#### [I.D. 072895C]

# **Endangered Species; Permits**

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

**ACTION:** Issuance of modification 1 to permit 844 (P503I), an amendment of permit 908 (P503K), and a denial of modification 1 to permit 908 (P503K).

SUMMARY: Notice is hereby given that NMFS has issued a modification and an amendment to permits authorizing takes of listed species incidental to sportfishing and fish-stocking activities, subject to certain conditions set forth therein, to the Idaho Department of Fish and Game (IDFG) and has denied a permit modification request from IDFG. ADDRESSES: The applications and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Highway, Silver Spring, MD 20910–3226 (301–713–

1401); and

Environmental and Technical Services Division, F/NWO3, NMFS, 525 NE Oregon Street, Portland, OR 97232– 4169 (503–230–5400).

## SUPPLEMENTARY INFORMATION:

Modification 1 to permit 844 and the amendment of permit 908 were issued 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 listed fish and wildlife permits (50 CFR parts 217–222).

On July 14, 1995, modification 1 to permit 844 was issued to IDFG (P503I). Permit 844 authorizes an incidental take of adult and juvenile, listed, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) and adult, listed, Snake River fall chinook salmon (*Oncorhynchus tshawytscha*) associated with the State of Idaho's sport-fishing activities.

For modification 1, IDFG is authorized for an incidental take of residual, listed, Snake River sockeye salmon (Oncorhynchus nerka) associated with a kokanee fishery in Redfish Lake in July 1995 only. The fishery is being allowed as a kokanee control measure. Although kokanee are not part of the Snake River sockeye salmon Evolutionarily Significant Unit, angler retention of Redfish Lake kokanee has not been allowed since 1992 because of the potential incidental harvest of listed residual sockeye, visually indistinguishable from kokanee. Possibly due to the lack of harvest and competition with juvenile

sockeye salmon, the Redfish Lake kokanee population is estimated to have approximately doubled since 1991.

A reduction of the kokanee population in Redfish Lake is desirable, because kokanee compete directly with listed sockeye salmon for food and habitat. The abundant kokanee population in Redfish Lake threatens IDFG's effort to re-establish the listed sockeye salmon's productivity in the lake. Re-opening the kokanee fishery was determined to be the most effective and the only feasible way to reduce the kokanee population in 1995. Juvenile, listed, Snake River sockeye salmon produced from IDFG's captive broodstock program are not expected to be taken as a result of the kokanee fishery, because they are too small to be captured by angling. Modification 1 is valid in 1995 only. Permit 844 expires on April 30, 1998.

On July 26, 1995, an amendment of Permit 908 was issued to IDFG (P503K). Permit 908 authorizes an incidental take of listed Snake River salmon associated with IDFG's fish-stocking activities to support recreational fisheries in Idaho.

For the amendment, a condition in the permit was revised to describe the procedure that IDFG must follow when trout-stocking is proposed in a Stanley Basin lake where listed sockeye salmon are being reintroduced. The condition was revised in response to the issuance of modification 6 to permit 795 on June 23, 1995, which authorized releases of juvenile, listed, artificially-propagated, Snake River sockeye salmon (Oncorhynchus nerka) into Pettit Lake in Idaho in 1995 approximately 3 weeks after the last rainbow trout have been stocked in the lake. The revised condition also describes the monitoring requirements of any dual fish-stocking scenario of this kind. The amendment is valid for the duration of the permit. Permit 908 expires on December 31, 1998.

Notice was published on March 9, 1995 (60 FR 12913) that an application had been filed by IDFG for modification 1 to permit 908. IDFG requested authorization to stock Redfish Lake with hatchery rainbow trout in 1995 and beyond to provide a recreational fishing opportunity in the lake. With the modification request, IDFG submitted data that support the assertion that hatchery rainbow trout releases in Redfish Lake would not undermine endangered sockeye salmon recovery efforts.

On July 26, 1995, NMFS denied the modification request of permit 908, because, given the importance of Redfish Lake in listed sockeye salmon recovery efforts, and given the existing data gaps regarding interactions between stocked trout and listed sockeye salmon (i.e. predation and competition), the potential risk of planting catchable trout in Redfish Lake is too great.

Issuance of these permit actions, as required by the ESA, was based on the finding that such actions: (1) Were applied for in good faith, (2) will not operate to the disadvantage of the listed species that are the subject of the permits, and (3) are consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing listed species permits.

Dated: July 28, 1995.

## Margaret Lorenz,

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

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## [I.D. 073195F]

#### **Marine Mammals**

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

**ACTION:** Issuance of Permit No. 841 (P129J).

**SUMMARY:** Notice is hereby given that a request for modification of Permit No. 841 submitted by Bruce R. Mate, Oregon State University, Newport, OR 97365–5296 has been granted.

**ADDRESSES:** Documents submitted in connection with this permit are available for review in the following offices:

Permits Division, Office of Protected Resources, NMFS, NOAA, 1315 East-West Hwy., Silver Spring, MD 20910 (301/713–2289);

Director, Northwest Region, NMFS, NOAA, 7600 Sand Point Way, NE BIN C15700, Seattle, WA 98115 (206/526–6150):

Director, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802–4213 (310/980–4015): and

Director, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 (907/586–7221).

**SUPPLEMENTARY INFORMATION:** On June 21, 1995, notice was published in the **Federal Register** (60 FR 32304) that a modification of Permit No. 841 issued on June 24, 1993, had been requested by the above-named individual. The modification has been granted under authority of the Marine Mammal