

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[RTID 0648–XC198]

**Marine Mammals; File No. 26614**

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Craig Matkin, Director, North Gulf Oceanic Society, 3430 Main St. Suite B1, Homer, Alaska 99603, has applied in due form for a permit to conduct research on marine mammals.

**DATES:** Written, telefaxed, or email comments must be received on or before September 6, 2022.

**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. 26614 from the list of available applications. These documents are also available upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

Written comments on this application should be submitted via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 26614 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](mailto: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:**

Courtney Smith, Ph.D., or Shasta McClenahan, Ph.D., (301) 427–8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 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 (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant proposes to continue a long-term research study of killer whales (*Orcinus orca*) in Alaskan waters, focusing on their population

status, health, and ecosystem interactions. Research methods include vessel and aerial (small unmanned aircraft system) surveys to conduct photo-identification, photogrammetry, diet sampling (prey remain and fecal sample collection), passive acoustic recording, and breath and biopsy sampling. Up to 3,000 killer whales may be photographed annually, with up to 35 whales biopsy sampled. Prey remains may be collected from endangered salmonid species (*Oncorhynchus* spp.) and up to 25 each of the following species minke whales (*Balaenoptera acutorostrata*), harbor porpoise (*Phocoena phocoena*), Dall’s porpoise (*Phocoenoides dalli*), harbor seals (*Phoca vitulina*), Pacific white-sided dolphins (*Lagenorhynchus obliquidens*), northern fur seals (*Callorhinus ursinus*), and other unidentified cetaceans or pinnipeds. Prey remains and other samples may be imported and/or exported. The permit would be valid for 5 years from the date of issuance.

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 the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: August 1, 2022.

**Julia M. Harrison,**

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2022–16735 Filed 8–3–22; 8:45 am]

**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[RTID 0648–XB497]

**Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the Naval Magazine Indian Island Ammunition Wharf Maintenance and Pile Replacement Project**

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

**ACTION:** Notice; receipt of application for letter of authorization; request for comments and information.

**SUMMARY:** NMFS has received a request from the United States Department of the Navy (Navy) for authorization to take marine mammals incidental to replacement and maintenance of the Ammunition Wharf marine structure at Naval Magazine (NAVMAG) Indian Island in Puget Sound, Washington, over the course of five years. Pursuant to regulations implementing the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of the Navy’s request for the development and implementation of regulations governing the incidental taking of marine mammals. NMFS invites the public to provide information, suggestions, and comments on the Navy’s application and request.

**DATES:** Comments and information must be received no later than September 6, 2022.

**ADDRESSES:** Comments on the application should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service and should be sent to [ITP.Pauline@noaa.gov](mailto:ITP.Pauline@noaa.gov).

**Instructions:** NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. All comments received are a part of the public record and will generally be posted online at [www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities](http://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities) without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

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

**SUPPLEMENTARY INFORMATION:****Availability**

Electronic copies of the Navy’s application and separate monitoring plan may be obtained online at: [www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities](http://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities). In case of problems accessing these documents, please call the contact listed above.

**Background**

Sections 101(a)(5)(A) and (D) of the 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 May 14, 2021, NMFS received an application from the Navy requesting authorization for take of marine mammals incidental to construction related to replacement and maintenance activities at the Ammunition Wharf marine structure at NAVMAG Indian Island. NMFS sent initial questions regarding the application to the Navy on October 5, 2021. The Navy addressed the questions and submitted a revised Letter of Authorization (LOA) application on March 24, 2022. After additional questions were sent by NMFS the Navy submitted another revised application on June 12, 2022. The requested regulations would be valid for 5 years, from October 1, 2023 through

September 30, 2028. The Navy plans to conduct necessary work, including impact and vibratory pile driving, to replace and maintain the wharf structure. The proposed action may incidentally expose marine mammals occurring in the vicinity of in-water construction activities to elevated levels of underwater sound, thereby resulting in incidental take, by Level A and Level B harassment. Therefore, the Navy requests authorization to incidentally take marine mammals.

#### Specified Activities

Maintaining the structural integrity of the Ammunition Wharf is vital to sustaining the Navy’s mission and ensuring military readiness. The Navy proposes to replace up to 118 structural concrete piles or fender piles, conduct maintenance, and repair activities over a 7-year period on the Ammunition Wharf at NAVMAG Indian Island. Under the 5-year LOA, up to 110 structurally unsound structural piles or fender piles would be replaced. Structural concrete piles would be replaced with 24-in concrete piles or old fender piles would be replaced with 14-in steel H piles or 18.75-in composite piles. Up to eight steel piles may also be installed in addition to the structural concrete piles if necessary. To minimize underwater noise impacts on marine species, water jetting would be primary method to install concrete piles and vibratory pile driving would be the primary method to install steel piles. An impact hammer may be used if substrate conditions prevent the advancement of piles to the required depth or to verify the load-bearing capacity for both concrete and steel piles. An air bubble curtain or other noise attenuating device would be used to reduce noise levels during impact driving of 36-in steel piles but would not be used for concrete piles. All pile driving will be conducted during the prescribed in-water work window for the NAVMAG Indian Island facility (October 1 to January 15). Activity occurring during the 2 years following the 5 year LOA would consist only of removal and installation of concrete piles, and maintenance and repair work, with no steel pile installation. Additional incidental take authorizations will be requested as needed for these activities.

#### Information Solicited

Interested persons may submit information, suggestions, and comments concerning the Navy’s request (see ADDRESSES). NMFS will consider all information, suggestions, and comments related to the request during the development of proposed regulations

governing the incidental taking of marine mammals by the Navy, if appropriate.

Dated: August 1, 2022.

**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

[RTID 0648–XC216]

#### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Pacific Fishery Management Council (Pacific Council) will convene two half-day webinar meetings of its Groundfish Management Team (GMT) to initiate discussions and analyses on groundfish items on the Pacific Council’s September 2022 meeting agenda. These meetings are open to the public.

**DATES:** The online meetings will be held on Thursday, August 25 and Tuesday, August 30, 2022, starting each day at 8:30 a.m. Pacific Time and ending at 12 p.m. Pacific Time, or when business has been completed for each day.

**ADDRESSES:** This meeting will be held online. Specific meeting information, including directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council’s website (see [www.pcouncil.org](http://www.pcouncil.org)). You may send an email to Mr. Kris Kleinschmidt ([kris.kleinschmidt@noaa.gov](mailto:kris.kleinschmidt@noaa.gov)) or contact him at (503) 820–2412 for technical assistance.

**Council address:** Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

**FOR FURTHER INFORMATION CONTACT:** Todd Phillips, Staff Officer, Pacific Council; telephone: (503) 820–2426.

**SUPPLEMENTARY INFORMATION:** The primary purpose of the GMT webinar is to prepare for the Pacific Council’s September 2022 agenda items. The GMT will discuss items related to groundfish management, ecosystem management, and administrative matters on the Pacific Council’s September agenda. The GMT may also address other