

of the last HMS EFH review and update of HMS EFH (*i.e.*, Amendment 10 to the 2006 Consolidated HMS FMP (Amendment 10) (82 FR 42329, September 7, 2017)). This final 5-year review document constitutes the last part of Phase 1. If no new information is found to warrant updating all or certain components of HMS EFH, then we may choose to retain the previously designated HMS EFH. However, if updates are warranted, we would initiate Phase 2 of this process, which may include an action to implement the recommended updates. The type of follow-up action depends on the outcomes of the 5-year review (*i.e.*, whether it is a simple update, or if it requires an FMP amendment or rulemaking).

EFH 5-year reviews evaluate published scientific literature, unpublished scientific reports, information solicited from interested parties, and previously unavailable or inaccessible data. NMFS announced the initiation of this review and solicited information for this review from the public in a **Federal Register** notice on April 5, 2022 (87 FR 19667). The initial public review/submission period ended on June 6, 2023. NMFS released the Draft HMS 5-Year Review and solicited public comments on the draft in a **Federal Register** notice on May 4, 2023 (88 FR 28531). The public comment period for the Draft HMS EFH 5-Year Review ended on July 3, 2023.

The final document, developed as part of Phase 1, considers fishing effects, non-fishing effects, environmental changes, and management changes for all HMS, which include tunas (bluefin, bigeye, albacore, yellowfin, and skipjack), sharks, swordfish, and billfishes (blue marlin, white marlin, sailfish, roundscale spearfish, and longbill spearfish). It analyzes new information and data not previously included in recent updates to Atlantic HMS EFH, or has become available since publication of our previous EFH action (Amendment 10).

NMFS analyzed the information gathered through the EFH review process in this final 5-year review and determined that revision of EFH is warranted. As such, NMFS will initiate Phase 2, which will include the development of Amendment 17 to the 2006 Consolidated HMS FMP. In reviewing literature since 2017, new data and scientific information emerged for certain HMS that warrant revision to those species' EFH geographic boundaries. For other HMS, new data and scientific information were either unavailable or it was determined that the new data and scientific information

did not warrant revisions to their EFH geographic boundaries. However, in Amendment 17, NMFS will also review and, if necessary, update EFH boundaries based on data added to existing EFH datasets (*e.g.*, observer, survey, and tag/recapture databases) since publication of the previous 5-year review in 2015 and/or Final Amendment 10 in 2017.

The 5-year review process (including public comment) has indicated that updates to the methodology used to designate EFH geographic boundaries are appropriate. The current EFH methodology was first applied in Amendment 1 to the 2006 Consolidated HMS FMP in 2009, and HMS EFH geographic boundaries have not been updated using this methodology since Amendment 10. Minor technical changes to the kernel density estimation methodologies will be implemented to reduce bias that results from how multiple, discrete datasets are combined into one composite data structure. This 5-year review also identified a method to compare oceanographic data to point data, in order to derive a series of habitat metrics for each species and environmental variable. This information can be used to increase the specificity of EFH text descriptions for species, if appropriate.

The Final HMS EFH 5-Year Review analyzed whether updates to analyses concerning fishing and non-fishing activities, including impacts of climate change, were warranted. New scientific information concerning adverse effects of fishing on EFH was not identified. NMFS therefore recommends that no substantive changes be made to the evaluation of those effects included in the 2017 EFH review and update. However, the 2017 EFH review and update included a spatial analysis of observer data to evaluate bottom longline interactions with coral. This analysis should be updated in Phase 2 to incorporate any new information that might be available from the observer program.

As part of this 5-year review process, NMFS analyzed the scientific literature to identify new activities that could adversely affect EFH and to determine whether updates to previously analyzed activities that adversely affect EFH were warranted. NMFS did not identify scientific information suggesting the need to include new activities (*i.e.*, those not previously analyzed) that adversely affect EFH in the HMS FMP. However, there was new scientific information on many of the previously analyzed activities which could be incorporated into the FMP. Additionally, potential new actions to

encourage conservation and enhancement of EFH adversely affected by marine sand and minerals mining, aquaculture, and renewable energy production were identified.

As part of this 5-year review process, NMFS analyzed the scientific literature to identify information relevant to Habitat Areas of Particular Concern (HAPC). NMFS did not identify scientific information or data suggesting that existing HAPCs should be changed or removed. However, it is likely that NMFS will reevaluate EFH boundaries for the species in Phase 2 based on the availability of seven more years of published literature, data and other information since publication of the previous 5-year review in 2015 and/or Final Amendment 10 in 2017. Existing boundaries of HAPCs may also need to be evaluated and changed to ensure they fall within any adjustments of HMS EFH. Based on the results of this 5-year review, NMFS recommends further consideration of a new HAPC for white sharks in the New York Bight.

As Phase 2 of this process, Amendment 17 to the 2006 Consolidated HMS FMP, will consider all 10 EFH components, including individual species EFH descriptions, EFH conservation and enhancement recommendations for fishing and non-fishing effects on EFH, and identification of HAPCs, as well as scientific feedback and public comment. NMFS is seeking data contributions for Phase 2 of the EFH review process, the development of Draft Amendment 17 to the 2006 Consolidated HMS FMP. Data contributions will be considered for inclusion in analyses used to update HMS EFH boundaries, and should include the following information: species name, date and time, geographic location information, tag information (if any), length, weight, sex, and life stage information.

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

Dated: April 12, 2024.

Everett Wayne Baxter,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XD868]

South Atlantic Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting via webinar of its Snapper Grouper Private Angler Advisory Panel (AP) to discuss permitting and education alternatives for the private recreational component of the snapper grouper fishery.

DATES: The AP meeting will be held from 2 p.m. until 4:30 p.m. on Tuesday, May 7, 2024.

ADDRESSES: The meeting will be held via webinar. Webinar registration is required. Details are included in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, SAFMC; phone: (843) 302-8440 or toll free: (866) SAFMC-10; fax: (843) 769-4520; email: kim.iverson@safmc.net.

SUPPLEMENTARY INFORMATION: Meeting information, including the webinar registration link, online public comment form, agenda, and briefing book materials will be posted on the Council's website at: <https://safmc.net/advisory-council-meetings/>. Comments become part of the Administrative Record of the meeting and will automatically be posted to the website and available for Council consideration.

At this meeting, the AP will review guidance from the March 2024 Council meeting and further address a series of permit and education topics posed by the Council.

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

The meeting is 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: April 15, 2024.

Rey Israel Marquez,

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

[FR Doc. 2024-08322 Filed 4-17-24; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XD732]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the New London Pier Extension Project at the Naval Submarine Base

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

ACTION: Notice; proposed incidental harassment authorization; request for comments on proposed authorization and possible renewal.

SUMMARY: NMFS has received a request from the U.S. Navy (Navy) for authorization to take marine mammals incidental to the New London Pier Extension Project at Naval Submarine Base (SUBASE) New London in Groton, Connecticut. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, 1-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than May 20, 2024.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service and should be submitted via email to ITP.wachtendonk@noaa.gov. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://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 below.

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, 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 <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> 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: Rachel Wachtendonk, 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 (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 proposed or, if the taking is limited to harassment, a notice of a proposed IHA is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) 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 the species or stocks for taking for certain subsistence uses (referred to in shorthand as “mitigation”); and requirements pertaining to the mitigation, monitoring and reporting of the takings are set forth. The definitions of all applicable MMPA