

Council Session I, Monday, March 6, 2023, 8:30 a.m. Until 10 a.m. (Closed Session)

The Council will meet in Closed Session to receive a litigation brief, review changes to the Council's Advisory Panel Policy and Handbook, discuss participants for appointment to BlueLine and Tilefish topical working groups, and discuss appointments to the SEDAR Pool and the Council's Scientific and Statistical Committee (SSC).

Council Session I, Monday, March 6, 2023, 10 a.m.–12 p.m. (Open Session)

The Council will receive reports from state agencies, Council liaisons, NOAA Office of Law Enforcement, and the U.S. Coast Guard. The Council will review the Commercial Electronic Logbook Amendment and consider approving the joint amendment for public hearing. The Council will also discuss the outcomes of the 2023 Climate Change Scenario Planning Summit Meeting and next steps.

Snapper Grouper Committee, Monday, March 6, 2023, 1:30 p.m. Until 5 p.m., Tuesday, March 7, 2023, 8:30 a.m. Until 5 p.m., and Wednesday, March 8, 2023, From 8:30 a.m. Until 12 p.m.

The Committee will receive an update on amendments under formal review and a presentation on a Management Strategy Evaluation (MSE) for the Snapper Grouper Fishery. The Committee will get an update from NOAA Fisheries on the 2023 Red Snapper recreational season and review public hearing comments on Snapper Grouper Regulatory Amendment 35 (Release Mortality Reduction and Red Snapper Catch Levels) and consider approving the amendment for Secretarial review. The Committee will also receive updates on Best Fishing Practices outreach and the South Atlantic Red Snapper Research Program (SARSRP).

The Committee will review public scoping comments and discuss the Recreational Permitting Amendment (Snapper Grouper Amendment 46). Committee members will receive a presentation from NOAA Fisheries and SSC recommendations for the SEDAR 68 stock assessment for scamp and yellowmouth grouper. The Committee will review public hearing comments for Snapper Grouper Amendment 53 addressing management measures gag grouper and black grouper and consider approving the amendment for Secretarial review. The Committee will review Snapper Grouper Amendment 48 addressing wreckfish management

measures and approve topics for the Spring 2023 meeting of the Snapper Grouper Advisory Panel.

SEDAR Committee, Wednesday, March 8, 2023, 1:30 p.m. Until 2:30 p.m.

The Committee will consider Terms of Reference for blueLine tilefish and tilefish (golden), receive a report from the SEDAR Steering Committee, an update on SEDAR projects, and discuss 2026 South Atlantic SEDAR schedule recommendations.

Mackerel Cobia Committee, Wednesday, March 8, 2023, 2:30 p.m. Until 3:45 p.m.

The Committee will receive an update on the status of amendments under review, receive SSC recommendations and discuss management of Spanish mackerel, discuss options for conducting port meetings for the mackerel fishery, and approve topics for the Spring 2023 meeting of the Mackerel Cobia Advisory Panel.

Formal Public Comment, Wednesday, March 8, 2023, 4 p.m.—Public comment will be accepted from individuals attending the meeting in person and via webinar on all items on the Council meeting agenda. The Council Chair will determine the amount of time provided to each commenter based on the number of individuals wishing to comment.

A public hearing for Snapper Grouper Amendment 48 addressing proposed wreckfish management measures will be held during the public comment period.

Habitat Protection and Ecosystem-Based Management Committee, Thursday, March 9, 2023, 8:30 a.m. Until 12 p.m.

The Committee will receive an update on the status of the Council's Habitat Blueprint, review the Council's Beach Dredging and Energy Policies, and discuss the 5-year review of Essential Fish Habitat designations. The Committee will also receive a report from the Council Coordinating Committee's Area-Based Management Subcommittee, discuss coral management items, and approve topics for the Spring 2023 meeting of the Habitat and Ecosystem-Based Management Advisory Panel.

Council Session II, Thursday, March 9, 2023, 1:30 p.m. Until 5 p.m. and Friday, March 10, 2023, 8:30 a.m. Until 12 p.m.

The Council will receive a litigation brief if needed, a staff report, and a report from the Shrimp Advisory Panel. The Council will receive a presentation on an update of the Florida Keys National Marine Sanctuary's Protocol for Cooperative Fisheries Management, and reports from NOAA Fisheries' Southeast Regional Office and the

Southeast Fisheries Science Center. The Council will receive Committee reports, review its workplan for the next quarter, upcoming meetings, and take action as necessary. The Council will discuss any other business as needed.

Documents regarding these issues are available from the Council office (see **ADDRESSES**).

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: February 13, 2023.

Key Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC703;

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Navy Training Activities in the Gulf of Alaska Study Area

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

ACTION: Notice of issuance of Letter of Authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that a Letter of Authorization (LOA) has been issued to the U.S. Navy (Navy) for the take of marine mammals incidental to military

readiness activities conducted in the Gulf of Alaska (GOA) Study Area.

DATES: Effective from February 3, 2023 to February 2, 2030.

ADDRESSES: The LOA and supporting documentation are available online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-military-readiness-activities>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Leah Davis, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Background

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA 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 proposed or, if the taking is limited to harassment, the public is provided with notice of the proposed incidental take authorization and provided the opportunity to review and submit comments.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stocks and will not have an unmitigable adverse impact on the availability of the species or stocks for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to in this rule as “mitigation measures”); and requirements pertaining to the monitoring and reporting of such takings. The MMPA defines “take” to mean to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.

The National Defense Authorization Act (NDAA) for Fiscal Year 2004 (2004 NDAA) (Pub. L. 108–136) amended section 101(a)(5) of the MMPA to remove the “small numbers” and “specified geographical region”

provisions indicated above and amended the definition of “harassment” as applied to a “military readiness activity.” The definition of harassment for military readiness activities (Section 3(18)(B) of the MMPA) is (i) Any act that injures or has the significant potential to injure a marine mammal or marine mammal stock in the wild (Level A Harassment); or (ii) Any act that disturbs or is likely to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns, including, but not limited to, migration, surfacing, nursing, breeding, feeding, or sheltering, to a point where such behavioral patterns are abandoned or significantly altered (Level B harassment). In addition, the 2004 NDAA amended the MMPA as it relates to military readiness activities such that the least practicable adverse impact analysis shall include consideration of personnel safety, practicality of implementation, and impact on the effectiveness of the military readiness activity.

More recently, Section 316 of the NDAA for Fiscal Year 2019 (2019 NDAA) (Pub. L. 115–232), signed on August 13, 2018, amended the MMPA to allow incidental take rules for military readiness activities under section 101(a)(5)(A) to be issued for up to 7 years. Prior to this amendment, all incidental take rules under section 101(a)(5)(A) were limited to 5 years.

Summary of Request

On January 4, 2023, we issued a final rule responding to a request from the Navy for authorization to take marine mammals incidental to military readiness activities conducted in the GOA Study Area (88 FR 604, January 4, 2023). The following types of training, which are classified as military readiness activities pursuant to the MMPA, as amended by the 2004 NDAA, are covered under the final rule: surface warfare (detonations at or above the water surface) and anti-submarine warfare (sonar and other transducers). The Navy is also conducting Air Warfare, Electronic Warfare, Naval Special Warfare, Strike Warfare, and Support Operations, but these activities do not involve sonar and other transducers, detonations at or above the water surface, or any other stressors that could result in the take of marine mammals.

Authorization

In accordance with the final rule, we have issued a LOA to Navy authorizing the take of marine mammals incidental to training activities in the GOA Study Area, as described above. Take of

marine mammals will be minimized through the implementation of the following planned mitigation measures: (1) use of defined powerdown and shutdown zones (based on activity), which are designed to minimize the number and severity of takes; (2) measures to reduce the likelihood of ship strikes, including the use of trained Lookouts to observe for marine mammals in designated zones on underway vessels and issuance of pre-event awareness messages to alert vessels and aircraft participating in training activities within the TMAA to the possible presence of concentrations of large whales on the continental shelf and slope; and (3) operational limitations in certain areas and times that are biologically important (*i.e.*, for foraging) for marine mammals. Additionally, the rule includes an adaptive management component that allows for timely modification of mitigation or monitoring measures based on new information, when appropriate. The Navy will submit reports as required.

Based on the findings and information discussed in the preamble to the final rule, the activities described under this LOA will have a negligible impact on marine mammal stocks and will not have an unmitigable adverse impact on the availability of the affected marine mammal stock for subsistence uses.

Dated: February 13, 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–XC775]

Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Pacific Fishery Management Council (Council) and its advisory bodies will meet March 4–10, 2023, in Seattle, WA, in person and via webinar. The Council meeting will be live streamed with the opportunity to provide public comment remotely. The following groups will meet in person in Seattle: Scientific and Statistical Committee, Salmon Technical Team,