose) 2070 U.S. Highway 278 Southeast, Social Circle, GA 30025.	82 FR 32328; July 13, 2017	November 22, 2017.
21217	0648-XF696	Aaron Roberts, Ph.D., University of North Texas, Biological Sciences, 1155 Union Circle, #310559, Denton, TX 76203.	82 FR 43944; September 20, 2017	November 6, 2017.
21397	0648-XF696	Burke Museum, Mammalogy (Responsible Party: Julie Stein), University of Washington, Box 353010, Seattle, WA 98195.	82 FR 43944; September 20, 2017	November 6, 2017.

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 activities proposed are categorically excluded from the requirement to

prepare an environmental assessment or environmental impact statement.