

sampling protocols to investigate whether, how, when, where, and under what conditions sea turtle bycatch is occurring and to evaluate whether existing measures are minimizing or preventing bycatch.

2024 Annual Determination

Pursuant to 50 CFR 222.402(a), NOAA’s Assistant Administrator for Fisheries, in consultation with Regional Administrators and Fisheries Science Center Directors, annually identifies fisheries for inclusion on the AD based on the extent to which:

- (1) The fishery operates in the same waters and at the same time as sea turtles are present;
- (2) The fishery operates at the same time or prior to elevated sea turtle strandings; or
- (3) The fishery uses a gear or technique that is known or likely to result in incidental take of sea turtles based on documented or reported takes in the same or similar fisheries; and
- (4) NMFS intends to monitor the fishery and anticipates that it will have the funds to do so.

NMFS is providing notification that the agency is not identifying additional fisheries to observe on the 2024 AD, pursuant to its authority under the ESA. NMFS is not identifying additional fisheries at this time given lack of dedicated resources to implement new observer programs or expand existing observer programs to focus on sea turtles. The four fisheries identified on the 2020 AD (see table 1) will remain on the AD for a 5-year period and are required to carry observers upon NMFS’ request until September 29, 2025. The two fisheries identified on the 2023 AD (see table 1) will remain on the AD for a 5-year period and are required to carry observers upon NMFS’ request until December 31, 2027.

TABLE 1—STATE AND FEDERAL COMMERCIAL FISHERIES INCLUDED ON THE 2020 AND 2023 ANNUAL DETERMINATIONS

Fishery	Years eligible to carry observers
Trawl Fisheries:	
Southeastern U.S. Atlantic, Gulf of Mexico shrimp trawl	2020–2025
Gulf of Mexico mixed species fish trawl	2020–2025
Gillnet Fisheries:	
Chesapeake Bay inshore gillnet ..	2020–2025
Long Island inshore gillnet	2020–2025
Mid-Atlantic gillnet	2023–2027
Pound Net/Weir/Seine Fisheries:	
Gulf of Mexico menhaden purse seine	2023–2027

Dated: November 20, 2023.
Kimberly Damon-Randall,
*Director, Office of Protected Resources,
National Marine Fisheries Service.*
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XD551]

Marine Mammals; File No. 26593

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.
ACTION: Notice; receipt of application for permit amendment.

SUMMARY: Notice is hereby given that Adam Pack, Ph.D., University of Hawaii at Hilo, 200 West Kawili Street, Hilo, HI 96720, has applied for an amendment to Scientific Research Permit No. 26593.
DATES: Written comments must be received on or before December 26, 2023.

ADDRESSES: The application and related documents are available for review by selecting “Records Open for Public Comment” from the “Features” box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 26593 from the list of available applications. These documents are also available upon written request via email to NMFS.Pr1Comments@noaa.gov.

Written comments on this application should be submitted via email to NMFS.Pr1Comments@noaa.gov. Please include File No. 26593 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to NMFS.Pr1Comments@noaa.gov. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Carrie Hubbard or Courtney Smith, Ph.D., (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject amendment to Permit No. 26593 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of

endangered and threatened species (50 CFR parts 222–226).

Permit No. 26593, issued on March 13, 2023 (88 FR 23400, April 17, 2023), authorizes the permit holder to study 29 cetacean species in Hawaiian and Alaskan waters, with a focus on humpback whales (*Megaptera novaeangliae*). The purpose of the research is to examine the behavioral ecology, biology and communication systems of humpback whales as well as the abundance, distribution, behavior, and physiological stress levels of all cetacean species in the study area. Research may be conducted from boats, airplanes, unmanned aircraft systems (UAS), and underwater. Animals may be studied using photo-ID, videogrammetry, passive acoustic recordings, behavioral observations, collection of fecal and skin samples, biopsy sampling, and suction-cup tagging. The permit holder is requesting the permit be amended to add active acoustic playbacks to humpback whales and to authorize suction-cup tagging of an additional 98 humpback whales annually as part of the acoustic research. In addition, Dr. Pack is requesting to add UAS deployment of suction-cup tags as a procedure for humpback whales. The objective of the acoustic playbacks are to examine humpback whale responses to vessel engine noise, conspecific sounds, natural ambient noise, and tonal sounds in Hawaiian waters. The permit expires on April 30, 2028.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: November 20, 2023.
Julia M. Harrison,
*Chief, Permits and Conservation Division,
Office of Protected Resources, National
Marine Fisheries Service.*
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