

TABLE 5—ESTIMATES OF MEAN UNDERWATER SOUND LEVELS \* GENERATED DURING IN-WATER VIBRATORY AND IMPACT PILE INSTALLATION AND VIBRATORY PILE REMOVAL—Continued

Method	Pile size and type	dB RMS (dB re 1 uPa RMS)	dB peak (dB re 1 uPa peak)	dB SEL (dB re 1 uPa <sup>2</sup> -sec)	Reference
Impact install .....	30-inch (76 cm) steel pile.	190	210	177	Caltrans 2015.

**Note:** dB = decibels; dB peak = peak sound level; RMS = root mean square; uPa = micro-Pascals; SEL = sound exposure level; cm = centimeter. \* All sound levels are referenced at 10 m.

### National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

### Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

NMFS is authorizing take of the following distinct population segments: Western U.S. Steller sea lion, Western North Pacific humpback whale, the Mexico humpback whale, and fin whale, which are listed under the ESA. The Permit and Conservation Division completed a section 7 consultation with the Alaska Regional Office for the issuance of this IHA. The Alaska Regional Office's biological opinion states that the action is not likely to jeopardize the continued existence of the listed species.

### Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to ARRC for authorization to take marine mammals incidental to Seward Freight Dock construction project in Seward, Alaska.

Dated: May 15, 2025.

**Kimberly Damon-Randall,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**BILLING CODE 3510–22–P**

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Applications and Reports for Scientific Research and Enhancement Permits Under the Endangered Species Act

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on December 18, 2024 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

**Agency:** National Oceanic & Atmospheric Administration (NOAA), Commerce.

**Title:** Applications and Reports for Scientific Research and Enhancement Permits Under the Endangered Species Act.

**OMB Control Number:** 0648–0402.

**Form Number(s):** None.

**Type of Request:** Regular submission (extension of a currently approved collection).

**Number of Respondents:** 175 per year.

**Average Hours per Response:** 12 hours for permit applications; 6 hours for permit modification requests; 2 hours for annual reports.

**Total Annual Burden Hours:** 810 hours.

**Needs and Uses:** This is a request for renewal of an approved information collection. The Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) imposes prohibitions against the taking of threatened and endangered species. Section 10 of the ESA allows permits authorizing the taking of such species for research and 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 thus require two sets of information collections: (1) Applications for research/enhancement permits, and (2) prescribed reports for such permits once they are issued.

The required information is used to evaluate the impacts that research and enhancement activities have on endangered species, to make the determinations required by the ESA before issuing any such 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. This collection is not being revised in any way.

**Affected Public:** Federal government; State, local, or tribal governments; business or other for-profit organizations, educational institutions.

**Frequency:** Annually.

**Respondent's Obligation:** Required to Obtain or Retain Benefits.

**Legal Authority:** The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0402.

**Sheleen Dumas,**

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XE878]

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Lutak Dock Replacement Project, Haines, Alaska

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

**ACTION:** Notice; issuance of incidental harassment authorization.

**SUMMARY:** NMFS has received a request from the Haines Borough for the reissuance of a previously issued incidental harassment authorization (IHA) with the only change being effective dates. The initial IHA authorized take of six species of marine mammals, by Level A and Level B harassment, incidental to construction activities associated with the Lutak Dock Replacement project in Haines, Alaska. The project has been delayed by 1 year and none of the work covered in the initial IHA has been conducted. The initial IHA was effective from June 1, 2024 through May 31, 2025. The Haines Borough has requested reissuance with new effective dates of June 1, 2025 through May 31, 2026. The scope of the activities and anticipated effects remain the same, authorized take numbers are not changed, and the required

mitigation, monitoring, and reporting remains the same as included in the initial IHA. NMFS is, therefore, issuing a second identical IHA to cover the incidental take analyzed and authorized in the initial IHA.

**DATES:** This authorization is effective from June 1, 2025 through May 31, 2026.

**ADDRESSES:** An electronic copy of the final 2024 IHA previously issued to Haines Borough, the Haines Borough’s application, and the **Federal Register** notices proposing and issuing the initial IHA may be obtained by visiting <https://www.fisheries.noaa.gov/action/incidental-take-authorization-haines-boroughs-lutak-dock-replacement-project-haines-alaska>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:** Craig Cockrell, Office of Protected Resources, NMFS, (301) 427–8401.

#### SUPPLEMENTARY INFORMATION:

#### Background

Sections 101(a)(5)(A) and (D) of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined “negligible impact” in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term “take” means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA

defines “harassment” as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

#### Summary of Request

On February 16, 2024, NMFS published final notice of our issuance of an IHA authorizing take of marine mammals incidental to the Lutak Dock Replacement project in Haines, Alaska (89 FR 12306). The effective dates of that IHA were June 1, 2024 through May 31, 2025. On March 18, 2025, Haines Borough informed NMFS that the project would be delayed by one year. None of the work identified in the initial IHA (*e.g.*, pile driving and removal) has occurred. The request was for NMFS to reissue an identical IHA that would be effective from June 1, 2025 through May 31, 2026, in order to conduct the construction work that was analyzed and authorized through the previously issued IHA. Therefore, reissuance of the IHA is appropriate.

#### Summary of Specified Activity and Anticipated Impacts

The planned activities (including mitigation, monitoring, and reporting), authorized incidental take, and anticipated impacts on the affected stocks are the same as those analyzed and authorized through the previously issued IHA.

Haines Borough will encapsulate the existing Lutak Dock structure with a new dock structure of similar design. In-water construction activities associated with the project will include impact pile driving, vibratory pile driving and removal, and down the hole drilling installation. The location, timing, and nature of the activities, including the types of equipment planned for use, are identical to those described in the initial IHA. The mitigation and monitoring are also as prescribed in the initial IHA.

Species that are expected to be taken by the planned activity include humpback whale (*Megaptera novaeangliae*), killer whale (*Orcinus orca*), harbor porpoise (*Phocoena phocoena*), Dall’s porpoise (*Phocoenoides dalli*), Steller sea lion (*Eumetopias jubatus*), and harbor seal (*Phoca vitulina*). A description of the methods and inputs used to estimate take anticipated to occur and, ultimately, the take that was authorized