

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

[RTID 0648–XB844]

Pacific Island Fisheries; Experimental Fishing Permit

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

ACTION: Notice; issuance of permit.

SUMMARY: NMFS is issuing an experimental fishing permit (EFP) to the Hawaii Longline Association (HLA) to evaluate the risk of seabird interactions in the Hawaii shallow-set longline fishery when setting fishing gear one hour before and one hour after local sunset and using tori lines instead of required blue-dyed bait and strategic offal discharge as seabird mitigation measures. The intent of the EFP is to conduct a preliminary evaluation of potential alternative effective methods of discouraging seabird interactions while providing operational flexibility during setting in the shallow-set longline fishery.

DATES: The EFP is authorized from March 24, 2022, through September 24, 2023.

ADDRESSES: Copies of the EFP, HLA's application, and supporting documents are available at <https://www.regulations.gov/docket/NOAA-NMFS-2021-0128>.

FOR FURTHER INFORMATION CONTACT: Heather Cronin, Sustainable Fisheries, NMFS Pacific Islands Regional Office, tel (808) 725–5179.

SUPPLEMENTARY INFORMATION: NMFS is issuing an EFP to the HLA under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific, and regulations at 50 CFR 665.17. Under the EFP, HLA will conduct a pilot test of tori lines (bird scaring streamers) as replacement seabird mitigation measures to discourage seabird interactions during setting in the Hawaii shallow-set longline fishery. The purpose of the experiment is to test new ways to mitigate seabird interactions that also increase operational flexibility during setting. HLA will use one vessel to test tori lines as an alternate seabird mitigation measure to currently required blue-dyed bait, strategic offal discharge, and night setting measures (50 CFR 665.815(a)(2) & (4)).

On December 15, 2021, NMFS published a notice of HLA's EFP

application and request for public comments (86 FR 71234). NMFS received comments from 2 individuals and considered those comments before making a final decision to issue the EFP. One commenter expressed support for any strategy or technology that reduces interactions with seabirds. The other expressed opposition to the EFP stating, "it will wipe out stocks and jeopardize the [sic] continued existence of these stocks . . ." NMFS expects that fishing under the EFP will have similar environmental impacts on seabirds as well as target fish species, non-target fish species, and non-seabird protected species as conventional shallow-set longline fishing. The project is limited in scale (only 3 vessels, setting a combined total of 80 sets with no more than one vessel operating at any given time), proposes a minor change in fishing operations that does not have the potential to change the overall effects of the fishery, and will be effective for no longer than 18 months. All other requirements would continue, including seabird mitigation measures such as strategic offal discharge during hauling and safe handling practices.

In addition, gear configurations and operations under the EFP would be compliant with international seabird mitigation requirements under the Western and Central Pacific Fisheries Commission and the Inter-American Tropical Tuna Commission. More information about the EFP may be found in the December 15, 2021 notice, and in HLA's EFP application (see **ADDRESSES**).

The EFP is effective March 24, 2022, through September 24, 2023, unless revoked, suspended, or modified earlier.

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

Dated: March 15, 2022.

Ngagne Jafnar Gueye,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[RTID 0648–XB873]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Notice of availability and request for comments; announcement of public meeting.

SUMMARY: The National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (FWS) have received separate incidental take permit (ITP) applications from the Oregon Department of Forestry (ODF), associated with the Western Oregon State Forests habitat conservation plan (HCP). The HCP has been submitted pursuant to the Endangered Species Act of 1973, as amended (ESA). In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), NMFS announces the availability of a draft environmental impact statement (Draft EIS). NMFS is the lead Federal agency under NEPA, and FWS is a cooperating agency. The Draft EIS analyzes the potential effects of issuance of the ITPs and approval of the HCP. If granted, the ITPs would authorize incidental take of the covered species resulting from the covered activities (see **SUPPLEMENTARY INFORMATION**), as well as take resulting from activities carried out as part of the HCP's conservation strategy.

DATES: Written comments must be received by May 17, 2022. Any comments received after the closing date may not be considered in the final decision on these actions. NMFS will host a virtual public meeting on April 6, 2022, from 1 to 3 p.m. Pacific Time. Oral comments will be accepted at the public meeting with advance registration.

ADDRESSES: You may submit comments in two ways:

Written Comments: Written comments on the Draft EIS and HCP submitted with the ITP applications will be accepted via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA–NMFS–2021–0019 in the Search Box. Follow instructions for submitting comments on Docket NOAA–NMFS–2021–0019. Please specify in your comments whether the comments provided pertain to the Draft EIS or the HCP. When commenting, please refer to the specific section and/or page number in the subject of your comment.

Instructions: Written comments 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 part of the public record and will generally be posted for public viewing on <https://www.regulations.gov>. All personal identifying information (*e.g.*, name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous