

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****[I.D. 052698D]****Endangered Species; Permits**

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

**ACTION:** Receipt of application for a scientific research permit (1155); Issuance of scientific research permits (1092, 1124, 1127, 1132, 1134) and modifications to scientific research permits (822, 895, 946).

**SUMMARY:** Notice is hereby given of the following actions regarding permits for takes of endangered and threatened species for the purposes of scientific research and/or enhancement: NMFS has received a permit application from Dr. Tim King, Supervisory Fishery Biologist of Leetown Science Center, USGS (LSC-USGS) (1155); NMFS has issued permits subject to certain conditions set forth therein, to: Sierra Pacific Industries (SPI) (1092), Idaho Department of Fish and Game at Boise, ID (IDFG) (1124), Shoshone-Bannock Tribes at Fort Hall, ID (SBT) (1127), Mr. S. Gordon Rogers, of Satilla Management Associates, Inc. (SMA) (1132), and the Columbia River Inter-Tribal Fish Commission at Portland, OR (CRITFC) (1134); and NMFS has issued permit modifications to: Fish Passage Center at Portland, OR (FPC) (822), U.S. Army Corps of Engineers at Walla Walla, WA (Corps) (895), and the Fish Ecology Division of the Northwest Fisheries Science Center, NMFS at Seattle, WA (NWFSC) (946).

**DATES:** Written comments or requests for a public hearing on any of the applications must be received on or before July 6, 1998.

**ADDRESSES:** The applications and related documents are available for review in the following offices, by appointment:

For permit 822, 895, 946, 1124, 1127, and 1134: Protected Resources Division (PRD), F/NWO3, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

For permit 1092: Protected Species Division, NMFS, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95404-6528 (707-575-6066).

For permit 1132: Director, Southeast Region, NMFS, NOAA, 9721 Executive Center Drive, St. Petersburg, FL 33702-2432 (813-893-3141).

For permit 1155: Director, Northeast Region, NMFS, NOAA, One Blackburn

Drive, Gloucester, MA, 01930-2298 (978-281-9250).

All documents may also be reviewed by appointment in the Office of Protected Resources, F/PR3, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401).

**FOR FURTHER INFORMATION CONTACT:** For permit 822, 895, 946, 1124, and 1127: Robert Koch, Portland, OR (503-230-5424).

For permit 1092: Thomas Hablett, Protected Resources Division, (707-575-6066).

For permits 1132 and 1155: Terri Jordan, Endangered Species Division, Office of Protected Resources, (301-713-1401).

**SUPPLEMENTARY INFORMATION:****Authority**

Permits are requested under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-227).

Those individuals requesting a hearing on these requests for permits should set out the specific reasons why a hearing would be appropriate (see **ADDRESSES**). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the below application summaries are those of the applicant and do not necessarily reflect the views of NMFS.

Issuance of these permits and modifications as required by the ESA, was based on a finding that such permits, modifications, and amendments (1) were 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. These permits, modifications, and amendments were also issued in accordance with and are subject to parts 217-222 of Title 50 CFR, the NMFS regulations governing listed species permits.

**Species Covered in This Notice**

The following species are covered in this notice: Chinook salmon (*Oncorhynchus tshawytscha*), Coho salmon (*Oncorhynchus kisutch*), Shortnose sturgeon (*Acipenser brevirostrum*), Sockeye salmon (*Oncorhynchus nerka*) and Steelhead trout (*Oncorhynchus mykiss*).

**New Application Received**

LSC-USGS (1155) requests a 5 year permit to possess 90 samples of shortnose sturgeon DNA obtained from Dr. Isaac Wirgin (Permit #1107) for analysis of microsatellite DNA variation collected from three geographic populations of the species. Microsatellite analysis will be performed by polymerase chain reaction (PCR). The genetic analysis will help determine the presence of a reproducing shortnose sturgeon population in the Chesapeake Bay. The genetic analysis is part of a larger project (Permit #1051) being undertaken by the US Fish and Wildlife Service, National Marine Fisheries Service, Maryland Department of Natural Resources, US Army Corps of Engineers, US Geological Survey and State University of New York entitled "Determination of whether a resident shortnose sturgeon population exists in Chesapeake Bay and assessment of sturgeon use of proposed dredged material placement sites". Knowledge of this population and its relationship to other geographic populations will aid in development of conservation plans.

**Permits and Modifications Issued**

Notice was published on March 6, 1998 (63 FR 11221), that an application had been filed by FPC for modification 5 to scientific research permit 822. Modification 5 to permit 822 was issued to FPC on May 26, 1998. Permit 822 authorizes FPC annual takes of juvenile, endangered, Snake River sockeye salmon; juvenile, threatened, naturally produced and artificially propagated, Snake River spring/summer chinook salmon; and juvenile, threatened, Snake River fall chinook salmon associated with the Smolt Monitoring Program (SMP). The objective of the SMP is to generate information on the migrational characteristics of various salmon and steelhead stocks in the Columbia River Basin and to provide advice on the implementation of flow and spill measures to improve fish passage conditions in the Snake and Columbia Rivers. For modification 5, FPC is authorized annual takes of juvenile, endangered, naturally produced and artificially propagated, upper Columbia River (UCR) steelhead associated with the SMP. Modification 5 is valid for the duration of the permit. Permit 822 expires on December 31, 1998.

Notice was published on February 24, 1998 (63 FR 9204), that an application had been filed by the Corps for modification 4 to enhancement permit 895. Modification 4 to permit 895 was issued to the Corps on May 26, 1998. Permit 895 authorizes the Corps annual

takes of juvenile, endangered, Snake River sockeye salmon and juvenile, threatened, Snake River spring/summer and fall chinook salmon associated with the transport of fish around mainstem dams and downstream reservoirs on the Snake and Columbia Rivers. The purpose of the fish transportation program is to increase anadromous fish survival over the alternative of in-river passage, given current in-river migratory conditions. Permit 895 also authorizes the Corps annual incidental takes of ESA-listed adult fish associated with the operation of the juvenile fish transportation facilities. For modification 4, the Corps is authorized an annual direct take of juvenile, endangered, naturally produced and artificially propagated UCR steelhead associated with the juvenile fish transportation program. Also for modification 4, the Corps is authorized an annual incidental take of adult, endangered, UCR steelhead associated with fallbacks through hydropower dam juvenile bypass systems. Indirect and incidental mortalities of ESA-listed steelhead are authorized. Permit 895 is also extended through December 31, 1999. Modification 4 is valid for the duration of the permit.

Notice was published on March 24, 1998 (63 FR 14069), that an application had been filed by NWFSC for modification 4 to scientific research permit 946. Modification 4 to permit 946 was issued to NWFSC on May 19, 1998. Permit 946 authorizes NWFSC annual takes of juvenile, endangered, Snake River sockeye salmon; adult and juvenile, threatened, naturally produced and artificially propagated, Snake River spring/summer chinook salmon; and juvenile, threatened, Snake River fall chinook salmon associated with two scientific research studies. The studies are designed to assess the migration timing and relative survival of chinook salmon smolts transported by barge to below Bonneville Dam on the Columbia River with the survival to adulthood of smolts migrating voluntarily inriver to Bonneville Dam and to the mouth of the Columbia River. For modification 4, NWFSC is authorized an increase in the takes of ESA-listed juvenile fish associated with the studies. Also for modification 4, NWFSC is authorized an annual take of juvenile, endangered, naturally produced and artificially propagated, UCR steelhead associated with one of the studies. Modification 4 is valid for the duration of the permit. Permit 946 expires on December 31, 1999.

Notice was published on January 13, 1998 (63 FR 2364), that an application had been filed by SPI for a scientific research permit. Permit 1092 was issued to SPI on May 26, 1998. Permit 1092 authorizes takes of juvenile, threatened, southern Oregon/northern California coastal coho salmon associated with fish population and habitat studies within the California portion of the evolutionarily significant unit. ESA-listed fish will be captured, handled, and released. Indirect mortalities associated with the research are also authorized. Permit 1092 expires on June 30, 2003.

Notice was published on February 19, 1998 (63 FR 8435), that an application had been filed by IDFG for a scientific research permit. Permit 1124 was issued to IDFG on May 19, 1998. Permit 1124 authorizes IDFG annual takes of adult and juvenile, endangered, Snake River sockeye salmon; adult and juvenile, threatened, naturally produced and artificially propagated, Snake River spring/summer chinook salmon; and juvenile, threatened, Snake River fall chinook salmon associated with seven research tasks: (1) General fish population inventory; (2) Spring/summer chinook salmon natural production monitoring and evaluation; (3) Spring/summer chinook salmon supplementation research; (4) Redfish Lake, Pettit Lake, Alturas Lake kokanee/sockeye research; (5) Salmon and steelhead fish health monitoring; (6) Steelhead natural production monitoring and evaluation; and (7) Steelhead supplementation research. Permit 1124 expires on December 31, 2002.

Notice was published on February 19, 1998 (63 FR 8435), that an application had been filed by SBT for a scientific research permit. Permit 1127 was issued to SBT on May 19, 1998. Permit 1127 authorizes SBT annual takes of adult and juvenile, threatened, naturally produced and artificially propagated, Snake River spring/summer chinook salmon associated with scientific research conducted throughout the Salmon River Basin in the state of ID. SBT will conduct six research tasks: (1) Snorkel surveys; (2) spawning ground surveys; (3) juvenile chinook salmon outmigrant monitoring in the East Fork and the West Fork Yankee Fork using a rotary screw trap and passive integrated transponder tags; (4) juvenile fish migration timing and movement at the Yankee Fork using fyke nets; (5) juvenile chinook salmon and steelhead abundance and condition factor

estimates at the Yankee Fork using seines and electrofishing; and (6) juvenile chinook salmon parr monitoring. Permit 1127 expires on December 31, 2002.

Notice was published on February 25, 1998 (63 FR 9505), that an application had been filed by SMA, for a scientific research permit. Permit 1132 was issued to SMA on May 27, 1998. Permit 1132 authorizes the take of a maximum of 40 shortnose sturgeon from the Ogeechee (10) and Altamaha (30) rivers in Georgia to collect tissue samples of shortnose sturgeon in these rivers for genetic analysis in conjunction with previously permitted researchers. The sturgeon will be examined, measured, photographed, and tagged with conventional and PIT tags. Tissue samples will be taken from the right pectoral spine. The sturgeon will be released immediately following the above procedure. Permit 1132 expires on May 31, 2000.

Notice was published on March 2, 1998 (63 FR 10198), that an application had been filed by CRITFC for a scientific research permit. Permit 1134 was issued to CRITFC on May 27, 1998. Permit 1134 authorizes CRITFC annual takes of juvenile, endangered, Snake River sockeye salmon; adult and juvenile, threatened, naturally produced and artificially propagated, Snake River spring/summer chinook salmon; adult and juvenile, threatened, Snake River fall chinook salmon; and adult and juvenile, endangered, naturally produced and artificially propagated, UCR steelhead associated with scientific research in the Columbia and Snake River Basins in the Pacific Northwest. CRITFC will conduct eight research tasks: (1) Juvenile chinook salmon, steelhead, and coho salmon surveys; (2) juvenile anadromous salmonid outmigration studies; (3) chinook salmon and steelhead escapement surveys; (4) scale sampling at Bonneville Dam; (5) cryopreservation of chinook salmon and steelhead gametes; (6) gas bubble trauma sampling; (7) subyearling fall chinook salmon research; and (8) westslope cutthroat trout genetic inventory. Permit 1134 expires on December 31, 2002.

Dated: May 29, 1998.

**Patricia A. Montanio,**

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