Protected Species website at *https://apps.nmfs.noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Matt McGoogan at phone number (562) 980–4026 or e-mail: *matthew.mcgoogan@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Authority

Issuance of permits, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531B1543) (ESA), is based on a finding that such permits: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222–226).

Those individuals requesting a hearing on an application listed in this notice should provide the specific reasons why a hearing on that application would be appropriate (see ADDRESSES). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

Permit Application Received

PRDLB has applied for a permit to conduct steelhead rescue activities for the Southern California Coast (SCC) Distinct Population Segment (DPS) of endangered steelhead (Oncorhynchus mykiss) which includes coastal streams from the Santa Maria River south to the Mexican border. The purpose of this permit is for the enhancement of survival of endangered steelhead in the SCC DPS. During the dry season and prolonged periods of below normal rainfall the instream areas harboring endangered steelhead can experience dewatering and desiccation. Because steelhead within drying sections of streams can perish, possessing the legal authority to capture and then relocate at-risk individuals would be valuable should biotic and abiotic factors suggest rescue of steelhead is warranted.

Criteria have been defined in the application to provide an objective biological basis for determining whether a steelhead rescue is reasonable and necessary to enhance the population. These criteria include instream characteristics and conditions within the affected area, the cause for any observed or projected streamflow decreases or dewatering, the availability of suitable instream areas to safely harbor the rescued steelhead (i.e., relocation areas), and the abundance of steelhead within the affected area. The application specifies that the permit would be applicable only in the following situations: when a rapid response is crucial to steelhead survival, and when mortality of steelhead, if not rescued and relocated, is reasonably certain; and, when take authorization has not been granted, or is not expected or warranted, under Section 7 or Section 10 of the ESA. The application defines criteria to increase the likelihood that the permit would not be misused.

NMFS-specific responsibilities under the rescue and relocation activities involve: (1) serving as the permit holder, principal investigator, and the primary contact, (2) designating and collaborating with the California Department of Fish and Game (CDFG) as a co-investigator, (3) determining the need for a steelhead rescue and relocation, and (4) providing written authorization for undertaking steelhead rescue and relocation. NMFS would retain discretion as principal investigator under the permit for determining, either individually or in collaboration with CDFG, whether a steelhead rescue and relocation are warranted using the established rescue criteria.

With regard to authorizing steelhead rescue and relocation, the permit would grant NMFS the authority to legally allow its own qualified biologists or those of the CDFG to conduct and oversee operations to capture and relocate steelhead when an imminent threat to the survival of individuals exists and when the rescue criteria are met. Once the determination has been made that a steelhead rescue is needed, NMFS will coordinate the rescue and relocation operation with its own biologists and (or) those of the CDFG.

The application identifies specific responsibilities for CDFG related to the rescue and relocation activities. CDFG will notify the designated NMFS point of contact of the need to rescue and relocate steelhead prior to implementing any rescue and relocation operation. The notification will involve a letter that provides the following information: A description of the need to rescue steelhead, including an assessment of the applicability of the rescue criteria; the name of the waterway where the subject rescue and relocation would occur; a brief description of the specific conditions believed to be prompting the rescue (e.g., naturally dry conditions, or anthropogenic activity causing the reduction in flow); an estimate of the number of steelhead that are expected to be rescued; the name of the waterway and location (GPS coordinates) where the collected steelhead would be relocated; and, a description of the plan that will be implemented to monitor the status of the relocated individuals over time.

A permit duration of 10 years is requested to cover the described activities from 6/1/2009 to 12/31/2019. For this 10 year program, PRDLB has requested an annual non-lethal take of up to 2000 juvenile steelhead and 100 adult steelhead. An annual collection and possession of up to 100 steelhead tissue samples is being requested as well as permission to recover up to 20 carcasses per year (if found). All samples and carcasses would be sent to NMFS science center for genetic research and processing. No intentional lethal take is being proposed for this permit. The unintentional lethal take (mortalities) that may occur during rescue activities is up to100 juvenile steelhead per year or no more than 5 percent of the total captured. See the attached documents in the methods section of the permit for a complete project description including tables and figures.

Dated: March 20, 2009.

Angela Somma,

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

[FR Doc. E9–6779 Filed 3–25–09; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Notice of Availability of a Draft Damage Assessment and Restoration Plan and Environmental Assessment for Natural Resource Injuries and Service Losses Associated With Hazardous Substance Releases Into Bayou Verdine and the Calcasieu River, in Calcasieu Parish, LA ("Bayou Verdine Site")

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

ACTION: Notice of Availability of a Draft Damage Assessment and Restoration Plan and Environmental Assessment for natural resource injuries and service losses associated with hazardous substance releases into Bayou Verdine and the Calcasieu River, in Calcasieu Parish, Louisiana ("Bayou Verdine Site"); 60-day period for public

comment on this plan begins March 27, 2009.

SUMMARY: Pursuant to 43 CFR 11.32 and 11.81–.82, notice is hereby given that a document entitled, "A Draft Damage Assessment and Restoration Plan and Environmental Assessment for the Bayou Verdine Site, Calcasieu Parish, Louisiana" (Draft DARP/EA) is available for public review and comment. This document has been prepared by the state and federal natural resource trustee agencies (the "Trustees") to address natural resource injuries and resource services losses attributable to past releases of hazardous substances from two facilities situated in the upper Calcasieu Estuary, in Calcasieu Parish, Louisiana that are presently owned and operated by ConocoPhillips Company and Sasol North America Inc (collectively, the "potentially responsible parties" or "PRPs"). The Trustees include the National Oceanic and Atmospheric Administration (NOAA), Commerce; United States Fish & Wildlife Service, acting on behalf of the U.S. Department of the Interior (USFWS/DOI); Louisiana Department of Environmental Quality (LDEQ) and Louisiana Department of Wildlife and Fisheries (LDWF).

This Draft DARP/EA presents the Trustees' proposed assessment of natural resource injuries and service losses in the upper Calcasieu Estuary due to hazardous substances released from these facilities, and presents the restoration plan that the Trustees are proposing for use to compensate for these losses. The Trustees will consider comments received during the public comment period before adopting the final DARP/EA.

Deadline for Comments: Comments on the Draft DARP/EA must be submitted in writing on or before May 26, 2009.

ADDRESSES: Requests for copies of the Draft DARP/EA should be sent to John Rapp of NOAA at 1315 East-West Highway, SSMC3, F/HC3, Silver Spring, MD 20910, e-mail: *Verdine.Comments@noaa.gov*. The Draft DARP/EA is also available for downloading at *http://www.darrp.noaa.gov* (by clicking on the document title in the Bayou Verdine announcement on that page).

Comments on this plan are to be sent in writing to John Rapp of NOAA for receipt on or before May 26, 2009. These written comments may be submitted either by mail at the address provided above; by fax to 301–713–0184, or by e-mail to *Verdine.Comments@noaa.gov*.

SUPPLEMENTARY INFORMATION: Bayou Verdine is a shallow, sinuous bayou in the upper Calcasieu Estuary, southwest of the City of Westlake and slightly northwest of the City of Lake Charles, in Calcasieu Parish, LA. It originates in an agricultural area immediately north and northwest of petroleum facilities owned and operated by ConocoPhillips Company and Sasol North America Inc., and flows in a south-southeast direction through this industrialized segment before entering the Calcasieu River at Coon Island Loop. Historical operations at these two facilities have resulted in releases of hazardous substances, such as polynuclear aromatic hydrocarbons (PAHs), heavy metals, and other hazardous compounds, into Bayou Verdine and Coon Island Loop, within the Estuary.

The upper Calcasieu Estuary has been the focus of a number of past investigations related to contaminant releases and is the subject of several on-going response or corrective action planning processes under the direction or oversight of the U.S. Environmental Protection Agency (USEPA) and/or LDEQ. The most extensive effort to identify the nature and extent of hazardous substances present in the Estuary to date is the federal-lead Remedial Investigation (RI) of contaminants in sediments, surface water, and biota in the Calcasieu Estuary undertaken by the USEPA in 1999. Results from this investigation, combined with other relevant data and information, prompted the Trustees to pursue a natural resource damage assessment (NRDA) to determine and quantify resource injuries and losses in the Estuary attributable to hazardous substances from the PRPs' facilities, and to develop a restoration plan that would be sufficient to compensate for those losses. The Trustees' decision to proceed with this NRDA was identified in a "Notice Of Intent To Perform Damage Assessment & Develop Restoration Plan for Natural Resources Injured by Hazardous Substances in Bayou Verdine & Coon Island Loop in Calcasieu Parish, Louisiana" published September 26, 2004, in the *American Press*, a newspaper of general circulation in Calcasieu Parish, LA. That notice also invited public input regarding potential restoration opportunities in the watershed that the Trustees could consider in developing an appropriate restoration plan. The PRPs were cooperatively involved in the NRDA process as well, consistent with 43 CFR 11.32.

The Draft DARP/EA released today identifies the Trustees' proposed assessment of natural resource injuries and losses due to past releases from these facilities and identifies the restoration action which is preferred for use to restore, replace or acquire resources or services equivalent to those lost.

In undertaking this NRDA and in releasing this Draft DARP/EA, the Trustees are acting in accordance with their designation and authorities under section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9607(f), section 311 of the Federal Water Pollution and Control Act (FWPCA), 33 U.S.C. section 1321, Subpart G of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR sections 300.600–300.615, and regulations at 43 CFR part 11 that are applicable to natural resource damage assessments under CERCLA. The Trustees act on behalf of the public under these authorities to protect and restore natural resources injured or lost as a result of discharges or releases of hazardous substances.

FOR FURTHER INFORMATION CONTACT: John Rapp, at (301) 713–0174 x174, or e-mail: *Verdine.Comments@noaa.gov*.

Dated: March 9, 2009.

David G. Westerholm,

Director, Office of Response and Restoration, National Ocean Service, National Oceanic and Atmospheric Administration.

[FR Doc. E9–6693 Filed 3–25–09; 8:45 am]

BILLING CODE 3510–JE–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Notice of Public Meeting; The Advisory Committee on Commercial Remote Sensing (ACCRES)

AGENCY: National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Advisory Committee on Commercial Remote Sensing (ACCRES) will meet April 7, 2009.

Date and Time: The meeting is scheduled as follows: April 7, 2009, 9 a.m.–3 p.m. The first part of this meeting will be closed to the public. The public portion of the meeting will begin at 1:30 p.m.

ADDRESSES: The meeting will be held in the Crowne Plaza Hotel located at 777 Georgia Ave., Silver Spring, MD 20910. While open to the public, seating capacity may be limited.

SUPPLEMENTARY INFORMATION: As required by section 10(a)(2) of the Federal Advisory Committee Act, 5