

effective date of the continuation of the orders will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next sunset review of the *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Notification to Interested Parties

This five-year sunset review and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and this notice is published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: May 17, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2022–11003 Filed 5–20–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC036]

Marine Mammals; File No. 25754

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that the NMFS Pacific Islands Fisheries Science Center, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818 (Responsible Party: Erin Oleson, Ph.D.), has applied in due form for a permit to conduct research on cetaceans.

DATES: Written, telefaxed, or email comments must be received on or before June 22, 2022.

ADDRESSES: The application and related documents are available for review by selecting “Records Open for Public Comment” from the “Features” box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 25754 from the list of available applications. These documents are also available upon written request via email to NMFS.Pr1Comments@noaa.gov.

Written comments on this application should be submitted via email to NMFS.Pr1Comments@noaa.gov. Please include File No. 25754 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request

via email to NMFS.Pr1Comments@noaa.gov. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Carrie Hubbard or Sara Young, (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

The applicant proposes to conduct research on 34 cetacean species in U.S. and international waters of the Pacific Islands region, including the Hawaiian archipelago, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Kingman Reef, Palmyra Atoll, Johnston Atoll, Wake Atoll, Howland Island, Baker Island, and Jarvis Island. The following endangered or threatened species may be taken during research activities: Blue whale (*Balaenoptera musculus*), false killer whale (*Pseudorca crassidens*), fin whale (*B. physalus*), humpback whale (*Megaptera novaengliae*), North Pacific right whale (*Eubalaena japonica*), sei whale (*B. borealis*), and sperm whale (*Physeter macrocephalus*). The objectives of the research are to determine the abundance, stock structure, distribution, movement patterns, and ecological relationships of cetaceans in the study area. Research activities include aerial surveys using manned and unmanned aircraft systems, vessel surveys, behavioral observations, photo-identification, passive acoustic recordings, underwater photography, biological sample collection (skin and blubber biopsies, exhaled air, feces, and sloughed skin), and tagging (suction-cup and dart/barb). Marine mammal parts would also be imported, exported, salvaged, or received for analysis and curation. See the application for complete numbers of animals requested by species, life stage, and procedure. The permit is requested for five years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: May 18, 2022.

Amy Sloan,

Acting Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2022–11016 Filed 5–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB875]

Notice of Intent To Prepare a Programmatic Environmental Impact Statement for Identification of One or More Aquaculture Opportunity Area(s) in Southern California

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

ACTION: Notice of intent to prepare a Programmatic Environmental Impact Statement; notice of public scoping.

SUMMARY: The NMFS West Coast Region is publishing this Notice of Intent (NOI) to prepare a Programmatic Environmental Impact Statement (PEIS) under the National Environmental Policy Act (NEPA) for the proposed identification of one or more Aquaculture Opportunity Areas (AOAs) to be located in Federal waters off the coast of Southern California. An AOA is considered to be a defined geographic area that has been evaluated to determine its potential suitability for commercial aquaculture. The proposed action is a planning initiative only and does not propose any aquaculture facilities or permits. The United States Army Corps of Engineers (USACE) Los Angeles District, the United States Coast Guard (USCG) District Eleven, and the Environmental Protection Agency (EPA) Region 9 will act as cooperating agencies for the purposes of the PEIS.

DATES: NMFS requests comments concerning the scope of the proposed action, its potential impacts to the natural and human environment, means for avoiding, minimizing, or mitigating potential impacts, the range of preliminary alternatives proposed in this notification, and any additional reasonable alternatives that should be considered within the Southern

California Bight. All comments must be received by 8:59 p.m. Pacific Standard Time (PST) July 22, 2022. NMFS expects the Draft PEIS is to be available in 2023 and the Final PEIS to be available April of 2024 with a Record of Decision May of 2024. NMFS will host two webinar-based public scoping meetings and will allow for oral comments in English during allotted times in the webinar. The webinar meetings will occur at the following dates and times:

- (1) June 27, 2022, 12 p.m. to 2 p.m. PST
- (2) July 11, 2022, 5 p.m. to 7 p.m. PST

ADDRESSES: Due to remaining COVID uncertainties, all public comment opportunities will be electronic, either through written comments or through oral comment stated during allotted times in the webinar-based public listening sessions. Please do not send any written comments by hard-copy mail or facsimile to a NMFS office address or fax number. You may submit comments on the NOI by any of the following methods.

Electronic Submission: Submit all written public comments via <https://www.regulations.gov>. Enter NOAA–NMFS–2022–0051 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

Webinar links: Provide oral comments during designated times during virtual public scoping meetings, as described under the **DATES** section of this document. To hear audio and provide comments during the public scoping meetings, dial 888–673–9785 and use participant access code 5831012. To view presentations during the public scoping meetings, click on the webinar link. The webinar link for June 27, 2022, is: <https://www.mymeetings.com/nc/join.php?i=PWXW2725139&p=5831012&t=c>. The webinar link for July 11, 2022, is: <https://www.mymeetings.com/nc/join.php?i=PWXW2725143&p=5831012&t=c>. Links and toll-free phone numbers for each webinar can also be found at <https://www.fisheries.noaa.gov/event/southern-california-aquaculture-opportunity-area-scoping-meeting>. Please see the ‘Public Scoping Process’ section of this document for more accessibility options.

Instructions: It is important that reviewers provide their comments at such times and in such a manner that they are useful to the agency’s preparation of the PEIS. Therefore, comments must be provided prior to the close of the comment period and should clearly articulate the reviewer’s

concerns and contentions. Comments must be submitted by one of the above methods to ensure they are received, documented, and considered by NMFS. 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. All comments received are a part of the public record. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT:

Diane Windham, NOAA–NMFS West Coast Region Aquaculture Coordinator, socalaoa.wcr@noaa.gov.

SUPPLEMENTARY INFORMATION:

Purpose and Need for the Proposed Action

The Federal action proposed in the PEIS is to identify one or more locations (referred to as AOAs) that may be suitable for multiple future offshore aquaculture projects in Federal waters of the Southern California Bight, and to evaluate the impacts of siting aquaculture in those locations. AOAs identified through this process would be considered potentially suitable for finfish, shellfish, macroalgae, or multi-species aquaculture. The proposed action is a long-term planning effort. It is not a regulatory or permitting action. The analysis may be used to inform such processes for individual projects proposed later in time.

On May 7, 2020, the White House issued an Executive Order on Promoting American Seafood Competitiveness and Economic Growth (E.O. 13921), which requires the Secretary of Commerce to identify geographic areas containing locations suitable for commercial aquaculture. The purpose of the proposed action is to apply a science-based approach to identify AOAs in Federal waters. The goal of identifying AOAs is to promote American seafood competitiveness, food security, economic growth, and to support the facilitation of the development of domestic commercial aquaculture, consistent with sustaining and conserving marine resources and applicable laws, regulations and policies.

The proposed action is needed to meet the directives of E.O. 13921 to address the increasing demand for seafood, facilitate long-term planning

for marine aquaculture development, and address interests and concerns regarding offshore marine aquaculture siting.

Background

The National Centers for Coastal Ocean Science (NCCOS) initiated a marine spatial planning process to assist agency decision makers in identifying areas that may be suitable for locating AOAs as mandated by E.O. 13921. This process was based on spatial suitability modeling that included data layers relevant to administrative boundaries, national security (i.e., military), navigation and transportation, energy and industry infrastructure, commercial and recreational fishing, natural and cultural resources, and oceanography (i.e., non-living resources). This spatial modeling approach was specific to the planning goal of identifying discrete areas between 500 and 2,000 acres that met the industry and engineering requirements of depth and distance from shore and are the most suitable for all types of aquaculture development including the cultivation of finfish, macroalgae, shellfish, or a combination of species. This work resulted in an Aquaculture Opportunity Area Atlas for the Southern California Bight (Morris, J.A. Jr, MacKay, J.K., Jossart, J.A., Wickliffe, L.C., Randall, A.L., Bath, G.E., Balling, M.B., Jensen, B.M., and Riley, K.L. 2021. An Aquaculture Opportunity Area Atlas for the Southern California Bight. NOAA Technical Memorandum NOS NCCOS 298. Beaufort, NC. 485 pp. <https://doi.org/10.25923/tmx9-ex26>. Available online at https://coastalscience.noaa.gov/data_reports/an-aquaculture-opportunity-area-atlas-for-the-southern-california-bight/) (referred to hereafter as the Atlas).

The Atlas includes peer-reviewed technical information that may be used to assist agency decision makers in identifying areas that may be suitable for locating AOAs in Federal waters of the Southern California Bight. The Southern California Bight is considered as the marine space within the United States Exclusive Economic Zone (U.S. EEZ) associated with the coastline between Point Conception and the U.S./Mexico border, and encompassing the Channel Islands. The Atlas does not reflect a decision by any agency to identify specific AOAs or foreclose the agency’s ability to evaluate other reasonable locations for consideration in the Southern California Bight. The Atlas is a technical document providing geospatial planning information that will be used as one source of information to assist NMFS in

identifying AOAs through the NEPA process.

Preliminary Proposed Action and Alternatives

The NMFS West Coast Region proposes to identify geographically discrete areas within Federal waters (outside of State waters within the U.S. EEZ) off the coast of Southern California that would be suitable to site future aquaculture development. The identified area(s) would be known as the Southern California AOA. The information within the Atlas was used as the basis for the locations described in the preliminary alternatives. Alternative 1 is the No Action Alternative, in which no AOA would be identified in Federal waters offshore of Southern California. In Alternative 2, NMFS would identify at least one and up to eight AOAs from within the boundaries of the North Study Areas Selected Site Options (SSOs), depicted as polygons in Figure 3.45 and Figure 3.62 of the Atlas. The North Study Areas SSOs are located between 10.02 and 19.72 kilometers (5.41 and 10.65 nautical miles) offshore of Santa Barbara and Ventura Counties in the Santa Barbara Channel. In Alternative 3, NMFS would identify at least one and up to two AOAs from within the boundaries of the Central North Study Area SSOs, as depicted as polygons in Figure 3.82 of the Atlas. The Central North Study Area SSOs are located between 8.06 and 8.82 kilometers (4.35 and 4.76 nautical miles) offshore of Los Angeles County in Santa Monica Bay. In Alternative 4, NMFS would identify the AOA(s) from within the boundaries of either study area, up to a maximum area to be determined by NMFS with input from the public. The total 10 SSOs are depicted as red dots in Figure 3.44 of the Atlas. The alternative descriptions are preliminary. Based on input received during public scoping, NMFS may analyze more or fewer alternatives in the Draft PEIS or may revise the above preliminary alternatives.

Summary of Expected Impacts

The PEIS will analyze potential impacts to the human environment that may occur should projects be proposed in one or more AOAs, if identified. Potential stressors associated with pre-construction, construction, operations and maintenance, and decommissioning of aquaculture activities that would be analyzed in the PEIS include, but are not limited to, bottom disturbance, vessel traffic, introduction of structures in the water column, introduction of cultivated aquatic organisms into the marine environment, and the

introduction of commercial aquaculture products into economic markets and socioeconomic connections (e.g., job opportunities, infrastructure demands, or consumer perspectives).

Based on preliminary evaluation of the potential stressors described above, potential environmental impacts could include modifications to marine habitat, changes in water quality, underwater noise, risk of marine debris, novel interactions of native and/or protected living marine resources with infrastructure and vessels (e.g., injury or mortality due to entanglement, vessel collision, as well as behavioral changes such as aggregating, avoidance, or other disturbance), novel interactions of cultivated aquatic organisms with disease, invasive and/or nuisance species found in the marine environment, and novel interactions among naturally occurring organisms and cultivated species such as food-web dynamics or genetic interactions.

Environmental resources that may be analyzed in the PEIS include, but are not limited to, unique geographic areas such as marine managed areas and bathymetric features, water quality, hydrology and chemistry, air quality, ecosystem functions, wild fish stocks targeted for commercial and recreational fishing, highly migratory species, and protected species and their habitats and movement patterns.

The PEIS may also evaluate the connection between the marine environment and human landscape through the analysis of available socio-economic data. Topics may include, but are not limited to, interactions of offshore aquaculture with historic and cultural resources, working waterfronts, environmental justice, public health and safety, and with other ocean user groups in geographic space and in economic markets. Socio-economic indicators that may be used to analyze potential impacts of the expected interactions include, but are not limited to, employment opportunities and other financial considerations of a commercial aquaculture business, biosecurity, seafood safety and compliance programs, economic patterns of the existing seafood sector, fisheries, shipping, tourism, or other ocean activities within the region, supply chains, planned coastal development and existing coastal infrastructure, demographic data of coastal communities such as income and education, community access to resources, social vulnerability, and social values.

Potentially affected user groups may include commercial and recreational fishers, other recreational and tourism-

based offshore ocean activities, the commercial shipping industry, the existing aquaculture industry within State waters, protected resource management and other research cruises, regional port districts, employees and consumers within the regional seafood sector, coastal communities, and Native American tribes and Indigenous communities with cultural traditions, identities, and experiences associated with the ocean.

NMFS encourages comment on the proposed alternatives and the identified stressors, impacts, resources, and other public concerns that should be considered in the PEIS.

Anticipated Permits and Authorizations

The proposed action, identification of one or more AOAs, is a planning action and does not include any activity that would require a permit or authorization as part of planning. The proposed action does not create any new regulatory framework or change any existing statutory authority related to offshore marine aquaculture. Neither the Final PEIS nor the resulting Record of Decision (ROD) would authorize any activities or approve any individual projects. Future proposals for aquaculture projects proposed for siting within an AOA would undergo project level environmental review and permitting. A proposed project would undergo project-specific NEPA review that could tier from the PEIS. In addition, project-specific permits and approvals from the permitting agencies would be required. Additional NEPA analysis may be required as part of permitting and authorization processes. Cooperating agencies may adopt the PEIS and utilize the information in their permitting actions.

Schedule for the Decision-Making Process

This NOI initiates the NEPA compliance process associated with writing a PEIS. During the 60-day comment period, interested parties are invited to provide comments on the proposed action, the preliminary range of alternatives, any additional reasonable alternatives in the Southern California Bight, and potential stressors, impacts, and resources. NMFS expects the Draft PEIS to be available to the public on or around Fall of 2023 and the Final PEIS to be available to the public on or around April of 2024.

Public Scoping Process

This NOI continues the scoping process, which guides the development of the PEIS. NMFS will use the public scoping process to gather input from

individuals, organizations, Native American tribes, and Federal, State, and local agencies on the proposed action. The scoping process will inform the scope and significant issues to be analyzed in the PEIS. Interested parties may submit public comments according to the instructions described in the **DATES** and **ADDRESSES** sections above. Additional information may be found online at <https://www.fisheries.noaa.gov/west-coast/aquaculture/west-coast-region-southern-california-aquaculture-opportunity-area>. Accessible options for the visually or hearing impaired include full recordings and written transcripts of the webinar-based listening sessions. All presentation materials, recordings, and transcripts will be posted to the website within five business days of the webinar. Persons needing reasonable accommodations to attend and participate in the public meetings should contact Diane Windham at socalaoa.wcr@noaa.gov. To allow sufficient time to process requests, please notify at least five business days prior to the relevant meeting.

Request for Identification of Potential Alternatives, Information, and Analyses Relevant to the Proposed Action

NMFS requests data, comments, views, information, analysis, alternatives, or suggestions from the public; affected federal, state, tribal, and local governments, agencies, and offices; the scientific community; industry; or any other interested party on the Proposed Action that would help the agency consider both beneficial and adverse impacts. Specifically, for offshore regions in the Southern California Bight, NMFS requests public input on the following:

- (1) The scope of the NEPA analysis, including the range of reasonable alternatives described above.
- (2) Suitable species and gear for aquaculture.
- (3) Suitable reporting requirements for owners and operators of aquaculture facilities.
- (4) Types of aquaculture (*e.g.*, finfish, shellfish, seaweed, integrated multi-trophic aquaculture) that could be supported and/or analyzed.
- (5) Potential impacts to biological, physical, social, cultural, and economic resources.
- (6) Information related to social barriers and/or economic constraints for aquaculture development.
- (7) Information related to technologies and strategies that could increase opportunity or mitigate risks of aquaculture development.

(8) Information related to diversity, equity, and inclusion in aquaculture and the seafood sector.

(9) Information related to climate change and climate equity.

(10) Potential interactions with protected species, essential fish habitat, and other sensitive habitats.

(11) Potential interactions with commercial and recreational fishing industries, tourism and recreation, and other offshore ocean users.

(12) Information on other current or planned activities in, or in the vicinity of, the areas described in this NOI and their possible impacts on aquaculture development, or the impact of aquaculture developments on those activities.

(13) Input on the size parameters of a single AOA that would be suitable to support aquaculture development in the Southern California Bight.

(14) Input related to the risks and/or benefits of whether an AOA should be a single, continuous geographic space, or a collection of discrete areas separated from one another.

(15) Input related to how an AOA could simultaneously support aquaculture development along with environmental, economic, and social sustainability—including ways to incorporate mitigation and cost-benefit analyses.

(16) Other information relevant to the Proposed Action and its impacts on the human environment.

Lead and Cooperating Agencies

Consistent with E.O. 13921, NOAA is designated as the lead agency for the proposed action. The NMFS West Coast Region invited the EPA Region 9, the USCG District Eleven, and the USACE Los Angeles District to act as cooperating agencies for the purposes of the PEIS. EPA, USCG, and USACE have agreed to act as cooperating agencies.

Decision Maker

Scott M. Rumsey, Acting Regional Administrator of NOAA Fisheries' West Coast Region.

Nature of Decision To Be Made

If an action alternative is selected, the decision maker would select an alternative that identifies one or more AOAs as part of a planning exercise for offshore marine aquaculture in Southern California. No specific aquaculture projects are being proposed or will be permitted through the PEIS. The analysis presented in the Draft and Final PEIS and the identification of any AOAs in the ROD will serve to guide and inform future decision-making (*e.g.*, environmental review and permitting

processes) if and when specific proposals to conduct aquaculture operations are proposed within these areas.

Authority: Executive Order on Promoting American Seafood Competitiveness and Economic Growth (E.O. 13921).

Dated: May 13, 2022.

Danielle Blacklock,

Director, Office of Aquaculture, National Marine Fisheries Service.

[FR Doc. 2022–11010 Filed 5–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC040]

Marine Mammals; File No. 26394

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Pangolin Pictures, 1650 Broadway, Suite 1208, New York, NY 10019 (Responsible Party: Kevin Bachar), has applied in due form for a permit to conduct commercial and educational photography on humpback whales (*Megaptera novaeangliae*) and other cetaceans.

DATES: Written, telefaxed, or email comments must be received on or before June 22, 2022.

ADDRESSES: These documents are available upon written request via email to NMFS.Pr1Comments@noaa.gov.

Written comments on this application should be submitted via email to NMFS.Pr1Comments@noaa.gov. Please include File No. 26394 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to NMFS.Pr1Comments@noaa.gov. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Carrie Hubard or Amy Hapeman, (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant proposes to film up to 75 humpback whales in the Au'au