

relatively short timeframes. Given the limited number of animals from each migratory coastal stock likely to be found at the seasonal migratory boundaries of their respective ranges, in combination with the short time periods (~2 months) animals might remain at these boundaries, it is reasonable to assume that takes are likely to occur only within some small portion of either of the migratory coastal stocks.

Both migratory coastal stocks likely overlap with the NNCES stock at various times during their seasonal migrations. The NNCES stock is defined as animals that primarily occupy waters of the Pamlico Sound estuarine system (which also includes Core, Roanoke, and Albemarle sounds, and the Neuse River) during warm water months (July–August). Members of this stock also use coastal waters ( $\leq 1$  km from shore) of North Carolina from Beaufort north to Virginia Beach, Virginia, including the lower Chesapeake Bay. Comparison of dolphin photo-identification data confirmed that limited numbers of individual dolphins observed in Roanoke Sound have also been sighted in the Chesapeake Bay (Young, 2018). Like the migratory coastal dolphin stocks, the NNCES stock covers a large range. The spatial extent of most small and resident bottlenose dolphin populations is on the order of 500 km<sup>2</sup>, while the NNCES stock occupies over 8,000 km<sup>2</sup> (LeBrecque *et al.*, 2015). Given this large range, it is again unlikely that a preponderance of animals from the NNCES stock will depart the North Carolina estuarine system and travel to the northern extent of the stock's range and enter into the Bay. However, recent evidence suggests that there is likely a small resident community of NNCES dolphins of indeterminate size that inhabits the Chesapeake Bay year-round (Eric Patterson, Personal Communication).

Many of the dolphin observations in the Bay are likely repeated sightings of the same individuals. The Potomac-Chesapeake Dolphin Project has observed over 1,200 unique animals since observations began in 2015. Re-sightings of the same individual can be highly variable. Some dolphins are observed once per year, while others are highly regular with greater than 10 sightings per year (Mann, Personal Communication). Similarly, using available photo-identification data, Engelhaupt *et al.* (2016) determined that specific individuals were often observed in close proximity to their original sighting locations and were observed multiple times in the same season or same year. Ninety-one percent of re-sighted individuals (100 of 110) in the

study area were recorded less than 30 km from the initial sighting location. Multiple sightings of the same individual will considerably reduce the number of individual animals that are taken by harassment. Furthermore, the existence of a resident dolphin population in the Bay will increase the percentage of dolphin takes that are actually re-sightings of the same individuals.

In summary and as described above, the following factors primarily support our determination regarding the incidental take of small numbers of a species or stock:

- The take of marine mammal stocks authorized for take comprises less than 10 percent of any stock abundance (with the exception of bottlenose dolphin stocks);
- Potential bottlenose dolphin takes in the project area are likely to be allocated among three distinct stocks;
- Bottlenose dolphin stocks in the project area have extensive ranges and it will be unlikely to find a high percentage of any one stock concentrated in a relatively small area such as the project area or the Bay;
- The Bay represents the migratory boundary for each of the specified dolphin stocks and it will be unlikely to find a high percentage of any stock concentrated at such boundaries;
- Many of the takes will be repeats of the same animal and it is likely that a number of individual animals could be taken 10 or more times.

Based on the analysis contained herein of the planned activity (including the required mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

#### Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks will not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

#### 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.

No incidental take of ESA-listed species is expected to result from this activity or been authorized by NMFS. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

#### 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 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 will preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

#### Authorization

NMFS has issued an IHA to CTJV for the potential harassment of small numbers of five marine mammal species incidental to the Parallel Thimble Shoal Tunnel Project, in Virginia Beach, Virginia that includes the previously explained mitigation, monitoring and reporting requirements.

Dated: March 4, 2024.

**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–XD783]

#### North Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of hybrid conference meetings.

**SUMMARY:** The North Pacific Fishery Management Council (Council) and its advisory committees will meet April 1, 2024 through April 9, 2024.

**DATES:** The Council's Scientific and Statistical Committee (SSC) will begin at 8 a.m. in the Aleutian room on Monday, April 1, 2024, and continue through Wednesday, April 3, 2024. The Council's Advisory Panel (AP) will begin at 8 a.m. in the Denali room on Tuesday, April 2, 2024, and continue through Saturday, April 6, 2024. The closed Executive/Finance Committee will meet Wednesday April 3, 2024, from 1 p.m. to 5 p.m. at the Council's offices. The Council will begin at 8 a.m. in the Aleutian room on Thursday, April 4, 2024, and continue through Tuesday, April 9, 2024. All times listed are Alaska Time.

**ADDRESSES:** The meetings will be a hybrid conference. The in-person component of the meeting will be held at the Hilton Hotel, 500 W 3rd Ave., Suite 400, Anchorage, AK 99501, or join the meeting online through the links at <https://www.npfmc.org/upcoming-council-meetings>.

**Council address:** North Pacific Fishery Management Council, 1007 W 3rd Ave., Anchorage, AK 99501-2252; telephone: (907) 271-2809. Instructions for attending the meeting via webconference are given under Connection Information, below.

**FOR FURTHER INFORMATION CONTACT:** Diana Evans, Council staff; email: [diana.evans@noaa.gov](mailto:diana.evans@noaa.gov); telephone: (907) 271-2809. For technical support, please contact our Council administrative staff, email: [npfmc.admin@noaa.gov](mailto:npfmc.admin@noaa.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **Agenda**

*Monday, April 1, 2024, Through Wednesday, April 3, 2024*

The SSC agenda will include the following issues:

- (1) Scallops—Stock Assessment and Fishery Evaluation (SAFE) report, Acceptable biological catch (ABC)/Over Fishing Limit (OFL), Plan Team report.
- (2) Salmon bycatch—review (a) Chinook/chum genetics reports for Bering Sea (BS), Gulf of Alaska (GOA); and (c) Chum Salmon Bycatch initial review analysis.
- (3) Amendment 80 Program Review—review report.
- (4) Research Priorities—set 5-year priorities.
- (5) Sablefish study for IRA funding—discuss for potential analysis.

The agenda is subject to change, and the latest version will be posted at <https://meetings.npfmc.org/Meeting/Details/3040> prior to the meeting, along with meeting materials.

In addition to providing ongoing scientific advice for fishery management decisions, the SSC functions as the Council's primary peer review panel for scientific information, as described by the Magnuson-Stevens Act section 302(g)(1)(e), and the National Standard 2 guidelines (78 FR 43066). The peer-review process is also deemed to satisfy the requirements of the Information Quality Act, including the OMB Peer Review Bulletin guidelines.

*Tuesday, April 2, 2024, Through Saturday, April 6, 2024*

The Advisory Panel agenda will include the following issues:

- (1) Scallops—SAFE report, ABC/OFL, Plan Team report.
- (2) Salmon bycatch—review (a) Chinook/chum genetics reports BS and GOA, and (c) Chum Salmon Bycatch initial review analysis.
- (3) Area 4 Vessel Caps—Initial Review.
- (4) Amendment 80 Program Review—review report.
- (5) Maximum retention amount adjustments—review discussion paper.
- (6) Research Priorities set 5-year priorities.
- (7) Staff Tasking.

*Wednesday, April 3, 2024*

The Executive/Finance Committee will meet in closed session to discuss Council finances and internal administrative matters.

*Thursday, April 4, 2024, Through Tuesday, April 9, 2024*

The Council agenda will include the following issues. The Council may take appropriate action on any of the issues identified.

- (1) B Reports (Executive Director, NMFS Management, NOAA General Counsel (GC), Alaska Fishery Science Center (AFSC), Alaska Department of Fish and Game (ADF&G), United States Coast Guard (USCG), United States Fish and Wildlife Service (USFWS), National Institute for Occupational Safety & Health (NIOSH) report, Cooperative reports, Advisory Panel, SSC report).
- (2) Scallops—SAFE report, ABC/OFL, Plan Team report.
- (3) Salmon bycatch—review (a) Chinook/chum genetics reports BS and GOA; (b) pollock IPA reports, Sea Share, and (c) Chum Salmon Bycatch initial review analysis.
- (4) Area 4 Vessel Caps—Initial Review.

(5) Amendment 80 Program Review—review report.

(6) Maximum retention amount adjustments—review discussion paper.

(7) Research Priorities set 5-year priorities.

(8) Staff Tasking.

#### **Connection Information**

You can attend the meeting online using a computer, tablet, or smart phone; or by phone only. Connection information will be posted online at: <https://www.npfmc.org/upcoming-council-meetings>. For technical support, please contact our administrative staff, email: [npfmc.admin@noaa.gov](mailto:npfmc.admin@noaa.gov).

If you are attending the meeting in-person, please refer to the COVID avoidance protocols on our website, <https://www.npfmc.org/upcoming-council-meetings/>.

#### **Public Comment**

Public comment letters will be accepted and should be submitted electronically through the links at <https://www.npfmc.org/upcoming-council-meetings>. The Council strongly encourages written public comment for this meeting, to avoid any potential for technical difficulties to compromise oral testimony. The written comment period is open from March 8, 2024, to March 29, 2024, and closes at 12 p.m., Alaska Time on Friday, March 29, 2024.

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

Dated: March 8, 2024.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **Renewal of the Advisory Committee on Excellence in Space, Formerly the Advisory Committee on Commercial Remote Sensing**

**ACTION:** Notice.

**SUMMARY:** In accordance with the provisions of the Federal Advisory Committee Act, as amended (FACA), the Department of Commerce has renewed and renamed the Advisory Committee on Commercial Remote Sensing (ACCRES) as the Advisory Committee on Excellence in Space (ACES), determining this action to be in the public interest in connection with the performance of duties imposed on the Department by law. ACCRES was