

Area fishery	2009	2010
GOA Trawl Other Salmon Incidental Catch .....	2,355 fish .....	1,857 fish.
BSAI Trawl Halibut Mortality .....	2,802 mt .....	2,736 mt.
GOA Trawl Halibut Mortality .....	1,818 mt .....	1,637 mt.

mt = metric tons.

Halibut incidental catch amounts are constrained by an annual prohibited species catch limit in the BSAI and GOA. Future halibut incidental catch levels likely will be similar to those experienced in 2009 and 2010. Chinook salmon prohibited species catch (PSC) limits are established for the BS pollock fisheries that when attained, result in the closure of pollock fishing. The Chinook salmon PSC limits for the Bering Sea pollock fishery were established by Amendment 91 to the FMP for Groundfish of the BSAI FMP (75 FR 53026, August 30, 2010). Salmon incidental catch limits are not yet established for the GOA. In general, salmon incidental catch amounts tend to be variable between years, making accurate prediction of future incidental take amounts difficult.

4. *Number of vessels and processors participating in the PSD program.* For the 2011 permit renewal, participation in the PSD program is being expanded beyond the BSAI to include GOA processors and vessels. Shoreside processors will increase from 5 to 15, and vessels delivering to shoreside processors will increase from 87 vessels to 166, with 31 of the 166 vessels participating in both the BSAI and GOA. Catcher processors participating in the PSD program for salmon will drop slightly from 17 to 16 under the 2011 permit renewal. Catcher vessels delivering to motherships will remain at 11 vessels.

NMFS issues PSD permits to SeaShare for a 3-year period unless the permits are suspended or revoked under § 679.26. The permits may not be transferred; however, they may be renewed following the application procedures in § 679.26.

If the authorized distributor modifies the list of participants in the PSD program or delivery locations, the authorized distributor must submit a modified list of participants or a modified list of delivery locations to the Regional Administrator.

These permits may be suspended, modified, or revoked under 15 CFR part 904 for violation of § 679.26 or other regulations in 50 CFR part 679.

#### Classification

This action is taken under § 679.26.

**Authority:** 16 U.S.C. 773 *et seq.*; 1801 *et seq.*; 3631 *et seq.*; Pub. L. 108-447.

Dated: July 1, 2011.

**Margo Schulze-Haugen,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RIN 0648-XA545]

#### Marine Mammals; Photography Permit No. 16360

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that a permit has been issued to Oceanic Nature Film Productions (Responsible Party: Dieter Paulmann), P.O. Box 301 722, Albany 0752, Auckland, New Zealand to conduct commercial/educational photography of cetaceans off Hawaii.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376; and Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814-4700; phone (808) 944-2200; fax (808) 973-2941.

**FOR FURTHER INFORMATION CONTACT:** Carrie Hubard or Laura Morse, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** On May 11, 2011, notice was published in the **Federal Register** (76 FR 27307) that a request for a permit to conduct commercial/educational photography on 12 cetacean species had been submitted by the above-named applicant. The requested permit has been issued 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). Section 104(c)(6) provides for photography for educational or commercial purposes involving non-endangered and non-threatened marine mammals in the wild.

Oceanic Nature Film Productions is authorized to film cetaceans in the waters off Kona, Hawaii. Using one or two sailing catamarans as a base, filmmakers can conduct surface and underwater photography. Additionally, a passive acoustic array may be towed to obtain marine mammal vocalizations. Twelve species of cetaceans may be approached for filming. The permit does not authorize approaches of species listed as threatened or endangered. Up to 50 animals from each species may be harassed as a result of filming. Footage will be used in a feature film intended to educate the public about marine mammal conservation issues, as well as the importance of the Pacific Islands to the oceans. The permit expires on October 31, 2011.

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 activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: July 1, 2011.

**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

#### National Estuarine Research Reserve System

**AGENCY:** Estuarine Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

**ACTION:** Notice of Approval and Availability for Revised Management Plans for ACE Basin, SC National Estuarine Research Reserve and Old