

Atlantic Outer Continental Shelf in Massachusetts, Rhode Island, New York and New Jersey Wind Energy Areas. NMFS GARFO issued a programmatic Biological Opinion in 2013 concluding that these activities may adversely affect but are not likely to jeopardize the continued existence of the North Atlantic right, fin, and sperm whale. The Biological Opinion was later amended to include the Office of Protected Resources as an action agency. The Biological Opinion can be found online at: [www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable](http://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-other-energy-activities-renewable). The programmatic consultation established a procedure for reviewing future actions to determine if they and their effects fell within the scope of the Biological Opinion, and noted that for future MMPA authorizations for such activities, the Biological Opinion's incidental take statement (ITS) could be amended to exempt the take of ESA listed marine mammals. In April 2018, NMFS GARFO amended the ITS to exempt the take of right, sperm and fin whales as a result of the site characterization surveys authorized via the previously issued IHA.

NMFS GARFO has determined that the 2013 Biological Opinion remains valid and that the proposed MMPA authorization provides no new information about the effects of the action, nor does it change the extent of effects of the action, or any other basis to require reinitiation of the opinion. The Biological Opinion meets the requirements of section 7(a)(2) of the ESA and implementing regulations at 50 CFR 402 for our proposed issuance of an IHA under the MMPA, and no further consultation is required. NMFS GARFO will issue an amended ITS and append it to the 2013 Biological Opinion.

#### **Proposed Renewal and Request for Public Comment**

As a result of these preliminary determinations, NMFS proposes to issue an IHA Renewal to Equinor for conducting marine site characterization surveys off the coast of New York and coastal waters where cable route corridors will be established, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed 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, 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: April 1, 2019.

**Donna S. Wieting,**

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

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

**RIN 0648-XG931**

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Halibut Deck Sorting Monitoring Requirements for Trawl Catcher/Processors Operating in Non-Pollock Groundfish Fisheries off Alaska; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** NMFS representatives will meet with public stakeholders to provide an overview of, and receive public comment on, proposed regulations to implement new catch handling and monitoring requirements to allow Pacific halibut bycatch to be sorted on the deck of trawl catcher/processors and motherships participating in the non-pollock groundfish fisheries off Alaska. The proposed rule is expected to publish in the **Federal Register** during the first week of April 2019.

**DATES:** The meeting will be held on April 18, 2019, from 1 p.m. to 3 p.m., Pacific Standard Time.

**ADDRESSES:** The meeting will be held at The Mountaineers, Cascade A room, located at 7700 Sand Point Way NE, Seattle, WA 98115.

**FOR FURTHER INFORMATION CONTACT:** Joseph Krieger, 907-586-7650.

**SUPPLEMENTARY INFORMATION:** The proposed regulations to allow halibut deck sorting would reduce halibut mortality by allowing halibut to be discarded and returned to the sea faster than current monitoring requirements allow. Reducing halibut discard mortality could maximize prosecution of the directed groundfish fisheries that otherwise might be constrained by restrictive halibut prohibited species catch limits, and may benefit vessels participating in the directed halibut fishery by returning more live halibut to the water that would then become

available for harvest. Participation in halibut deck sorting and monitoring activities would be voluntary to allow industry flexibility to assess economic conditions and conduct halibut deck sorting when the benefits of reduced mortality provide valuable fishing opportunities that outweigh the operational cost of halibut deck sorting.

NMFS will hold an in-person meeting in Seattle, Washington, on April 18, 2019. Meeting topics include a description of the proposed regulations and an opportunity for the public to provide comments and ask questions.

#### **Special Accommodations**

This workshop will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joseph Krieger, 907-586-7650, at least 5 working days prior to the meeting date.

Dated: April 1, 2019.

**Jennifer M. Wallace,**

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

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

**RIN 0648-XG851**

#### **Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Portsmouth Naval Shipyard Dry Dock 1 Modification and Expansion**

**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 the U.S. Navy (Navy) for authorization to take marine mammals incidental to Portsmouth Naval Shipyard Dry Dock 1 modification and expansion in Kittery, Maine. 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-year renewal that could be issued under certain circumstances and if all requirements are met, as described in