



## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. FWS-HQ-IA-2021-0051; FXIA1671090000-212-FF09A30000]

### Endangered Species Act, Marine Mammal Protection Act, and Wild Bird Protection Act; Receipt of Permit Applications

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt of permit applications; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), invite the public to comment on applications to conduct certain activities with foreign species that are listed as endangered under the Endangered Species Act (ESA), foreign or native species for which the Service has jurisdiction under the Marine Mammal Protection Act (MMPA), and foreign bird species covered under the Wild Bird Conservation Act (WBCA). With some exceptions, the ESA, MMPA, and WBCA prohibit activities with listed species unless Federal authorization is issued that allows such activities. These Acts also require that we invite public comment before issuing permits for any activity they otherwise prohibit with respect to any species.

**DATES:** We must receive comments by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES: *Obtaining Documents:*** The applications, application supporting materials, and any comments and other materials that we receive will be available for public inspection at <http://www.regulations.gov> in Docket No. FWS-HQ-IA-2021-0051.

***Submitting Comments:*** When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. You may submit comments by one of the following methods:

- *Internet:* <http://www.regulations.gov>. Search for and submit comments on Docket No. FWS–HQ–IA–2021–0051.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–HQ–IA–2021–0051; U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

For more information, see **Public Comment Procedures** under **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Monica Thomas, by phone at 703–358–2185, via email at [DMAFR@fws.gov](mailto:DMAFR@fws.gov), or via the Federal Relay Service at 800–877–8339.

## **SUPPLEMENTARY INFORMATION:**

### **I. Public Comment Procedures**

#### **A. How Do I Comment on Submitted Applications?**

We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

You may submit your comments and materials by one of the methods in **ADDRESSES**. We will not consider comments sent by email or fax, or to an address not in **ADDRESSES**. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**).

When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. Provide sufficient information to allow us to authenticate any scientific or commercial data you include. The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) those that include citations to, and analyses of, the applicable laws and regulations.

## **B. May I Review Comments Submitted by Others?**

You may view and comment on others' public comments at <http://www.regulations.gov>, unless our allowing so would violate the Privacy Act (5 U.S.C. 552a) or Freedom of Information Act (5 U.S.C. 552).

## **C. Who Will See My Comments?**

If you submit a comment at <http://www.regulations.gov>, your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

## **II. Background**

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(c) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*); section 104(c) of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*); and section 112(4) of the Wild Bird Conservation Act of 1992 (WBCA; 16 U.S.C. 4901–4916), we invite public comments on permit applications before final action is taken. With some exceptions, these Acts prohibit certain activities with listed species unless Federal authorization is issued that allows such activities. Permits issued under section 10(a)(1)(A) of the ESA allow otherwise prohibited activities for scientific purposes or to enhance the propagation or

survival of the affected species. Service regulations regarding prohibited activities with endangered species, captive-bred wildlife registrations, and permits for any activity otherwise prohibited by the ESA with respect to any endangered species are available in title 50 of the Code of Federal Regulations in part 17. Service regulations regarding permits for any activity otherwise prohibited by the MMPA with respect to any marine mammals are available in title 50 of the Code of Federal Regulations in part 18. Service regulations regarding permits for any activity otherwise prohibited by the WBCA with respect to any wild birds are available in title 50 of the Code of Federal Regulations in part 15.

Concurrent with publishing this notice in the *Federal Register*, we are forwarding copies of the marine mammal applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

### **III. Permit Applications**

We invite comments on the following applications.

#### **A. Endangered Marine Mammals and Marine Mammals**

##### **Applicant: Titan Productions, Monterey, CA; Permit No. PER0004910**

The applicant requests a permit to photograph (video and still photography) northern sea otters (*Enhydra lutris kenyoni*) in Alaska and southern sea otters (*Enhydra lutris nereis*) in California, for the purpose of commercial photography. This notification covers activities to be conducted by the applicant over a 5-year period.

##### **Applicant: BBC Studios Productions Ltd, Los Angeles CA; Permit No. PER0003402**

The applicant requests a permit to photograph (video and still photography) southern sea otters (*Enhydra lutris nereis*) in California, for the purpose of commercial photography. This notification covers activities to be conducted by the applicant over a 5-year period.

**Applicant: Monterey Bay Aquarium Foundation, Monterey, CA; Permit No. 186914**

The applicant requests a permit to renew their permit to take rescued southern sea otters (*Enhydra lutris nereis*) in California, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

**B. Wild Bird Conservation Act**

The public is invited to comment on the following application for approval to conduct certain activities with bird species covered under the Wild Bird Conservation Act of 1992 (16 U.S.C. 4901–4916). This notice is provided pursuant to section 112(4) of the Wild Bird Conservation Act of 1992 (50 CFR 15.26(c)).

**Applicant: David Kanellis, Las Vegas, NV; Permit No. 10109C**

The applicant wishes to renew and amend the cooperative breeding program, CB030 Raptor Cooperative Breeding Program, by including the following species: Verreaux's eagle-owl (*Bubo lacteus*), importing to the United States 16 birds (8 males and 8 females); spectacled owl (*Pulsatrix perspicillata*), importing to the United States 20 birds (10 males and 10 females); and boobook owl (*Ninox boobook*), importing to the United States 24 birds (14 males and 10 females). If the amendment is approved, the program will be overseen by the California Hawking Club, Sacramento, California.

**IV. Next Steps**

After the comment period closes, we will make decisions regarding permit issuance. If we issue permits to any of the applicants listed in this notice, we will publish a notice in the *Federal Register*. You may locate the notice announcing the permit issuance by searching <http://www.regulations.gov> for the permit number listed above in

this document. For example, to find information about the potential issuance of Permit No. 12345A, you would go to regulations.gov and search for “12345A”.

## **V. Authority**

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations, and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and its implementing regulations and section 112(4) of the Wild Bird Conservation Act of 1992 (50 CFR 15.26(c)).

**Monica Thomas,**

**Management Analyst,**

**Branch of Permits, Division of Management Authority.**

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