

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 10/15/2018

Department of Commerce
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Rod Turk
FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 08/03/2018

ACTION REQUESTED: Extension without change of a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201807-0648-008

AGENCY ICR TRACKING NUMBER:

TITLE: Application and Reports for Scientific Research and Enhancement Permits Under the Endangered Species Act

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved with change

OMB CONTROL NUMBER: 0648-0402

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 10/31/2021

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	180	840	83
New	180	840	83
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Neomi Rao
Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Application for Scientific Research and Enhancement Permits Under the Endangered Species Act	NA	Application Instructions for a Permit for Scientific Purposes or to Enhance the Propagation and Survival of Endangered and Threatened Species	
Modification Requests from Permit Holders			50 CFR 220.308
Annual Reports			50 CFR 222.308
Final Reports			50 CFR 222.308

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____
9. Keywords	10. Abstract
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
APPLICATIONS AND REPORTS FOR SCIENTIFIC RESEARCH AND
ENHANCEMENT PERMITS UNDER THE ENDANGERED SPECIES ACT
OMB CONTROL NO. 0648-0402**

A. JUSTIFICATION

This request is for extension of this information collection.

1. Explain the circumstances that make the collection of information necessary.

The National Oceanic and Atmospheric Administration (NOAA)'s National Marine Fisheries Service (NMFS) is responsible for the conservation and recovery of marine and anadromous species listed as threatened or endangered under the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 et seq.). The ESA prohibits, with some exceptions, "take" of listed species. Take is defined by the ESA as: "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Section (a)(1)(A) of the ESA allows the issuance of permits which authorize take of listed species for scientific purposes or to enhance the propagation or survival of the affected listed species. The regulations implementing the authority to issue permits for scientific research or enhancement are found at 50 CFR §222.308.

The regulations contain two sets of information collections: (1) §222.308(b) – applications for scientific research/enhancement permits; (2) §222.308(d)(5) – reporting requirements for permits issued under §222.308. The specific reporting requirements may vary depending on the nature of the activity, but consist of specific information on any listed species taken (species, dates, location, numbers of individuals taken, biological information and procedures performed, condition of animal, any preliminary analysis of data).

A permit applicant who wishes to obtain an exemption to the take prohibitions of the ESA must provide justification as to why NMFS Service should grant the permit. NMFS needs the information provided in the permit application to make an informed decision as to whether to grant or deny the permit. Without a permit, any taking of a listed species would be subject to prosecution as a violation of section 9 of the ESA. Anyone requesting an additional permit must submit a new application.

The reports required by an issued permit help NMFS determine: (1) whether or not the conditions of the permit are being followed, (2) the impact of the permitted activities on the listed species, and (3) new information about the species which may then help NMFS to improve the species management.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

NMFS uses the information provided to determine the sufficiency of the application and whether the activity proposed meets the goals and objectives of the ESA. This determination is the basis for a decision on issuance or denial of the permit.

The reports required by the permits (§222.308(d)(5)) are used by NMFS to ensure that the terms and conditions of the permit are being complied with, as required by section (a)(2)(C) of the ESA, and that the taking of the affected species is not appreciably reducing the likelihood of the survival and recovery of the species.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NMFS decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

NMFS developed, and began to use in 2007, an on-line application system known as [Authorizations and Permits for Protected Species \(APPS\)](#), for application instructions for research and enhancement permits for marine mammals, Pacific salmon, and other threatened and endangered species under the [Marine Mammal Protection Act](#) and ESA. The intent of the APPS on-line system is to provide a user-friendly and efficient electronic format for the public to apply for ESA scientific research and enhancement permits for protected species, in addition to the paper applications. Applicants are able to submit applications and reports electronically, thus substantially reducing the need to submit paper applications and hopefully reducing the time spent filling out the paper applications. The public is also able to search the APPS database and obtain information available to the public more efficiently and in an electronic format.

4. Describe efforts to identify duplication.

The type of information requested is not typically available from any other source, as each project for which an applicant requests a permit is unique. However, if the applicant already has a proposal (for example, to obtain funding for the project), they may submit it as an attachment in as much as it covers the information requested in the application.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

There should not be a significant impact. The information is submitted one time for each permit, unless the applicant requests a modification to the permit. Since some projects may take several years to complete, NMFS has discretion to issue long-term permits to provide continuity, and avoid the need to apply for a permit each year.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Permit applications are initiated by an applicant who wishes the privilege of protection from the prohibitions of ESA section 9. Without a permit application which follows the requirements at §222.308, NMFS cannot legally grant such a permit.

A reporting period of less than annually will not allow NMFS to adequately monitor the permit activities and compliance with permit conditions. Additionally, the information gained from the annual reports is used in making management decisions to aid in the recovery of listed species. Therefore, if this information is not available, it may negatively affect the recovery of listed species, and NMFS may be viewed as unresponsive to the Congressional mandates expressed in the ESA.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The collection is consistent with Office of Management and Budget (OMB) guidelines except for the requirement of notification when significant events take place (e.g., mortality or injury of an animal, exceeding the authorized take, or the taking of a species not authorized by the permit). Notification for these events must take place typically within two days after the event, to allow for quick response by NMFS and the permit holder to incidents with a significant impact on listed species and that were not authorized by the permit and therefore not anticipated.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on February 18, 2015 (80 FR 8618) solicited public comments. No comments were received.

Comments were received from **ESA Coordinators in Idaho Department of Fish and Game and Washington Department of Fish and Wildlife.**

Idaho:

1. Is the online data (permit applications) easily available? **Yes**
2. What is your impression of the frequency of collection? **Sufficient for the required purposes**
3. What is your impression of the clarity of instructions and record keeping, disclosure, or reporting format (if any)? **Staff at IDFG have found the electronic reporting to be very efficient.**

4. What is your impression of the information/data elements to be recorded, disclosed, or reported? My impression is that the information is relevant to the permits being issued.

5. What is your impression of the accuracy of estimated burden listed below?

Given the staff administering these permits the cost of reporting (\$20/hour) is too low. Probably closer to the \$25-\$30 salary only exclusive of benefit rate. I think for our relatively simple section 10 permits the estimated hours per response is probably too high. I would say closer to 8 hours.

Response: Thanks for taking the time to respond. The cost estimates are difficult to calculate for the array of government agencies and NGOs. We will add your estimates into the formula.

WA Dept. Fish and Wildlife

1. Is the online data (permit applications) easily available?

Generally, yes. My only complaint here would be that if my name isn't listed, I can't access the permit/application. There are limited 'holders' to be named that have access. I would ideally be able to go online and see all of my Agency's section 10 permits, not just the ones where I'm named. The other piece to that would be those permits associated with HGMPs—are those available on-line?

Response: The ESA Section 10a1A permit applications are set to allow access to individuals who are listed on the permit. The permit is a contract between the researchers and NOAA Fisheries. For that reason we have limited access to these permits. The public can see the permit application, but they cannot manipulate the application. I'm not sure if we can broaden the permission level of a state coordinator to include access to all of the agencies 10a1A permit applications. I will ask the team if this is possible.

2. What is your impression of the frequency of collection?

If this is referring to how often they are 'batched' and processed, I think this could be improved. We're told generally to expect 6 months between submittal and finalized permit. But to allow for the 'batching' of permits under basically a group biop, the application might not be looked at for a time. I've told folks to budget for 10 months to a year.

Response: We batch them into at least two biological opinions: spring and winter. If we receive enough applications we may do an additional biological opinion in the fall. Sometimes there may be circumstances that are beyond our control (i.e. changes in policy directives, new regulations, lawsuits) that delay the process. Although we often complete the permit process in less time, it is best to allow for at least 9 months.

3. What is your impression of the clarity of instructions and record keeping, disclosure, or reporting format (if any)?

No concerns, except that sometimes annual reports are requested to be done off-line (thinking mainly of the 10a1b permits, but perhaps there are others). If there was a way that that could be indicated, as a coordinator, it would make it easier to track where the Agency is with respect to meeting their deadlines. Perhaps the off-line reports that don't match the format for on-line reports could be attached somehow on-line. This again would hinge on a coordinator being able to access all Agency permits, not just where they're named.

Response: The 10a1b permits are not available through our permits website and they are not part of this PRA submission.

4. What is your impression of the information/data elements to be recorded, disclosed, or reported? Fine.

5. What is your impression of the accuracy of estimated burden listed below?

This seems reasonable--except overall I think it's an overestimation for WDFW as we don't hold very many Section 10 research permits. This statement would not be considering those section 10s associated with HGMPs—I don't work with those, but again it would be nice (as a coordinator) to have access to ALL section 10s.

Response: Thank you, that is helpful.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payment or gifts have been provided to any respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

No assurance of confidentiality is given. A notice of receipt of permit applications is required by statute to be published in the Federal Register. Applications and supporting documentation are available for review by the public at every stage of processing and throughout the duration of the permit. This is explained in the application instructions. Even after the permit expires, the documents remain open as historical information as long as the file is maintained. The information collection is a matter of public record and no confidential material is required. All permit documentation including reports is subject to the Freedom of Information Act.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide an estimate in hours of the burden of the collection of information.

See table below Question 14. The number of unduplicated respondents is estimated to average 115 for any year, responses are expected to be approximately 180 and the total hours, 840.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

Total recordkeeping/reporting costs for materials, printing, mailing, etc. are \$83: \$2 to fax the signature page of 39 out of 40 annual applications to NMFS, totaling \$78, plus an average of \$5

in postage for the 1 out of the 40 complete annual applications that is expected to be mailed rather than submitted via the Web. The rest of the responses are entered into the APPS system at no cost.

There is a fee to the applicant allowed for by the regulations at §222.308(d)(8), but this is waived.

14. Provide estimates of annualized cost to the Federal government.

See the table below. The total government cost, including labor, overhead and incidental costs, is \$158,780.

	Permit Applications (once per permit)	Modification Requests from Permit Holder	Annual Reports *	Final Reports (once per permit)*	Totals
Respondent Burden and Labor Cost					
Annual # of Responses	40	20	115	5	180
Hours per Response	12	6	2	2	
Total Hours (Annually)	480	120	230	10	840
Labor Cost per Response @\$20/hr	\$240	\$120	\$40	\$40	
Total Labor Costs to all Respondents	\$9,600	\$2,400	\$4,600	\$200	\$16,800
Federal Government Burden and Costs					
Govt. Hrs. per Response	120	80	10	10	
Labor Cost per Response @\$20/hr	\$2,400	\$1,600	\$200	\$200	
Overhead per Response	\$60	\$40	\$5	\$5	
Incidental Cost per Response	\$56.00	\$28.00	\$1.50	\$1.50	
Total Cost to Govt. per Response	\$2,516	\$1,668	\$207	\$207	
Total Cost to Fed. Govt.	\$100,640	\$33,360	\$23,748	\$1,033	\$158,780

* Based on an average permit length of 3 years.

15. Explain the reasons for any program changes or adjustments.

Not applicable.

16. For collections whose results will be published, outline the plans for tabulation and publication.

Although NMFS uses the data, NMFS does not have plans to publish it. Typically, the researcher will publish at the end of his/her project. During the project, NMFS uses information from permit reports to monitor activities authorized by permits, and to monitor requirements under the ESA Biological Opinions that are associated with the permits. In addition, information such as run estimates for salmonids are used by the NMFS Science Centers to better manage the species.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement

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Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

National Marine Fisheries Service (NMFS)
Application Instructions for a Permit for Scientific Purposes
or to Enhance the Propagation or Survival of Threatened and Endangered Species

OMB Control Number: 0648-0402

Expiration date: 08/31/2018

Authority

Under section 10(a)(1)(A) of the Endangered Species Act of 1973 (ESA), NOAA's National Marine Fisheries Service (NMFS) may issue permits for scientific research purposes or to enhance the propagation or survival of species listed as threatened or endangered under the ESA. The authorization provided by these permits exempts the permit holder from the prohibitions of ESA section 9, in particular those dealing with take. *Take* is defined by the ESA as: "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Permitted activities must not operate to the disadvantage of the listed species and must provide a bona fide and necessary or desirable scientific purpose or enhance the propagation or survival of the listed species. NMFS traditionally issues permits for up to five years, although permits for longer periods of time have been issued. Permits include any conditions necessary to mitigate and monitor the impacts of the proposed activities. These application instructions are drawn from, but do not substitute for, the ESA section 10 regulations at 50 CFR §222.308. Applicable state laws or regulations prevail in all cases where they are more restrictive. Possession of a section 10(a)(1)(A) permit should be regarded as a privilege in that NMFS must balance permit issuance with its duties to protect and recover listed species.

Do I Need to Apply for a Permit?

If you determine that your proposed activity would *directly take* a listed species (i.e., the listed species is the subject of your proposed activity, and conducting it would likely result in the species being harassed, captured, harmed, possessed, or killed) and your planned activity is otherwise lawful, a section 10 (a)(1)(A) permit is required. Examples of activities that may require a section 10 (a)(1)(A) permit include: surveys, genetic research, hatchery operations, relocations, capture and marking, and telemetric monitoring. Under certain circumstances, a section 10(a)(1)(A) permit may also be required for you to possess listed species' tissues or body parts.

If you are engaged in an otherwise lawful activity where a listed species may be adversely affected, and the purpose of your activity is not scientific research or species enhancement, you may need to obtain a section 10(a)(1)(B) permit (*Incidental Take Permit*). Examples of activities that may require a section 10(a)(1)(B) permit include: state sportfishing programs, non-listed fish stocking programs, and other instream or watershed activities which may affect listed species. If your proposed activities require an incidental take permit, you will need to use the section 10(a)(1)(B) instructions. These are available at the addresses listed below under *Where Do I Send the Application?* and at the NMFS Office of Protected Resources web site, http://www.nmfs.noaa.gov/pr/permits/esa_permits.htm

Section 4(d) authorizations are available for research and monitoring that may affect **threatened** Pacific marine and anadromous fish (<http://www.nwr.noaa.gov/ESA-Salmon-Listings>). State agencies screen all research applications and then work with NMFS to ensure authorized research does not over utilize the resource. You can find more information on how to apply for a section 4(d) permit at the following NMFS web site: <http://www.nwr.noaa.gov/ESA-Salmon-Regulations-Permits/4d-Rules/Index.cfm>.

Other state issued collecting permits are available that vary by their restrictions and qualifications. To determine whether your activities can be covered by one of these permits go to your state agencies website below:

The Oregon Department of Fish and Wildlife (ODFW) has requirements for Scientific Collecting Permits and Incidental Take Permits. Information regarding these requirements and the application process is available at the following web site: http://www.dfw.state.or.us/fish/license_permits_apps/.

The California Department of Fish and Game (CDFG) has requirements for Scientific Collecting Permits and Incidental Take Permits. Information regarding these requirements and the application process is available at the following web site: http://www.dfg.ca.gov/wildlife/research_permit/.

The Idaho Department of Fish and Game (IDFG) requires a permit for scientific collecting. The application for this permit can be acquired at the following web site: http://fishandgame.idaho.gov/cms/licenses/apps/collect_permit.pdf.

The Washington Department of Fish and Wildlife (WDFW) has requirements for Scientific Collection Permits. Information about these requirements and the application are available at the following web site: <http://wdfw.wa.gov/scp/>.

If you still have questions, you may want to consult the Pre-Application Guide (PAG) on the Authorizations and Permits for Protected Species website. The PAG will walk you through a series of questions to help you determine what type of permit you need and whom you should contact. The PAG can be found at <http://apps.nmfs.noaa.gov/>.

Before applying for an individual permit, you should determine if your proposed project is a part of another authorized activity. To minimize duplication—and the impact on listed species—you are strongly encouraged to coordinate with others doing similar work. If two investigators are collaborating on the same activities, they should apply for a single permit. Also, if you are conducting your proposed activities in response to a Federal Agency requirement, you may not need a section 10 (a)(1)(A) permit. For example, fish surveys required by an ESA section 7 biological opinion may be authorized in the opinion's Incidental Take Statement and no section 10 permit would be needed.

Am I Using the Appropriate Application Instructions?

These instructions are for permits for research and/or enhancement activities involving listed Pacific salmon and steelhead. They can be downloaded from:

http://www.nmfs.noaa.gov/pr/permits/esa_permits.htm

Permits for marine mammal species and non-salmonid threatened and endangered species (*e.g.*, shortnose sturgeon, sea turtles, white abalone), please use the application instructions available at: <http://www.nmfs.noaa.gov/pr/permits/>

For terrestrial or freshwater species, or land-based sea turtle activities, please contact the appropriate regional office of the U.S. Fish and Wildlife Service:

<http://www.fws.gov/endangered/permits/permitscontacts.html>

When Should I Apply?

To allow for processing time, you are urged to apply at least six months before you need to start your proposed activities, however certain permit actions may take even longer to process.

What Should I Include in the Application?

A permit application should provide all of the information requested below and, for processing efficiency, it should be displayed in the same structure and format. We will use the information that you provide to determine whether your application is complete and whether to issue a permit for the proposed activities. If a section does not apply to your activities, please indicate this by including a header for that section followed by N/A. Applicable information should be detailed enough to provide a complete picture of your proposed activities. Incomplete or vague information will delay processing. Please note that specific wording is required for the closing statement. If you already have a project proposal, you may attach the proposal and reference the appropriate sections of it when filling out your application.

Should I Send a Review Draft?

It is often helpful to draft an application and send it to us for review before mailing your final application. Send the draft electronically (contact the appropriate office for a current email address). Our staff will review your application and help you if there are any difficulties. Once the application is complete, you must send a signed copy to the appropriate office.

Where Do I Send the Application?

Mail one signed original of the complete, final application to the appropriate address below. You should also submit a copy by e-mail to help speed processing. If you need help completing your application, submit a draft to the appropriate office or contact them directly.

Permits for marine and anadromous species in the Pacific Northwest:

Chief, Protected Resources Division
National Marine Fisheries Service - F/NWO3
1201 NE Lloyd Boulevard, Suite 1100

Portland, Oregon 97232-1274
Phone: 503-736-4721
Fax: 503-230-5441

Permits for marine and anadromous species in California:

Protected Resources Division
National Marine Fisheries Service
Santa Rosa Area Office
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404-6515
Phone: 707-575-6097
Fax: 707-578-3435

What is Involved in Processing a Permit Application?

Once we receive a *complete* permit application, it is subject to a 30-day public comment period. The 30-day public comment period begins when a "notice of receipt" is published in the *Federal Register* (required by regulations). We may also distribute the application for review by scientific and technical experts, resource managers, and/or other Permit Holders. After the 30-day public comment period, we will forward a summary of the comments for the applicant to address. The applicant must submit a written response.

We must then conduct an ESA section 7 consultation on the proposed activity. This, in turn, results in a biological opinion on the activity. To issue a section 10(a)(1)(A) permit for any activity, NMFS' biological opinion must conclude that the proposed activity is not likely to jeopardize the continued existence of any ESA-listed species nor destroy nor adversely modify any species' designated critical habitat.

In addition, we may be required to conduct the following consultations on the potential effects of the activity proposed in the application: (1) Consultation with U.S. Fish and Wildlife Service regarding potential effects on species under their jurisdiction, (2) consultation between NMFS' Protected Resources Division and NMFS' Habitat Conservation Division regarding any activities taking place in Essential Fish Habitat (EFH), and (3) consultation with the National Ocean Service if the action takes place in a National Marine Sanctuary. Any issues that arise during these consultations may delay the permit process.

Finally, we may be required to conduct an analysis under the National Environmental Policy Act (NEPA) if a proposed activity is one designed to enhance the propagation and/or survival of an ESA-listed species (*e.g.*, hatchery supplementation programs or fish salvage operations). That analysis usually consists of an Environmental Assessment (EA) on the action of issuing a section 10(a)(1)(A) permit with conditions. In general, scientific research permits are categorically excluded from the need to conduct an analysis under NEPA.

After we receive responses from the applicant to the public comments and complete a biological opinion (and any other required consultations), we will decide whether or not to issue the permit. In order to issue such a permit, we must find that it: (1) Was applied for in good faith, (2) if

granted and exercised will not operate to the disadvantage of listed species subject to the permit, and (3) will be consistent with the purposes and policies set forth in the ESA. We will then notify the applicant of the decision and publish a notice about the decision in the *Federal Register* (required by regulations).

How Do I Modify an Existing Permit?

A request to modify an existing permit should address all sections of these instructions relevant to the requested change and include a detailed description and justification of the proposed changes. Modification requests involving an increased number of animals, increased risk to the species, additional listed species, or significant changes in the nature or location of activities may be subject to a 30-day public review period and re-consultation on the effects of issuing the modified permit.

Paperwork Reduction Act and Confidentiality Information

An applicant must submit the information requested in the following instructions to obtain an ESA section 10(a)(1)(A) permit. We will use that information to process the permit request in accordance with the ESA. The information provided is not confidential and is subject to public review and comment.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid (Office of Management and Budget) OMB Control Number. In addition, persons are not required to retain records for more than three years unless those records are health, medical, government contract, grant-in-aid, or tax records.

NMFS estimates that the average time to compile an application in accordance with these instructions is 20 hours. This includes the time needed to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the application. For annual permit reports, NMFS estimates average response time at 10 hours per report. You may send comments regarding these estimates or any other aspect of this information collection, including suggestions for reducing this burden, to the addresses under *Where Do I Send the Application?*

Privacy Act Statement

Authority: The collection of this information is authorized under the Endangered Species Act, 16 U.S.C. 1531 et seq.

Purpose: In order to manage protected resources, NOAA Fisheries requires the use of permits by participants in the United States. The information requested in this application is used to determine whether the activities described in the application are consistent with the purposes and policies of the Endangered Species Act and implementing regulations.

Routine Uses: The Department will use this information to determine permit eligibility. Disclosure of this information is permitted under the Privacy Act of 1974 (5 U.S.C. Section 552a), to be shared within the NOAA Fisheries, in order to coordinate monitoring and management of protected resources. Disclosure of this information is also subject to all of the published routine uses as identified in the Privacy Act System of Records Notice COMMERCE/NOAA-12, Marine Mammals, Endangered and Threatened Species, Permits and Authorizations Applicants.

Disclosure: Furnishing this information is voluntary; however, failure to provide complete and accurate information will prevent the determination of eligibility for a permit.

Complete all fields in the following tables. After you have completed the tables, read the certification statement and sign and date the certification page. If you require more than what is provided, please make copies of the table and attach them to the application. Instructions are found at the end of the document.

A. Project Contacts Information

Applicant/Holder	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

Responsible Party	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	

State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

Principal Investigator	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

Primary Contact	
First Name	
Last Name	
Title:	

Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

Co-investigator	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

Co-investigator	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

Co-investigator	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
Primary Phone:	
Secondary Phone:	

Title:	
Email:	
Degrees Earned	

Co-investigator	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
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Secondary Phone:	
Title:	
Email:	
Degrees Earned	

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Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	

State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

Co-investigator	
First Name	
Last Name	
Title:	
Organization:	
Division:	
Mailing Address:	
City:	
State:	
Zip:	
Primary Phone:	
Secondary Phone:	
Title:	
Email:	
Degrees Earned	

B. Project Information

Project Title:	
Application Date	
Project Status:	
Previous Federal:	
Permit Requested:	
Where will activities occur?	

Research Timeframe	
Start:	
End:	
Sampling Season/ Project Duration:	
Abstract:	

C. Project Description

<p>Project Purpose:</p>	
<p>Project Description:</p>	

D. Supplemental Information

Status of the Species:	
Methods:	

Lethal Take:

**Anticipated Effects
on Animals:**

**Measures to
Minimize Effects to
Listed Species:**

Resources Needed to Accomplish Objectives:	
Disposition of Tissues:	

E. Federal Information

Federal Agency	
Type	
Number and Title	
Date Signed	
Expiration Date	
Listing Units/Stocks covered	
Comments	

Federal Agency	
Type	
Number and Title	
Date Signed	
Expiration Date	
Listing Units/Stocks covered	

Comments	
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Federal Agency	
Type	
Number and Title	
Date Signed	
Expiration Date	
Listing Units/Stocks covered	
Comments	

Federal Agency	
Type	
Number and Title	
Date Signed	
Expiration Date	
Listing Units/Stocks covered	

Comments	
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F. Location/Take Information

Location #1 Description	
State/Territory:	
Basin (4th Field HUC):	
Estuary:	
Marine Zone:	
Ocean Area:	
Waterbody:	
Begin Mile:	
End Mile:	
Township, Range, Section, Latitude, Longitude, UTM Northing, and UTM Easting:	
Location Description:	

Location #2 Description	
State/Territory:	
Basin (4th Field HUC):	
Estuary:	
Marine Zone:	
Ocean Area:	
Waterbody:	
Begin Mile:	
End Mile:	
Township, Range, Section, Latitude, Longitude, UTM Northing, and UTM Easting:	
Location Description:	

Location #3 Description	
State/Territory:	
Basin (4th Field HUC):	
Estuary:	
Marine Zone:	
Ocean Area:	
Waterbody:	
Begin Mile:	
End Mile:	
Township, Range, Section, Latitude, Longitude, UTM Northing, and UTM Easting:	
Location Description:	

G. National Environmental Policy Act (NEPA) Considerations

Question #	Answer
Experimental or Controversial Techniques?	
Infectious Agents or Pathogens	
Unique Geographic Areas	
National Register of Historic Places	
Transport of Materials	

H. Certification

The applicant or responsible party must read the following paragraph and provide a signature, name, position title, and date.

"I hereby certify that the foregoing information is complete, true and correct to the best of my knowledge and belief. I understand this information is submitted for the purpose of obtaining a permit under the Endangered Species Act of 1973 (ESA) and regulations promulgated thereunder, and that any false statement may subject me to the criminal penalties of 18 U.S.C. 1001, or to penalties under the ESA."

Signature

Date

Name and Position Title (print)

Length of Time and Cost to Prepare Application (Optional): The public burden of these application instructions is evaluated periodically by the Office of Management and Budget under the Paperwork Reduction Act. Your response will help improve the accuracy of the estimates given for evaluation. You may send comments regarding this estimate or any other aspect of this information collection, including suggestions for reducing this burden, to the address under *Where Do I Send the Application?*

1. Please estimate the length of time, in hours, it took to compile this application.
2. Please estimate the cost, in \$US, of compiling this application, excluding the labor hours identified in 1. above. This estimate should include: cost of paper, printing, mailing, photocopying, etc.

Application Instructions

A. Contacts Information:

Complete all fields using the instructions below. If you require more than what is provided, please make copies of the table and attach them to the application.

Applicant/Permit Holder – The person, institution, or agency that is ultimately responsible for all activities of any individual who is operating under the authority of the permit. Where the Permit Holder is an institution or agency, the **Responsible Party** is the official who has the legal authority to bind the organization (see definition below).

Note: The Applicant becomes the Permit Holder once a permit is issued. There can be only one Applicant/Permit Holder. Permits are not transferable from one Permit Holder to another and the Applicant/Permit Holder cannot be changed. In many cases, the Applicant/Permit Holder may be the same as the Principal Investigator (PI) and/or Primary Contact. All requests related to the permit must be submitted in writing (email accepted) by the Permit Holder or Principal Investigator. The request may come from the PI if the PI has signed the application and permit.

Responsible Party – This role is only used if the **Applicant/Permit Holder** is designated as an agency or organization. The Responsible Party is an official who has the legal authority to bind the organization, institution, or agency that is ultimately responsible for all activities of any individual who is operating under the authority of the permit.

Note: Where an applicant for a permit is an organization, institution, or agency rather than an individual, the application and permit must be signed by the Responsible Party. An example is that the Responsible Party for a National Marine Fisheries Service (NMFS) Science Center is the Center Director. The Responsible Party can change with approval from the agency issuing the permit.

Principal Investigator (PI) – The individual primarily responsible for the taking, importation, exportation, and any related activities conducted under a permit issued for scientific research or enhancement purposes. The PI must have qualifications, knowledge and experience relevant to the type of research activities authorized by the permit.

Note: The PI must be on site during any activities conducted under the permit unless a **Co-Investigator** is present to act in place of the PI. There can be only one PI on a permit. The PI may also be the Applicant/Permit Holder and Primary Contact. Because the PI supervises the research, NMFS requires that the **PI submit a CV/resume**.

Co-Investigator (CI) – Individuals who are qualified and authorized to conduct or directly supervise activities conducted under a permit issued for scientific research or enhancement purposes without the on-site supervision of the **PI**.

Note: CIs assume the role and responsibility of the PI in the PI's absence. There can be

numerous CIs designated under a single permit. The CI is authorized to work independently in the field or lead a field crew. For example, there could be separate CIs in charge of distinct activities/projects under a permit, or responsible for distinct geographic areas under a permit. Because a CI can supervise research, NMFS requires that a CV/resume be provided for each CI (for ESA Section 10(a)(1)(A) permits and all MMPA permits). There can be only one PI per application. If a project has multiple principals, one person must be assigned the PI role and the others assigned CI roles.

Primary Contact – The person primarily responsible for correspondence during the permit review process and after a permit is issued.

Note: The Primary Contact may be separate from or hold any other role on the permit (Applicant/Permit Holder, PI, etc.). While the Primary Contact may engage in correspondence on behalf of the Applicant/Permit Holder (such as providing minor clarifications for information in the application, making inquiries as to the status of an application and the application process, and submitting reports on behalf of the Applicant/Permit Holder), any substantive changes or requests for modifications must be submitted by the Applicant/Permit Holder or PI.

Please attach résumés for PIs and CIs, or submit them as a separate document.

B. Project Information:

Complete all fields using the instructions below. If you require more than what is provided, please make copies of the table and attach them to the application.

Project Title: Describe the project as concisely and descriptively as possible. Include the study's geographic range and purpose.

For example: “Seasonal habitat selection by westslope cutthroat trout in headwater tributaries of the John Day River.” Or “Use of restored estuarine marsh channels/habitats by juvenile salmonids in the Siletz River Basin.”

Date of Permit Application: Date you are sending the application. If you submit subsequent versions of the application (after you receive guidance from NMFS) update the dates to reflect the date the updated version is sent.

Project Status: Project status indicates whether or not the project is new. If you are requesting a renewal of an existing permit, indicate this in the “Previous Federal Permit Section” below.

Previous Federal Permit #: If you are renewing or modifying a permit, please indicate the previous permit number here.

Permit Requested: Indicate what type of section 10(a)(1)(A) permit you are applying for:

1. Application for Permit for Scientific Purposes under the Endangered Species Act of 1973. (If the proposal is for field surveys, genetics research, etc.)
2. Application for Permit to Enhance the Propagation or Survival of Listed Species under the Endangered Species Act of 1973. (If the proposal is for fish hatchery operations, etc.)
3. Application for Permit for Scientific Purposes and to Enhance the Propagation or Survival of Listed Species Under the Endangered Species Act of 1973. (If the proposal is for activities that fall under both categories 1 and 2 above)
4. Application for Modification of Existing Permit.

Where will the activities occur? Please indicate where the activities will occur: California, Idaho, Oregon (including the Columbia River and offshore waters), Washington (including the Columbia River and offshore waters), International waters (including Antarctica and high seas), Foreign countries, including territorial waters of those countries

Research Timeframe: Provide the start and end dates of your activities for which you are seeking a permit. The start date must not be prior to the date that you submit the application. The end date should be within five years of the start date. If your research extends beyond these dates, please provide that information under “Sampling Season/Project Duration.”

Please provide realistic dates so that permit issuance can be prioritized to ensure all researchers receive authorization in time for their field work. For example, do not give a start date of January 1 and an end date of December 31 if you will not be conducting an activity throughout the entire year. However, the dates listed should allow some flexibility for unanticipated events.

Sampling Season/Project Duration: Describe the sampling season and the duration of the project. Your description should include the months of the year and frequency of samples. If your research extends beyond five years or your research is a continuation of previously authorized research, provide information here about when the research began and when you expect it to end.

Abstract: Provide a brief summary, not more than 2,000 characters, of the proposed research and/or enhancement project. This summary will be published in the Federal Register Notice of Receipt for a 30-day public comment period, and therefore should be understandable to a lay reader. The summary should include concise statements of the following information:

- Identify the ESA listed species that would be affected by the research;
- Describe the duration, purpose, goals, and location of the research;
- Describe how the study would benefit the affected species;

- Describe the type and manner of take (*e.g.*, observe/harass; capture/handle/release; capture/tag, tissues sample/release; or intentional mortality);
- Describe the capture methods and gear that would be used;
- Describe any samples or measurements that would be taken; and
- Describe how the species will be cared for after capture (*e.g.*, fish will be placed in an aerated bucket).

C. Project Description:

Complete all fields using the instructions below. If you require more than what is provided, please make copies of the table and attach them to the application.

Project Purpose (Hypothesis/Objectives): This should be a brief description of the overall objective of the project. Indicate if this project fulfills requirements or recommendations of federal or state agencies. Also, if applicable, describe how this project fits into a larger series of projects or research plan. Please include a justification for the project especially if listed fish may be taken and an account of how the project might benefit the listed fish (if applicable). There will be space for a more complete description of your project in the next section.

Project Description: Please include a thorough description of your project. Include all methods used to capture fish and describe how fish will be handled. Include details such as sampling locations and dates. Describe any intrusive procedures such as tagging or taking tissue samples and explain the purpose of them (*e.g.* fin tissue will be collected from a portion of fish sampled for genetic analysis). A project proposal may be attached to supplement the project description (see below). However, a brief summary of the attached files should be included in this field.

D. Supplemental Information:

Complete all fields using the instructions below. If you require more than what is provided, please make copies of the table and attach them to the application.

Status of Species: Describe the recent status and trends of each listed Evolutionarily Significant Unit (ESU), Distinct Population Segment (DPS), or species proposed to be taken (include citations where possible). NMFS already possesses information at the ESU/DPS level (see various NMFS web sites), so there is no need to repeat it in your application. We are seeking new data here—specifically, status and trend data on any distinct populations the proposed action is likely to affect. Such information will help us evaluate the probable impacts of the proposed research.

Methods: Include all methods used to capture fish and describe how fish will be handled. Include details such as capture methods, anesthesia to be used, and sampling locations and dates. Describe any invasive procedures such as marking, tagging or taking tissue samples and explain the purpose of them.

Note: You may not anesthetize any fish that may be taken in a legal fishery unless you are using a Federal Drug Administration approved anesthetic and protocols. For information about approved anesthetics please see the Federal Joint Subcommittee on Aquaculture's Guide to Drug, Vaccine, and Pesticide Use in Aquaculture (<http://aquanic.org/jsa/wgqaap/drugguide/drugguide.htm>).

Lethal Take: You must provide a description of the lethal take you are requesting and why it is important to your project. Please include an adequate justification for killing listed fish. If you do not expect to intentionally kill any listed species, please indicate this in the methods section above.

Anticipated Effects on Animals: Describe the effects of the research on the behavior and physiology of the fish. Include a description of the probability of mortality.

Measures to Minimize Effects to Listed Species: Describe what adjustments have been made to the sampling plan to minimize impacts to listed fish (*e.g.*, reduced sample size; modified sampling times, locations, or methods; or non-lethal tissue collection). If your application includes electrofishing, you must indicate in this box that you will follow the NMFS 2000 Electrofishing Guidelines.

Resources Needed to Accomplish Objectives: Explain how your expertise, facilities, and resources are adequate to successfully accomplish the objectives and activities stated in your application. Include the name and address of sponsors, cooperating institutions/researchers, or contractors, if not listed as Co-investigators on the application. If the proposed activities will be conducted by a contractor, provide a statement that a qualified member of your staff (include name(s) and qualifications) will supervise or observe the taking. Attach copies of any relevant formal research proposals, contracts, or letters of agreement that would demonstrate the financial or logistical resources available to you to conduct and complete the proposed activities.

Disposition of Tissues: Provide a description of the disposition of any parts or samples remaining after the research or enhancement activities are complete. If you have made arrangements with a museum or other institutional collection to ensure that remaining tissues will be available for scientific research or enhancement purposes, include information on where the samples will be stored, transferred, and how/when/where they will be disposed. Include contact information for each of researchers, laboratories, museums, and/or institutional collections that would receive these tissue samples or specimens. If you will not retain samples, state whether samples/dead carcasses will be returned to their capture site, or that samples will be consumed in analysis or will be destroyed.

Public availability of product/publications: Identify the anticipated or known availability of progress reports, publications, articles, etc. related to the project. For example, the URL for a web site hosting annual progress reports for a multi-year project.

E. Federal Information:

Using the instructions below, Enter information about any Federal authorizations (other than the ones you are applying for here) in the table in Appendix III. More federal information charts are attached to this application. If you need more than are provided, please make a copy of the chart in Appendix III and attach it to this application. Enter information about Federal agencies who fund the work, issue permits to allow the work, cooperate with the work, or provide any other authorizations so the research can be done.

Note: Permits may include Corps 404 permits. Authorizations may include USFWS section 6 agreements, or USFWS or NMFS section 7 consultations. Attach a copy of the authorization if you have one, or you may be required to mail or Fax a copy if requested.

Federal Agency: Include the name of the Federal agency.

Type: Identify the type of Federal action or permit.

Number and Title: Indicate the reference number of the authorization and its title. The title can be abbreviated if necessary.

Date Signed: Enter the month, day and year that the authorization or activity (*e.g.*, grant, MOU) became effective. If the action is pending, use the comments section to describe the expected date of completion.

Expiration Date: The date the Federal agreement expires. While not required, this is an important field for authorizations with an expiration date.

Listing Units/Stocks covered: Identify the listing units or stocks covered by the authorization.

Comments: Include information, as described above, for authorizations pending. This field may also be used to provide details such as if only a portion of a project is covered by the authorization.

F. Take/Location Information:

Record take estimates for all activities using the Take Table. You must use a separate take table for each 4th field HUC. If you need more Take Tables you can make copies and attach them to the application. The Take Table spreadsheet has two sections: The location information for the associated take table located directly below; and the take table.

For each line in the take table you must include the species or species group to be taken, the quantity of each species, method of capture, intrusive procedures, and sample dates. The information must be specific to the location listed at the top of the page. For a list of the data options for the take table categories please see the tables below.

i. Take Location(s)

State/Territory: Identify the state in which the take will occur.

Basin: Identify the subbasin you will be working in. A separate location entry is required for each subbasin you will be working in. List subbasins that are at the scale of 4th field hydrologic units (sometimes called 4th field HUCs). If you wish to see more detailed sub-basin maps for the Northwest Region you can use the Streamnet Interactive Mapping tools located at <http://map.streamnet.org/>. This site includes sub-basin and species distribution maps for Oregon, Idaho, and Washington. Alternatively, you can use the search tool at United States Environmental Protection Agencies Surf Your Watershed web page (<http://cfpub.epa.gov/surf/locate/index.cfm>).

Estuary: If you will be working in the estuarine zone, include the appropriate estuarine region. However, if your research location is the Pacific Ocean or the marine waters of the Puget Sound, **do not** select a subbasin. The next item below is used for Puget Sound marine habitats.

Marine Zone: If you will be working in the marine portion of the Puget Sound, you must identify the marine zone(s). Contact Gary Rule for a map of the marine zones (gary.rule@noaa.gov or 503-230-5424):

Shoreline: If your proposed project would occur in marine waters of Oregon, you must identify a shoreline zone.

Ocean Area: If your proposed project would occur in marine waters of Oregon, you identify an ocean area.

Waterbody: Include the name(s) of the lake(s), river(s), or estuary(s) where you will be conducting your research. If you wish to list the waterbodies, you may include a detailed stream with your application. Specific stream names must be supplied when they are available. You may also enter a subwatershed

Begin Mile: For projects that would occur within stream habitats, you may provide the beginning river mile for your project.

End Mile: For projects that would occur within stream habitats, you may provide the ending river mile for your project.

Township, Range, Section, Latitude, Longitude, UTM Northing, and UTM Easting: If you have this information, you may provide it.

Location Description: You may describe any landmark or geographic reference to where the project would be conducted. If sites have not yet been selected you can explain how they will be selected. Specific sites must be supplied when they are available. For example, if

you provided a sub-basin name you should provide the names of the specific streams that will be sampled.

Note: You may include attachments (i.e. maps, charts etc...) detailing specific survey sites within a sub-basin. However, you must still complete a take estimate for every sub-basin in which you will be collecting.

ii. Take Information:

You will include a separate record for each unique combination of species, production type, life stage, take action, and capture method. For example, if you will take both artificially propagated and naturally produced Chinook salmon, you will need at least two records. If you will also take tissue samples from a portion of the catch, you will have four records: one for capture, handle, and release of hatchery Chinook salmon; one for capture handle and release of natural Chinook salmon; one for capture/mark, tag, sample tissue/release hatchery Chinook salmon; and one for capture/mark, tag, sample tissue/release natural Chinook salmon.

Species: The common and/or scientific name of the listed marine or anadromous fish. NOAA Fisheries maintains a list of species on its' web site at https://apps.nmfs.noaa.gov/docs_cfm/species_lists.cfm. If you are unsure about the species, you can request assistance by contacting the appropriate NMFS Office (see the section "Where Do I Send the Application?" section above to find the NMFS Office contact information).

Listing Unit/Stock: Choose the listing unit/stock of the take species in your study region. Listed populations of salmon, steelhead, and other marine fishes can be found on the Northwest Regional Office's web site at <http://www.nwr.noaa.gov/>.

Production/Origin: The categories are: naturally produced; listed hatchery with a clipped adipose fin; listed hatchery with an intact adipose fin; and unlisted hatchery. If you will take more than one category, you will need to enter a separate row for each one. For more information on the listing status of hatchery fish, visit <http://www.nwr.noaa.gov/ESA-Salmon-Listings/Salmon-Populations/Index.cfm>.

Life Stage: If you will take more than one life stage (*e.g.*, adult and juvenile) you will need to enter a separate row for each life stage you will encounter. The options are juvenile, smolt, adult, or spawned adult/carcass.

Sex: If your activity is targeting one sex indicate which sex is targeted. Otherwise, select "Male and Female."

Expected Take: Enter the number of individual animals you expect to capture, observe, etc. (depending on the “Take Action” you selected). If you are entering take for a location representing multiple sites in a sub-basin, the expected take should equal the total take for all sites in that sub-basin. You are not required to estimate expected take for “Observe/Harass.” For “Intentional (Directed) Mortality,” enter the number of individuals you will purposely kill.

Indirect Mort: Enter the number of individual animals you expect will be unintentionally killed as a result of your activities. If the take action is “Intentional (Directed) Mortality,” then enter zero for the indirect mortality. When the action is intentional mortality, there are no indirect mortalities.

Note: Acceptable **Indirect Mortality** rates are up to 5% of the total per species for electrofishing and gill netting and up to 1% of the total per species for other methods. If you expect higher indirect mortality rates you must provide justification in the “Anticipated Effects on Animals” section of your application.

Take Action: If more than one action is proposed, you must enter them separately. For example, if 100 fish are captured of which 50 will be fin clipped, you must request 50 fish “Capture, Handle, Release” and 50 “Capture/Mark, Tag, Sample Tissue/Release Live Animal.”

- 1. Capture/Handle/Release Fish:** Select this method when fish are captured during the activity. Fish can be examined during handling, including measuring, weighing, sexing, checking for marks, scars, etc., and released. This category of take includes fish shocked during boat or backpack electrofishing activities, even if the fish swim away and are not netted.

NOTE: If you are **electrofishing** you must state in the Minimize Impacts section on your application that you will follow the “NMFS 2000 Electrofishing Guidelines.” Visit <http://www.nwr.noaa.gov/ESA-Salmon-Regulations-Permits/4d-rules/upload/electro2000.pdf> for a copy of the guidelines.

- 2. Capture/Mark, Tag, Sample Tissue/Release Live Animal:** Select this method when fish are captured and are marked, tagged, or tissue samples are taken using a variety of techniques including fin clips, coded wire tags, passive integrated transponders, radio tags, etc. Fish can also be examined during handling, including measuring, weighing, sexing, checking for marks, scars, etc., and then released.

NOTE: If you select this action you must also include the Procedure(s) that will occur. Include one or more methods from the Procedures listed in Appendix II.

- 3. Collect and Transport Live Animal:** Select this method when fish will be transferred live from the point of collection to another site, usually to a facility, but also for fish being relocated to another stream, sub-basin, etc. Do not use for fish being moved within a stream (*e.g.*, trap efficiencies). If you select “Collect and

Transport Live Animal” as the take action, include the following information in your project methods section labeled Transport Info:

Mode(s) of transportation: Describe the mode of transportation. Include a description of the vehicle used to transport animals and the name of the transportation company, if applicable, and the qualifications of the common carrier to transport live animals. Specify whether a contractor will do the transportation, and include any relevant information.

Transport time: Estimate the maximum amount of time an animal may be in transport.

Qualified transport personnel: Give the name, affiliation, contact information for each person.

Destination: If the animals will be taken to a laboratory, classroom, or aquarium, provide details of the location. If the animals will be released in another waterbody, provide details of the location.

Containment methods: Describe the containment system for the animals, quarantine procedures, and effluent treatment. Description of the container (*e.g.*, cage, tank) used to hold the animal during transit, including the material of the container and its dimensions. Include any special care procedures (*e.g.*, moisture, medicines, aeration) to be administered during transport. The final disposition of the animals Describe, for example, whether the fish will be released, sacrificed, or deposited in a museum collection (*e.g.*, “Retain alive for six months, then release”; “Sacrifice for tissue analysis.”).

- 4. Intentional (Directed) Mortality:** These are fish that will be purposely killed (*e.g.*, for otolith analysis). You must describe in the “Project Description” why you wish to purposely kill these fish.

NOTE: For entries that are **direct mortality**, **enter zero** for the indirect mortality!

- 5. Observe/Harass:** Select this method when no fish will be handled or captured in any way. You do not have to estimate expected take for this activity.
- 6. Observe/Sample Tissue Dead Animal:** Select this method when information on dead fish is recorded or tissues are sampled from dead fish.

Observe/Collect Method: List the method of observation or capture. You may only select one observe/collect method per take. If you will be using various methods, you must use a separate row for each observe/capture method. Chose from the following list:

- CaptureMethod
- Benthic Core < 10” diameter
- Benthic Core > 30” diameter

- Benthic Core 10-30" diameter
- Crab traps or rings
- Dam bypass, gatewell, orifice, etc. (only if associated with fish handling)
- Electrofishing, Backpack
- Electrofishing, Boat
- Fish Ladder (only if associated with fish handling)
- Fish Screens, e.g., at diversions (only if associated with fish handling)
- Gaff
- Hand and/or Dip Net
- Hand held-spatula/knife
- Hook and line/angler/rod and reel
- Longline
- Net, Cast
- Net, Fyke
- Net, Gill
- Net, Hoop
- Net, Kick
- Net, Neuston
- Net, Pop
- Net, Tangle
- Net, Tooth
- Net, Trammel
- Net, Zooplankton
- Plankton Pump
- Seine, Beach
- Seine, Lampara
- Seine, Purse
- Shovel
- Throwbox
- Trap, Buckley
- Trap, Light
- Trap, Minnow
- Net, Trap
- Trap, Screw
- Trawl, Beam
- Trawl, Bottom
- Trawl, Midwater
- Trawl, Nordic Surface
- Trawl, Otter
- Weir (only if associated with fish handling)
- Seine, Boat
- Fish Pot
- Trap, Incline Plane
- Trap, Not listed here

Procedure: If you intend to “Capture/Mark, Tag, Sample Tissue/Release Live Fish” you are required to select at least one intrusive method. List all intrusive methods you intend to use for each associated take action. Chose from the following list:

- IntrusiveMethod
- Anesthetize
- Dye Injection (tattoo, photonic)
- Finclip
- Freeze Brand
- Maxillary Clip
- Paint, Stain or Dye Immersion
- Punch (opercle, caudal, etc.)
- Stomach pump (non-lethal)
- Tag, Acoustic or Sonic
- Tag, Balloon
- Tag, Coded-Wire
- Tag, Elastomer
- Tag, Floy
- Tag, PIT
- Tag, Radio (External)
- Tag, Radio (Internal)
- Tissue sample (other internal tissues)
- Tissue Sample Fin or Opercle
- Tissue Sample Otolith
- Tissue Sample Scale

Run: Select the run timing for each listing stock/unit. Chose from the following list:

- Spring
- Summer
- Spring/Summer
- Fall
- Upriver Bright Fall
- Winter
- Tule Fall
- Odd Year
- Even Year
- Mixed
- N/A
- Unknown

Begin/End Date: These dates should reflect the timing of the associated take activity for each line.

G. National Environmental Policy Act (NEPA) Considerations:

Please provide a detailed response to each question; a simple "yes" or "no" is not sufficient. Your responses to the questions below will be used, along with the information you have provided on the types of activities proposed and their effects, in determining the potential impacts your research may have on the environment.

1. Will your activities involve equipment (*e.g.*, scientific instruments) or techniques that are new or may be considered experimental or controversial? If yes, are they likely to be adopted by other researchers in the future?
2. Do your activities involve collecting, handling, or transporting potentially infectious agents or pathogens (*e.g.*, biological specimens such as blood)? Do your activities involve using or transporting hazardous substances (*e.g.*, toxic chemicals)? If yes, provide a description of protocols you will use to ensure humans are not infected or injured.
3. Do any of your activities occur in or near unique geographic areas such as state or National Marine Sanctuaries, Marine Protected Areas, Parks or Wilderness Areas, Wildlife Refuges, Wild and Scenic Rivers, designated Critical Habitat for endangered or threatened species, Essential Fish Habitat, etc.? If yes, would any aspect of your activities impact the physical environment, such as by direct alteration of substrate (*e.g.*, by bottom trawling, net setting, anchoring vessels or buoys, erecting blinds or other structures, disrupting nesting bird habitat)?
4. Could your work affect sites listed in or eligible for listing in the National Register of Historic Places? Could your work cause loss or destruction of scientific, cultural, or historic resources (*e.g.*, archeological resources)? If yes, list the sites and explain how they might be affected or why they would not be affected.
5. Could any of your activities, intentionally or not, involve the transport any materials, biological or otherwise, from one area to another (*e.g.*, transporting animals or tissues, discharging ballast water, working in sensitive remote areas)? If yes, explain the types of activities. Describe all measures you would take to prevent the possible introduction or spread of nonindigenous or invasive species (including plants, animals, microbes, or other biological agents).

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Application and Reports for Scientific Research and Enhancement Permits Under the Endangered Species Act**

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before May 7, 2018.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at pracomments@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Gary Rule, NOAA Fisheries, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232, (503) 230-5424 or gary.rule@noaa.gov.

SUPPLEMENTARY INFORMATION:**I. Abstract**

This request is for extension of a currently approved information collection.

The Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) imposed prohibitions against the taking of endangered species. Section 10 of the ESA allows permits authorizing the taking of endangered species for research/enhancement purposes. The corresponding regulations established procedures for persons to apply for such permits. In addition, the regulations set forth specific reporting requirements for such permit holders. The regulations contain two sets of information collections: (1) Applications for research/enhancement permits, and (2) reporting requirements for permits issued.

The required information is used to evaluate the impacts of the proposed activity on endangered species, to make the determinations required by the ESA

prior to issuing a permit, and to establish appropriate permit conditions. To issue permits under ESA Section 10(a)(1)(A), the National Marine Fisheries Service (NMFS) must determine that (1) such exceptions were applied for in good faith, (2) if granted and exercised, will not operate to the disadvantage of such endangered species, and (3) will be consistent with the purposes and policy set forth in Section 2 of the ESA.

The currently approved application and reporting requirements apply to Pacific marine and anadromous fish species, as requirements regarding other species are being addressed in a separate information collection.

II. Method of Collection

Submissions may be electronically or on paper.

III. Data

OMB Control Number: 0648-0402.

Form Number(s): None.

Type of Review: Regular submission (extension of a currently approved collection). *Affected Public:* Federal government; State, local, or tribal government; business or other for-profit organizations.

Estimated Number of Respondents: 160.

Estimated Time per Response: Permit applications, 12 hours; permit modification requests 6 hours; annual or final reports, 2 hours.

Estimated Total Annual Burden Hours: 835.

Estimated Total Annual Cost to Public: \$500 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: March 5, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2018-04680 Filed 3-7-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2018-ICCD-0023]

Agency Information Collection Activities; Comment Request; Pell Grant Reporting Under the Common Origination and Disbursement (COD) System

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before May 7, 2018.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2018-ICCD-0023. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 216-34, Washington, DC 20202-4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202-377-4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the