

on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action, and (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act (ESA)

Section 7(a)(2) of the 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, in this case with the Alaska Regional Office.

On March 1, 2024, NMFS Alaska Regional Office completed consultation with NMFS Office of Protected Resources (OPR) for the 2024 EAS Fuel Pier Repair project and issued a Biological Opinion, which concluded that the take NMFS proposed to authorize through IHAs would not jeopardize the continued existence of any endangered or threatened species or destroy or adversely modify any designated critical habitat.

NMFS is proposing to authorize take of western Distinct Population Segment (DPS) Steller sea lion, fin whale (northeast Pacific), humpback whale (Mexico-North Pacific and western North Pacific), and sperm whale (North Pacific) which are listed under the ESA. The In the March 1, 2024 Biological Opinion, reinitiation clause (3), states that formal consultation should be reinitiated if “the agency action is subsequently modified in a manner that causes an effect on the listed species or critical habitat not considered in this biological opinion.” Given the additional take by Level B harassment of humpback whale (Western N Pacific DPS) and Level A harassment of Western DPS Steller sea lion and fin whale that NMFS OPR proposes to authorize, as described herein, NMFS has reinitiated consultation internally on the issuance of this proposed IHA under section 101(a)(5)(D) of the MMPA. NMFS will conclude the ESA consultation prior to reaching a determination regarding the proposed issuance of the authorization.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to USAF for conducting the EAS Fuel Pier Repair in Alcan Harbor on Shemya Island, Alaska between April

through October 2024, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed IHA can be found at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>.

Request for Public Comments

We request comment on our analyses (included in both this document and the referenced documents supporting the 2024 IHA), the proposed authorization, and any other aspect of this notice of proposed IHA for the Eareckson Air Station Fuel Pier Repair project. We also request comment on the potential for renewal of this proposed IHA as described in the paragraph below. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

On a case-by-case basis, NMFS may issue a one-time, 1-year renewal IHA following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical or nearly identical, or nearly identical, activities as described in the Description of the Proposed Activity and Anticipated Impacts section of this notice is planned or (2) the activities as described in the Description of the Proposed Activity and Anticipated Impacts section of this notice would not be completed by the time the IHA expires and a renewal would allow for completion of the activities beyond that described in the Description of the Proposed Activity and Anticipated Impacts section of this notice, provided all of the following conditions are met:

- A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond one year from expiration of the initial IHA);
- The request for renewal must include the following: (1) An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (*e.g.*, reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take); and (2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature

not previously analyzed or authorized; and

- Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings in the initial IHA remain valid.

Dated: March 7, 2025.

Kimberly Damon-Randall,

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

[FR Doc. 2025–03953 Filed 3–12–25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE597]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the U.S. Army Corps of Engineers Unalaska (Dutch Harbor) Channel Deepening Project

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 United States Army Corps of Engineers (USACE) for the re-issuance of a previously issued incidental harassment authorization (IHA) with the only change being effective dates. The initial IHA authorized take of four species of marine mammals, by Level A and Level B harassment, incidental to construction associated with the Unalaska Channels Deepening Project in Iliuliuk Bay, Alaska. The project has been delayed and none of the work covered in the initial IHA has been conducted. 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 IHA is effective from March 15, 2025 through March 14, 2026.

ADDRESSES: An electronic copy of the final 2024 IHA previously issued to USACE, USACE'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-us-army-corps-engineers-unalaska-dutch-harbor-channel>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Cara Hotchkin, 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 November 24, 2023, NMFS published final notification of our issuance of an IHA authorizing take of marine mammals incidental to the USACE Unalaska (Dutch Harbor) Channel Deepening Project (88 FR 82326). The effective dates of that IHA were January 1, 2024 through December 31, 2024. On December 20, 2024, USACE submitted a request that we reissue an identical IHA that would be effective from January 1, 2025 through December 31, 2025, in order to conduct the construction work that was analyzed and authorized through the previously issued IHA. In the request they described that the project had been delayed. None of the work identified in the initial IHA (*e.g.*, dredging and confined underwater blasting) has occurred. Therefore, re-issuance 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.

The USACE plans to deepen the entrance channel of Iliuliuk Bay by means of dredging and (if necessary) confined blasting of a 42-foot (ft) (12.8 meter (m)) deep “bar” which currently restricts access to the port of Dutch Harbor, Alaska. Dutch Harbor is the only deep draft, year-round ice-free port along the 1,200-mile (1,931 km) Aleutian Island chain, providing vital services to vessels operating in both the North Pacific and the Bering Sea, and the depth of the bar currently restricts access for large vessels that may need to enter the port, particularly during extreme weather. The purpose of the project is to increase navigational safety and improve economic efficiencies into and out of Dutch Harbor via Iliuliuk Bay. The location, timing, and nature of the activities, including the types of equipment planned for use, are within scope of 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*), harbor porpoise (*Phocoena phocoena*), 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

is found in the previous documents referenced above. The data inputs and methods of estimating take are identical to those used in the initial IHA. NMFS has reviewed recent stock assessment reports, information on relevant unusual mortality events, and recent scientific literature, and determined that our original analysis of impacts and take estimate under the initial IHA remain valid.

We refer to the documents related to the previously issued IHA, which include the **Federal Register** notice of the issuance of the initial 2024 IHA for USACE’s construction work (88 FR 82326), USACE’s application, the **Federal Register** notice of the proposed IHA (88 FR 21630), and all associated references and documents.

Determinations

USACE will conduct activities as analyzed in the initial 2024 IHA. As described above, the number of authorized takes of the same species and stocks of marine mammals are identical to the numbers that were found to meet the negligible impact and small numbers standards and authorized under the initial IHA and no new information has emerged that would change those findings. The re-issued 2025 IHA includes identical required mitigation, monitoring, and reporting measures as the initial IHA, and there is no new information suggesting that our analysis or findings should change.

Based on the information contained here and in the referenced documents, NMFS has determined the following: (1) the required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; and (4) USACE’s activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action.

National Environmental Policy Act

This action is consistent with categories of activities identified in Categorical Exclusion B4 (incidental take authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 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 determined that the issuance of the initial IHA qualified to be categorically excluded from further National Environmental Policy Act review. NMFS has determined that the application of this categorical exclusion remains appropriate for this reissued IHA.

Endangered Species Act (ESA)

Section 7(a)(2) of the ESA of 1973 (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, in this case with the NMFS' Alaska Regional Office (AKRO).

NMFS is authorizing take of the Mexico-North Pacific stock of humpback whale, and Western DPS of Steller sea lion, which are listed as threatened or endangered under the ESA. The NMFS AKRO issued a Biological Opinion under section 7 of the ESA on the issuance of an IHA to USACE under section 101(a)(5)(D) of the MMPA by NMFS OPR. The biological opinion concluded that the action is not likely to jeopardize the continued existence of the listed species.

Authorization

NMFS has issued an IHA to USACE for in-water construction activities associated with the specified activity from March 15, 2025 through March 14, 2026. All previously described mitigation, monitoring, and reporting requirements from the initial 2024 IHA are incorporated.

Dated: March 7, 2025.

Kimberly Damon-Randall,

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

[FR Doc. 2025-03978 Filed 3-12-25; 8:45 am]

BILLING CODE 3510-22-P

COMMISSION OF FINE ARTS

Notice of Meeting

Per 45 CFR 2102.3, the next meeting of the U.S. Commission of Fine Arts is scheduled for March 20, 2025, at 9 a.m. and will be held via online videoconference. Items of discussion

may include buildings, infrastructure, parks, memorials, and public art.

Draft agendas, the link to register for the online public meeting, and additional information regarding the Commission are available on our website: www.cfa.gov. Inquiries regarding the agenda, as well as any public testimony, should be addressed to Thomas Luebke, Secretary, U.S. Commission of Fine Arts, at the above address; by emailing cfastaff@cfa.gov; or by calling 202-504-2200. Individuals requiring sign language interpretation for the hearing impaired should contact the Secretary at least 10 days before the meeting date.

Dated March 5, 2025 in Washington, DC.

Zakiya N. Walters,

Administrative Officer.

[FR Doc. 2025-03960 Filed 3-12-25; 8:45 am]

BILLING CODE 6330-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM01-5-000]

Notice Regarding Inclusion of OLE Objects in Tariff Records and Use of ALJ Settlement Codes; Electronic Tariff Filings

I. Embedded OLE Objects

A number of eTariff filings recently contained tariff records with OLE objects (an object created in one application that can be embedded in another application). For example, some filings have included what were intended to be pictures or line drawings but were in fact embedded program files, .PDF files and PowerPoint (.pptx) files. Since the inception of eTariff, the Commission has not permitted the use of embedded objects in tariff records (when those tariff records were filed as .rtf files).¹ Commission staff is working to create a check that will similarly reject tariff record files in other applications that contain OLE objects.

In the meantime, if filings are made with OLE embedded objects, the filing may be rejected, or the filer may be contacted to remake the filing if the embedded object does not render. Filers

¹ Validation Code 170 results in rejections of .RTF filings with embedded objects. Commission eTariff website, Validation Error Codes (updated 11/25/2024) ("If a record binary data is provided then the rtf file should not have any embedded OLE objects"), https://www.ferc.gov/sites/default/files/2024-11/validation_error_code.csv; *Electronic Tariff Filings*, Notice of Proposed Rulemaking, 108 FERC § 61,021, at P 36 (2004) ("The electronic tariff may not include embedded objects.").

and third-party software providers also should check their tariff records to make sure they do not contain an OLE object.² Filers should be careful not to click on the Insert/Object tab to import pictures into the document. Pictures still can be included in the tariff record if the picture is pasted into the document or inserted using the Insert tab.

II. ALJ Settlement Codes

The ALJ Settlement filing type codes³ should be used only when filing settlements in matters set for hearing and settlement judge procedures as these filings are directed to the Office of Administrative Law Judges. When parties reach a settlement outside of the hearing and settlement process (*e.g.*, settlements of proceedings with paper hearing procedures), the settlement must be filed using the standard compliance codes applicable to the filer to ensure the filing is properly assigned. Filing of *pro forma* tariff records are preferred to avoid overlapping tariff records in future filings.

For more information, contact Michael.Goldenberg@ferc.gov, James.Sarikas@ferc.gov, or the eTariff Advisory Staff at 202-502-6501 or at etariffresponse@ferc.gov.

Dated: March 7, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-03986 Filed 3-12-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25-694-000.

Applicants: Kern River Gas Transmission Company.

Description: § 4(d) Rate Filing; 2025 Form of Service Modifications to be effective 4/7/2025.

Filed Date: 3/6/25.

Accession Number: 20250306-5253.

Comment Date: 5 p.m. ET 3/18/25.

Docket Numbers: RP25-695-000.

Applicants: RH energytrans, LLC.

² Clicking Control G in Word or Excel permits a search for embedded objects. Also running the Document Inspector will reveal whether the document contains OLE objects.

³ Filing type codes 1380, 1385, 1390, 1395, 1400, 1405, 1410, 1415, 1420, and 1425.