

expected to be impacted by the proposed survey.

Mitigation measures are expected to reduce the number and/or severity of takes by (1) giving animals the opportunity to move away from the sound source before HRG survey equipment reaches full energy; (2) preventing animals from being exposed to sound levels that may otherwise result in injury. Additional vessel strike avoidance requirements will further mitigate potential impacts to marine mammals during vessel transit to and within the survey area.

NMFS concludes that exposures to marine mammal species and stocks due to Dominion's proposed survey would result in only short-term (temporary and short in duration) effects to individuals exposed. Marine mammals may temporarily avoid the immediate area, but are not expected to permanently abandon the area. Major shifts in habitat use, distribution, or foraging success are not expected. NMFS does not anticipate the authorized take estimates to impact annual rates of recruitment or survival.

In summary and as described above, the following factors primarily support our determination that the impacts resulting from this activity are not expected to adversely affect the species or stock through effects on annual rates of recruitment or survival:

- No mortality or serious injury is anticipated or authorized;
- No injury is anticipated or authorized;
- The anticipated impacts of the proposed activity on marine mammals would be limited to temporary behavioral changes due to avoidance of the area around the survey vessel;
- Alternate areas of similar habitat value for marine mammals to temporarily vacate the survey area during the proposed survey and avoid exposure to sounds from the activity are available;
- The proposed project area does not contain areas of significance for feeding, mating or calving;
- Effects on species that serve as prey species for marine mammals from the proposed survey are expected to be minimal;
- Mitigation measures, including visual and acoustic monitoring and shutdowns, are expected to minimize potential impacts to marine mammals.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the proposed activity

will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted above, only small numbers of incidental take may be authorized under Section 101(a)(5)(D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

The numbers of marine mammals that we authorized to be taken would be considered small relative to the relevant stocks or populations for all species and stocks (less than 10 percent of bottlenose dolphin stocks, and less than 1 percent of each of the other species and stocks). See Tables 6 and 7. Based on the analysis contained herein of the proposed activity (including the mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action (*i.e.*, the issuance of an incidental harassment authorization) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (incidental harassment authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216-6A, which do

not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review. We have reviewed all comments submitted in response to the proposed IHA notice prior to concluding our NEPA process and making this final decision on the IHA request.

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.

The NMFS Office of Protected Resources is proposing mitigation to avoid the incidental take of the species of marine mammals which are likely to be present and are listed under the ESA: The North Atlantic right and fin whales. Therefore, consultation under section 7 of the ESA is not required.

Authorization

NMFS has issued an IHA to Dominion for conducting UXO surveys offshore Virginia for a period of one year, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: July 31, 2018.

Donna S. Wieting,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Northeast Multispecies Amendment 16

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general

public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before October 9, 2018.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at pracomments@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Liz Sullivan, (978) 282-8493 or Liz.Sullivan@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for an extension of a current information collection. Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Secretary of Commerce has the responsibility for the conservation and management of marine fishery resources. We, National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), and the Regional Fishery Management Councils are delegated the majority of this responsibility. The New England Fishery Management Council (Council) develops management plans for fishery resources in New England.

In 2010, we implemented a new suite of regulations for the Northeast (NE) multispecies fishery through Amendment 16 to the NE Multispecies Fishery Management Plan (FMP). This action updated status determination criteria for all regulated NE multispecies or ocean pout stocks; adopted rebuilding programs for NE multispecies (groundfish) stocks newly classified as being overfished and subject to overfishing; revised management measures, including significant revisions to the sector management measures (established under Amendment 13) necessary to end overfishing, rebuild overfished regulated NE multispecies and ocean pout stocks, and mitigate the adverse economic impacts of increased effort controls. It also implemented new requirements under Amendment 16 for establishing acceptable biological catch (ABC), annual catch limits (ACLs), and accountability measures (AMs) for each stock managed under the FMP, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Sectors are a management tool in the NE groundfish fishery. A sector consists of three or more limited access NE multispecies vessel permits, with distinct ownership, who voluntarily enter into a contract to manage their fishing operations and to share liability. A sector is granted an annual allocation of most stocks of fish managed by the NE Multispecies FMP. In return for increased operational flexibility, such as exemptions from certain effort controls and the ability to pool and trade quota, sectors have additional reporting and monitoring requirements. The sector reporting and monitoring requirements, as established by Amendment 16 and revised by subsequent framework adjustments to the NE Multispecies FMP, are contained within this information collection.

II. Method of Collection

Respondents must submit either paper forms via postal service, or electronic forms submitted via the internet or a vessels' vessel monitoring system (VMS).

III. Data

OMB Control Number: 0648-0605.
Form Number: None.

Type of Review: Regular submission (revision and extension of a current information collection).

Affected Public: Business or for-profit organizations.

Estimated Number of Respondents: 1,334.

Estimated Time per Response: Sector operations plan and membership list updates, 176 hr/response; Monitoring service provider initial application, 10 hr/response; Monitoring service provider response to application disapproval, 10 hr/response; Data entry for sector discard monitoring system, 3 min/response; Sector weekly catch report, 4 hr/response; Sector annual report, 12 hr/response; Notification of expulsion from a sector, 30 min/response; Request to transfer Annual Catch Entitlement (ACE), 5 min/response; Request to lease day-at-sea (DAS), 5 min/response; request to downgrade, 5 min/response; VMS certification form, 10 min/response; VMS confirmation call, 5 min/response; VMS area and DAS declaration, 5 min/response; VMS trip-level catch report; VMS daily catch reports when fishing in multiple broad stock areas, 15 min/response; Daily VMS catch reports when fishing in the U.S./Canada Management Area and CA II SAPs, 15 min/response; Daily VMS catch reports when fishing in the CA I Hook Gear Haddock SAP, 15 min/response; Daily VMS catch reports when fishing in the Regular B DAS

Program, 15 min/response; Pre-trip hail report, 2 min/response; Trip-end hail report, 15 min/response; Forward trip start/end hails to NMFS, 2 min/response; ASM Pre-Trip Notification, 2 min/response; Vessel notification of selection for at-sea monitoring coverage, 5 min/response; at-sea monitor deployment report, 10 min/response; at-sea monitoring service provider catch report to NMFS upon request, 5 min/response; at-sea monitor report of harassment and other issues, 30 min/response; at-sea monitoring service provider contract upon request, 30 min/response; at-sea monitoring service provider information materials upon request, 30 min/response; OLE debriefing of at-sea monitors, 2 hr/response; ASM Database and Data Entry Requirements, 3 min/response; Observer program pre-trip notification, 2 min/response; DAS Transfer Program, 5 min/response; Expedited Submission of Proposed SAPs, 20 hr/response; NAFO Reporting Requirements, 10 min/response.

Estimated Total Annual Burden Hours: 39,351.

Estimated Total Annual Cost to Public: \$ 4,466,172 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: August 3, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

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