

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

[RTID 0648-XA511]

**New England Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The New England Fishery Management Council is convening a public meeting of its Scientific and Statistical Committee (SSC) via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** This webinar will be held on Tuesday, October 13, 2020 at 9 a.m. Webinar registration URL information: <https://attendee.gotowebinar.com/register/3850303213161369355>. Call in information: +1 (562) 247-8422, Access Code 632-479-325.

**ADDRESSES:** *Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:****Agenda**

The Scientific and Statistical Committee will meet to review recent stock assessment information from the 2020 Groundfish Management Track Assessments, information provided by the Council's Groundfish Plan Development Team (PDT) and recommend the overfishing limits and acceptable biological catch (ABC) for Georges Bank (GB) winter flounder, Gulf of Maine (GOM) winter flounder, Acadian redfish, ocean pout, Atlantic halibut, wolffish, northern windowpane flounder, and southern windowpane flounder for fishing years 2022-23. Other business will be discussed as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this

notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

**Special Accommodations**

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: September 23, 2020.

**Tracey L. Thompson,**

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

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**BILLING CODE 3510-22-P**

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

**Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Applications and Reporting Requirements for the Incidental Take of Marine Mammals by Specified Activities (Other Than Commercial Fishing Operations) Under the Marine Mammal Protection Act**

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on June 22, 2018 (83 FR 29212) during a 60-day comment period. This notice allows for an additional 30 days for public comments.

**Agency:** National Oceanic & Atmospheric Administration.

**Title:** Applications and Reporting Requirements for the Incidental Take of Marine Mammals by Specified

Activities (other than Commercial Fishing Operations) Under the Marine Mammal Protection Act.

**OMB Control Number:** 0648-0151.

**Form Number(s):** None.

**Type of Request:** Regular submission (Revision to an existing information collection).

**Number of Respondents:** 188.

**Average Hours per Response:**

Incidental Harassment Authorization (IHA) Application: 281 hours; IHA Interim Report: 30 hours; IHA Draft Annual Report: 140 hours; IHA Final Annual Report: 28 hours; Letter of Authorization (LOA) Initial Application: 1200 hours; LOA Annual Application: 70 hours; LOA Draft Annual Report: 225 Hours; LOA Draft Final Report: 225 hours; LOA Final Annual Report: 70 hours; LOA Draft Comprehensive Report: 640 hours; LOA Comprehensive Final Report: 300 hours; Gulf of Mexico (GOM) Draft Annual Report: 140 hours; GOM Final Annual Report: 28 hours. Response times will vary for the public based upon the complexity of the requested action.

**Total Annual Burden Hours:** 25,973.

**Needs and Uses:** This request is for a revision of a currently approved information collection.

The Marine Mammal Protection Act of 1972 (MMPA; 16 U.S.C. 1361 *et seq.*) prohibits the "take" of marine mammals unless otherwise authorized or exempted by law. Among the provisions that allow for lawful take of marine mammals, sections 101(a)(5)(A) and (D) of the MMPA direct the Secretary of Commerce 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, after notice and opportunity for public comment, we find that the taking will have a negligible impact on the affected species or stock(s) and will not have an immitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). NMFS also must set forth the permissible methods of taking; other means of effecting the least practicable adverse impact on the species or stock and its habitat (mitigation); and requirements pertaining to the monitoring and reporting of such taking. NMFS Office of Protected Resources leads the process for the agency.

Issuance of an incidental take authorization (Authorization) under section 101(a)(5)(A) or 101(a)(5)(D) of the MMPA requires three sets of information collection: (1) A complete application for an Authorization, as set forth in our implementing regulations at

50 CFR 216.104, which provides the information necessary for us to make the necessary statutory determinations, including estimates of take and an assessment of impacts on the affected species and stocks; (2) information relating to required monitoring; and (3) information related to required reporting. These collections of information enable us to: (1) Evaluate the proposed activity's impact on marine mammals; (2) arrive at the appropriate determinations required by the MMPA and other applicable laws prior to issuing the authorization; and (3) monitor impacts of activities for which we have issued Authorizations to determine if our predictions regarding impacts on marine mammals remain valid.

On June 22, 2018, NMFS published a **Federal Register** Notice (83 FR 29212) notifying the public of a proposal to issue 5-year incidental take regulations that would allow for the take of marine mammals incidental to geophysical survey activities conducted by industry operators in Federal waters of the U.S. Gulf of Mexico (GOM). NMFS does not anticipate that the proposed regulations will substantially add to the burden to individual private applicants for incidental take authorizations. In fact, we expect individual applicant's information collection burdens will be substantially less than the typical applicant under the existing OMB Control Number. This is due to the fact that the application for these regulations (the first information collection burden noted above) was completed by the Bureau of Ocean Energy Management (BOEM) instead of individual applicants. The other difference we expect related to these proposed regulations is that there will be a larger number of applicants/respondents than accounted for in the existing OMB Control Number. The proposed rule forecasts that 95 to 151 geophysical surveys will take place annually on average over the five years of the proposed regulations in the GOM that would be subject to potential information collection requirements.

**Affected Public:** Not-for-profit institutions; state, local, or tribal governments; businesses or other for-profit organizations.

**Frequency:**

**Respondent's Obligation:** Mandatory.

**Legal Authority:** Marine Mammal Protection Act of 1972 (MMPA, 16 U.S.C. 1361 et. seq.).

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0151.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.*

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**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Federal Consistency Appeal by Jordan Cove Energy Project, L.P. and Pacific Connector Gas Pipeline, LP

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of stay—closure of administrative appeal decision record.

**SUMMARY:** This announcement provides notice that the Department of Commerce has stayed, for a period of 60 days, closure of the decision record in an administrative appeal filed by Jordan Cove Energy Project, L.P. and Pacific Connector Gas Pipeline, LP (collectively, "Appellants") under the Coastal Zone Management Act. Appellants appealed to the Secretary of Commerce to override an objection by the Oregon Department of Land Conservation and Development to a consistency certification for a proposed project to construct and operate a liquified natural gas export terminal and a 229-mile natural gas pipeline and compressor station off the Pacific Coast.

**DATES:** The decision record for Appellants' federal consistency appeal of Oregon Department of Land Conservation and Development's objection will now close on November 27, 2020.

**ADDRESSES:** NOAA has provided access to publicly available materials and related documents comprising the appeal record on the following website: <https://www.regulations.gov/docket?D=NOAA-HQ-2020-0058>.

**FOR FURTHER INFORMATION CONTACT:** For questions about this Notice, contact Rachel Morris, Attorney-Advisor,

NOAA Office of the General Counsel, Oceans and Coasts Section, and Patrick Carroll, Attorney-Advisor, NOAA Office of the General Counsel, Oceans and Coasts Section, at [jordancove.appeal@noaa.gov](mailto:jordancove.appeal@noaa.gov) or (301) 713–7387.

**SUPPLEMENTARY INFORMATION:** On March 20, 2020, the NOAA Administrator, pursuant to authority delegated by the Secretary of Commerce to decide Coastal Zone Management Act of 1972 (CZMA) federal consistency appeals, received a "Notice of Appeal" filed by Jordan Cove Energy Project, L.P. and Pacific Connector Gas Pipeline, LP (collectively, "Appellants") under the CZMA, 16 U.S.C. 1451 *et seq.*, and implementing regulations found at 15 CFR part 930, subpart H. The Notice of Appeal is taken from an objection by the Oregon Department of Land Conservation and Development to Appellants' consistency certification for a proposed project to construct and operate a liquified natural gas export terminal and a 229-mile natural gas pipeline and compressor station off the Pacific Coast. This matter constitutes an appeal of an "energy project" within the meaning of the CZMA regulations. See 15 CFR 930.123(c).

Under the CZMA, the NOAA Administrator may override Oregon Department of Land Conservation and Development's objection on grounds that the project is consistent with the objectives or purposes of the CZMA, or is necessary in the interest of national security. To make the determination that the proposed activity is "consistent with the objectives or purposes of the CZMA," the Department of Commerce must find that: (1) The proposed activity furthers the national interest as articulated in sections 302 or 303 of the CZMA, in a significant or substantial manner; (2) the national interest furthered by the proposed activity outweighs the activity's adverse coastal effects, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the proposed activity to be conducted in a manner consistent with the enforceable policies of the applicable coastal management program. 15 CFR 930.121. To make the determination that the proposed activity is "necessary in the interest of national security," the Department of Commerce must find that a national defense or other national security interest would be significantly impaired if the proposed activity is not permitted to go forward as proposed. 15 CFR 930.122.

The NOAA Administrator must close the decision record in a federal