

Comments and Responses

As noted previously, NMFS published a notice of a proposed IHA (88 FR 24574, April 21, 2023) and solicited public comments on both our proposal to issue the initial IHA for marine site characterization surveys in coastal waters off of New Jersey and New York in the New York Bight and on the potential for a renewal IHA, should certain requirements be met.

All public comments were addressed in the notice announcing the issuance of the initial IHA (88 FR 42322, June 30, 2023) and none of the comments specifically pertained to the renewal of the 2024 IHA.

Preliminary Determinations

NMFS proposes to authorize incidental take of small numbers of marine mammals from specified activities that are a subset of, but otherwise identical to, those analyzed in the initial IHA and to require mitigation, monitoring, and reporting measures that are also identical to those in the initial IHA. The number of takes by Level B harassment proposed is less than that authorized in the initial IHA. In the initial IHA, NMFS determined that COSW's specified activities would have a negligible impact on the affected species and/or stocks and the authorized take for each stock would be small relative to individual stock abundance (less than one third).

NMFS has preliminarily concluded that there is no new information suggesting that our analysis or findings should change from those reached for the initial IHA. This includes consideration of the estimated abundance of one stock increasing slightly. Specifically, NMFS is proposing to authorize 15 takes of North Atlantic right whales by Level B harassment only, and the impacts resulting from the project's activities are neither reasonably expected nor reasonably likely to adversely affect the stock through effects on annual rates of recruitment or survival. 15 takes of North Atlantic right whales equates to approximately 4.4 percent of the stock abundance, if each incident of take is assumed to accrue to a separate individual whale.

Based on the information and analysis 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; (4) COSW'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, and; (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act 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.

NMFS' Office of Protected Resources is proposing to authorize take of four species of marine mammals that are listed under the ESA (*i.e.*, North Atlantic right whale, fin whale, sei whale, and sperm whale) and has determined these activities fall within the scope of activities analyzed in the NMFS Greater Atlantic Regional Fisheries Office programmatic consultation regarding geophysical surveys along the U.S. Atlantic coast in the three Atlantic renewable energy regions (completed June 29, 2021; revised September 2021).

Proposed Renewal IHA and Request for Public Comment

As a result of these preliminary determinations, NMFS proposes to issue a renewal IHA to COSW for conducting marine site characterization with HRG surveys off the coast of New Jersey and New York in the New York Bight from July 1, 2024, through June 30, 2025, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed and final initial IHA can be found at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. We request comment on our analyses, the proposed renewal IHA, and any other aspect of this notice. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

Dated: August 14, 2024.

Catherine Marzin,

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

[FR Doc. 2024-18608 Filed 8-20-24; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE197]

Pacific Island Fisheries; Western Pacific Stock Assessment Review; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Western Pacific Fishery Management Council (Council) and NMFS will convene a Western Pacific Stock Assessment Review (WPSAR) of the main Hawaiian Islands *Aprion virescens* (locally known as uku or gray/green jobfish) stock assessment update.

DATES: The WPSAR meeting will be held September 9–10, 2024 from 9 a.m. to 4 p.m. Hawaii Standard Time (HST). See **SUPPLEMENTARY INFORMATION** for meeting dates and times and the daily agenda.

ADDRESSES: The meeting will be open to the public and held at the NOAA Honolulu Service Center at Pier 38, 1139 N. Nimitz Hwy, Suite 220, Honolulu, HI 96817. Audio and visual portions for all of the web conferences can be accessed at: <https://wprfmc.webex.com/wprfmc/j.php?MTID=m984f90622bc0a35cd0ffb038eb5103a5>. Webinar number: 2633 952 7361. Webinar password: ukuWPSAR0909mtg.

FOR FURTHER INFORMATION CONTACT: T. Todd Jones, Director, Pacific Islands Fisheries Science Center (PIFSC) Fisheries Research and Monitoring Division (FRMD), telephone: (808) 725-5713, or todd.jones@noaa.gov.

SUPPLEMENTARY INFORMATION: The NMFS PIFSC developed a single-species stock assessment update of the gray jobfish (uku, *Aprion virescens*) in the main Hawaiian Islands. PIFSC previously conducted a stock assessment for uku in 2020 using the Stock Synthesis (v. 3.30) framework to integrate catch per unit effort indices, size frequency, diver survey, and catch data into a single age-structured model. PIFSC used this integrated model to estimate biomass and stock status

through time, and evaluated stock status against the maximum sustainable yield based reference points described in the Council's Fishery Ecosystem Plan for the Hawaii Archipelago. The 2024 assessment update will provide new information to inform management, including updates on biomass and fishing mortality relative to status determination thresholds to inform recommendations of allowable biological catch and annual catch limits. Consistent with National Standard 2 of the Magnuson-Stevens Fishery Conservation and Management Act, the WPSAR Policy requires a review of the application of recent data, on an as-needed basis, that will be used in the benchmark stock assessment update.

Meeting Agenda for WPSAR Review

The agenda order may change, and the meeting will run as late as necessary to complete scheduled business.

Day 1, Monday, September 9 (9 a.m.–4 p.m., HST)

1. Introductions
2. Review objectives and terms of reference
3. Presentation of stock assessment updates
4. Summary of comments and analysis during desktop phase
5. Questions to presenters
6. Public Comment

Tuesday, September 10, 2024 (9 a.m.–4 p.m., HST)

7. Panel presentation on the review results and recommendations
8. Questions to reviewers
9. Public comment
10. Closing comments and adjourn

Special Accommodations

This meeting is physically accessible to people with disabilities. Please direct requests for sign language interpretation or other auxiliary aids to T. Todd Jones, Director, PIFSC FRMD, telephone: (808) 725–5713, or todd.jones@noaa.gov at least 5 days prior to the meeting date.

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

Dated: August 15, 2024.

Lindsay Fullenkamp,

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

[FR Doc. 2024–18611 Filed 8–20–24; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE160]

Takes of Marine Mammals Incidental to Specified Activities; Takes of Marine Mammals Incidental to Marine Site Characterization Surveys Off Rhode Island and Massachusetts

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 Bay State Wind, LLC (Bay State Wind), for authorization to take marine mammals incidental to marine site characterization surveys off the coast of Rhode Island and Massachusetts in the Bureau of Ocean Energy Management (BOEM) Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Lease Area OCS–A 0500 and the associated export cable route (ECR) area. 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 the Request for Public Comments section 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 September 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.hilt@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-other-energy-activities-renewable. 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 Hilt, 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 monitoring and reporting of the takings. The definitions of all applicable MMPA statutory terms