

ITL to meet all three criteria will be invited to enter into negotiations for a cooperative research and development agreement (CRADA) with NIST/ITL. Companies whose letters of interest contain insufficient information for NIST/ITL to make a determination as to whether the proposed collaboration meets all three criteria, and companies whose proposed collaboration is determined by NIST/ITL not to meet all three criteria, will be notified in writing by NIST/ITL.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2021-27089 Filed 12-14-21; 8:45 am]

BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Advisory Committee on Earthquake Hazards Reduction Meeting

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: National Institute of Standards and Technology (NIST)'s Advisory Committee on Earthquake Hazards Reduction (ACEHR or Committee) will hold a virtual meeting via web conference on Wednesday, March 2, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time and Thursday, March 3, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time. The primary purpose of this meeting is for the Committee to review the activities of the National Earthquake Hazards Reduction Program (NEHRP) and receive responses to the Committee's 2021 biennial report on the effectiveness of NEHRP. The agenda may change to accommodate Committee business. The final agenda and any meeting materials will be posted on the NEHRP website at <http://nehrp.gov/>.

DATES: The ACEHR will meet on Wednesday, March 2, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time and Thursday, March 3, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held virtually via web conference. For instructions on how to participate in the meeting, please see the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Tina Faecke, Management and Program Analyst, NEHRP, Engineering Laboratory, NIST, 100 Bureau Drive, Mail Stop 8604, Gaithersburg, Maryland 20899-8604. Ms. Faecke's email address

is tina.faecke@nist.gov and her phone number is (240) 477-9841.

SUPPLEMENTARY INFORMATION:

Authority: 42 U.S.C. 7704(a)(5) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App. The Committee is currently composed of 14 members, appointed by the Director of NIST, who were selected for their established records of distinguished service in their professional community, their knowledge of issues affecting NEHRP, and to reflect the wide diversity of technical disciplines, competencies, and communities involved in earthquake hazards reduction. In addition, the Chairperson of the U.S. Geological Survey Scientific Earthquake Studies Advisory Committee serves as an ex-officio member of the Committee.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the ACEHR will meet on Wednesday, March 2, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time and Thursday, March 3, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time. The meeting will be open to the public, and will be held via web conference. Interested members of the public will be able to participate in the meeting from remote locations. The primary purpose of this meeting is for the Committee to review the activities of NEHRP and receive responses to the Committee's 2021 biennial report on the effectiveness of NEHRP. The agenda may change to accommodate Committee business. The final agenda and any meeting materials will be posted on the NEHRP website at <http://nehrp.gov/>.

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Committee's business are invited to request a place on the agenda. Approximately fifteen minutes will be reserved for public comments and speaking times will be assigned on a first-come, first-serve basis. The amount of time per speaker will be determined by the number of requests received. Questions from the public will not be considered during this period. All those wishing to speak must submit their request by email to Tina Faecke at tina.faecke@nist.gov by 5:00 p.m. Eastern Time, Wednesday, February 23, 2022. Speakers who wish to expand upon their oral statements, those who wish to speak but cannot be accommodated on the agenda, and those who are unable to attend remotely are invited to electronically submit written statements by email to tina.faecke@nist.gov.

Anyone wishing to attend this meeting via web conference must

register by 5:00 p.m. Eastern Time, Wednesday, February 23, 2022. Please submit your full name, email address, and phone number to Tina Faecke at tina.faecke@nist.gov.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2021-27087 Filed 12-14-21; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XB620]

Pacific Island Fisheries; Experimental Fishing Permit Application

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

ACTION: Notice of application for experimental fishing permit; request for comments.

SUMMARY: NMFS announces that the Hawaii Longline Association (HLA) has applied for an experimental fishing permit (EFP) to test tori lines (bird scaring devices) in the Hawaii shallow-set longline fishery for swordfish. The intent of the EFP is to test new ways to discourage seabird interactions that also increase operational flexibility.

DATES: NMFS must receive comments by January 14, 2022.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2021-0128, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NMFS-2021-0128 in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information

submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

You may review the EFP application at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT:

Lynn Rassel, Sustainable Fisheries, NMFS Pacific Islands Regional Office, tel (808) 725-5184.

SUPPLEMENTARY INFORMATION:

HLA applied for an EFP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act and regulations at 50 CFR 665.17. If approved, the EFP would allow the HLA to conduct a pilot study using tori lines (bird scaring streamers) as a potential replacement for current regulations at 50 CFR 665.815 that require the deployment of gear at night (night-setting), thawed blue-dyed bait, and strategic offal discharge. Night-setting, or setting one hour after sunset, is an effective method for reducing seabird bycatch because seabirds do not typically forage at night.

Since 1994, the NMFS Pacific Islands Regional Office Observer Program has monitored seabird interactions in the Hawaii longline fisheries. Starting in 2001, in response to large numbers of seabird interactions, NMFS implemented a suite of seabird mitigation requirements. The current seabird requirements, including night-setting and using blue-dyed bait and strategic offal discharge, began in 2002 (67 FR 34408, May 14, 2002) and were revised in 2005 (70 FR 75057, December 19, 2005). These requirements resulted in reductions in seabird interactions by 70–90 percent. Seabird interactions in the Hawaii longline fisheries have gradually increased in subsequent years with significant increases in black-footed albatross interactions since 2015.

In 2017, the Western Pacific Fishery Management Council (Council) held a workshop to explore the cause of the increasing interactions with black-footed albatross. The workshop suggested that a positive (warm) Pacific Decadal Oscillation, with its cooler sea surface in the western Pacific and stronger westerly winds, may increase the overlap of fishing effort and black-footed albatross foraging grounds, leading to more seabird interactions in the fishery.

In 2018, the Council held a follow-up workshop to review seabird mitigation requirements and identify research needed to inform potential future requirements to reduce interactions with seabirds. That workshop identified certain mitigation measures, including

tori lines, as a high priority for further research and development due to their potential to provide an effective alternative to blue-dyed bait.

Resulting tori line tests in the Hawaii deep-set longline fishery in 2019–2021 showed tori lines to be a more effective seabird mitigation measure than blue-dyed bait. In addition, the use of blue-dyed bait can be impractical due to the time and materials required to dye the bait, the need to fully thaw the bait which increases bait loss from hooks, and the administrative burden to monitor and enforce consistent application of blue-dye bait. However, data are lacking on the extent to which blue-dyed bait adds to the effectiveness of the already effective night-setting technique that is required in the shallow-set fishery. We also have little information about whether alternative measures may replace blue-dyed bait to produce similar or improved interaction mitigation effects during setting operations in the shallow-set fishery. The tests in the deep-set fishery also showed that strategic offal discharge (discharging fish, fish parts, and bait) during setting operations may increase interactions over time by attracting seabirds to fishing vessels.

At its March 2021 meeting, the Council called for additional research to develop appropriate seabird mitigation measures for the shallow-set fishery. The Council emphasized that it intends to identify mitigation measures that maintain the effectiveness of seabird deterrence during dusk compared to the existing night-setting measures to provide operational flexibility in the time period when gear is set. Swordfish depths are affected by diel vertical migrations and lunar illumination, and Hawaii shallow-set longline fishermen have historically adjusted their set time according to the lunar phase to increase efficiency and optimize catch. Providing greater flexibility for the start of setting time while also deterring seabird interactions may help to optimize swordfish catch rates according to the lunar cycle, promote more efficient fishing operations, maintain catch value, and enhance crew safety.

Under the EFP, the HLA would use one vessel to test setting up to one hour before sunset in the shallow-set fishery, while using two tori lines. The tori lines would have an aerial extent of about 65–75 meters each, and would be used instead of strategic offal discharge when seabirds are present and thawed blue-dyed bait, both of which are normally required while stern-setting in the fishery. Previous tori line testing in the deep-set fishery used a single tori line with a 50 meter aerial extent. That

configuration meets tori line specifications applicable under international agreements for deep-set fishing in the North Pacific and is appropriate for the level of seabird interaction risk in the deep-set fishery. Seabird interaction risk in the shallow-set fishery is greater because fishing hooks are within the diving range of foraging seabirds during the set and the haul for a longer period of time than in the deep-set fishery. Tori line practices elsewhere suggest that increasing the tori line aerial extent, along with the number of tori lines deployed, increases effectiveness; therefore, the EFP proposes to use two longer tori lines (one on each side of the gear while it is being set). Using more than two tori lines would likely be difficult for the crew to manage and could create the potential for entanglement among the tori lines and fishing line.

Interaction rates for seabirds caught in the shallow-set fishery are higher in the first and second quarters (January through June) of the calendar year. Accordingly, the applicant would focus fishing effort during periods of higher seabird abundance, as practicable, to maximize the value of the test. The EFP would be effective for no longer than 18 months from the date of issuance, unless earlier revoked, suspended, or modified.

With the exception of setting one hour before and one hour after local sunset and using two tori lines instead of blue-dyed bait and strategic offal discharge during setting, the vessel operating under the EFP would carry out fishing operations consistent with typical shallow-set fishing. All other requirements would continue, including seabird mitigation measures such as strategic offal discharge during hauling and safe handling practices.

The HLA anticipates that fishing under the EFP would have similar environmental impacts on target fish species, non-target fish species, and non-seabird protected species as conventional shallow-set fishing. The earlier setting time on treatment sets could, however, potentially optimize swordfish catch rates. The HLA also hypothesize that the risk of seabird interactions for sets during sunset hours would be mitigated by the use of tori lines. The EFP application provides additional information about these anticipated impacts.

NMFS maintains 100 percent observer coverage on shallow-set trips. In addition, any vessel permitted under the EFP would carry an electronic monitoring system. A stern-mounted video camera would monitor the number of birds present and seabird

attacks and contacts during gear setting. After the vessel returns to port, the video recordings would be reviewed and seabird data would be verified using observer data.

This would be a limited scale, pilot study to assess the potential risk to seabirds using alternative mitigation methods in place of already effective methods. The study would provide guidance on whether to pursue a full-scale study of tori lines in the shallow-set fishery. At the completion of the test, findings would be presented to the Council and NMFS to inform whether additional research is warranted, and support future management decisions.

NMFS seeks comments on the proposed experimental activity. We will consider comments received when deciding whether to approve the EFP and, if so, whether to attach any additional terms and conditions.

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

Dated: December 9, 2021.

Ngagne Jafnar Gueye,

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

[FR Doc. 2021-27083 Filed 12-14-21; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XB613]

Taking of Threatened or Endangered Marine Mammals Incidental to Commercial Fishing Operations; Proposed Issuance of Permit

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

ACTION: Notice; request for comments.

SUMMARY: The National Marine Fisheries Service (NMFS) is proposing to issue a permit to authorize the incidental, but not intentional, take of specific Endangered Species Act (ESA)-listed marine mammal species or stocks under the Marine Mammal Protection Act (MMPA), in the Alaska (AK) Bering Sea, Aleutian Islands (BSAI) Pacific cod pot fishery.

DATES: Comments on this action and supporting documents must be received by December 30, 2021.

ADDRESSES: You may submit comments on the proposed permit and the preliminary determination supporting the permit, identified by NOAA-NMFS-2021-0123, through the Federal e-Rulemaking Portal:

1. Go to <https://www.regulations.gov> and enter NOAA-NMFS-2021-0123 in the Search box.

2. Click the "Comment" icon, and complete the required fields.

3. Enter or attach your comments.

Instructions: NMFS may not consider comments if they are sent by any other method, to any other address or individual, or received after the end of the comment period. Due to delays in processing mail related to COVID-19 and health and safety concerns, no mail, courier, or hand deliveries will be accepted. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

The preliminary determination supporting the permit is available on the internet at <https://www.regulations.gov/docket/NOAA-NMFS-2021-0123>. Other supporting information is available on the internet including: Recovery plans for the ESA-listed marine mammal species, <https://www.fisheries.noaa.gov/national/endangered-species-conservation/recovery-species-under-endangered-species-act>; 2021 MMPA List of Fisheries (LOF), <https://www.fisheries.noaa.gov/national/marine-mammal-protection/list-fisheries-summary-tables>; the most recent Marine Mammal Stock Assessment Reports (SAR) by region, <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region>, and stock, <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-species-stock>; and Take Reduction Teams and Plans, <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-take-reduction-plans-and-teams>.

FOR FURTHER INFORMATION CONTACT: Suzie Teerlink, NMFS Alaska Region, 907-586-7240, Suzie.Teerlink@noaa.gov; or Jaclyn Taylor, NMFS Office of Protected Resources, 301-427-8402, Jaclyn.Taylor@noaa.gov.

SUPPLEMENTARY INFORMATION: The MMPA requires NMFS to authorize the

incidental take of ESA-listed marine mammals in commercial fisheries provided it can make the following determinations: (1) The incidental mortality and serious injury (M/SI) from commercial fisheries will have a negligible impact on the affected species or stocks; (2) a recovery plan for all affected species or stocks of threatened or endangered marine mammals has been developed or is being developed; and (3) where required under MMPA section 118, a take reduction plan has been developed or is being developed, a monitoring program is implemented, and vessels participating in the fishery are registered (16 U.S.C. 1371(a)(5)(E)). We have made a preliminary determination that the AK BSAI Pacific cod pot fishery meets these three requirements and propose to issue a permit to the fishery to authorize the incidental take of ESA-listed marine mammal species or stocks (Central North Pacific and Western North Pacific stocks of humpback whale) under the MMPA for a period of three years. We solicit public comments on the proposed issuance of the permit and the underlying preliminary determination.

Background

The MMPA List of Fisheries (LOF) classifies each commercial fishery as a Category I, II, or III fishery based on the level of mortality and injury of marine mammals occurring incidental to each fishery as defined in 50 CFR 229.2. Category I and II fisheries must register with NMFS and are subsequently authorized to incidentally take marine mammals during commercial fishing operations. However, that authorization is limited to those marine mammals that are not listed as threatened or endangered under the ESA. Section 101(a)(5)(E) of the MMPA, 16 U.S.C. 1371, states that NMFS, as delegated by the Secretary of Commerce, for a period of up to three years shall allow the incidental, but not intentional, taking of marine mammal stocks designated as depleted because of their listing as an endangered species or threatened species under the ESA, 16 U.S.C. 1531 *et seq.*, by persons using vessels of the United States and those vessels which have valid fishing permits issued by the Secretary in accordance with section 204(b) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1824(b), while engaging in commercial fishing operations, if NMFS makes certain determinations. NMFS must determine, after notice and opportunity for public comment, that: (1) Incidental M/SI from commercial fisheries will have a negligible impact on the affected species or stock; (2) a