

Dated: May 1, 2020.

**Joseph A. Laroski Jr.,**

*Deputy Assistant Secretary for Policy and Negotiations.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Orders*
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[FR Doc. 2020-09668 Filed 5-5-20; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XA139]

#### Atlantic Highly Migratory Species; Meeting of the Atlantic Highly Migratory Species Advisory Panel

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

**ACTION:** Notice of meeting.

**SUMMARY:** NMFS will hold a 1-day Atlantic Highly Migratory Species (HMS) Advisory Panel (AP) meeting via webinar in May 2020. The intent of the meeting is to consider options for the conservation and management of Atlantic HMS. The meeting is open to the public.

**DATES:** The AP meeting and webinar will be held from 8:45 a.m. to 3:30 p.m. on Tuesday, May 19, 2020.

**ADDRESSES:** The meeting on Tuesday, May 21, will be accessible via conference call and webinar. Conference call and webinar access information are available at: <https://www.fisheries.noaa.gov/event/may-2020-hms-advisory-panel-meeting>.

Participants are strongly encouraged to log/dial in 15 minutes prior to the meeting. NMFS will show the presentations via webinar and allow public comment during identified times on the agenda.

**FOR FURTHER INFORMATION CONTACT:** Peter Cooper at (301) 427-8503.

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Act, 16

U.S.C. 1801 *et seq.*, as amended by the Sustainable Fisheries Act, Public Law 104-297, provided for the establishment of an AP to assist in the collection and evaluation of information relevant to the development of any FMP or FMP amendment for Atlantic HMS. NMFS consults with and considers the comments and views of AP members when preparing and implementing FMPs or FMP amendments for Atlantic tunas, swordfish, billfish, and sharks. The AP has previously consulted with NMFS on all Atlantic HMS FMPs and FMP amendments since the inception of the AP in 1998.

Generally AP meetings are held in-person, but because of current restrictions on travel and public gatherings this AP meeting will be conducted via webinar. The intent of this meeting is to consider alternatives for the conservation and management of all Atlantic tunas, swordfish, billfish, and shark fisheries. We anticipate discussing:

- Draft Amendment 12, which would update the 2006 Consolidated HMS FMP using revised National Standard guidelines;
- A proposed rule and Environmental Assessment to modify shark and swordfish retention limits;
- Updates on the bluefin tuna fishery and Amendment 13 (bluefin tuna).

We also anticipate inviting other NMFS offices and the United States Coast Guard to provide updates, if available, on their activities relevant to HMS fisheries.

Additional information on the meeting and a copy of the draft agenda will be posted prior to the meeting at: <https://www.fisheries.noaa.gov/event/may-2020-hms-advisory-panel-meeting>.

Dated: April 30, 2020.

**Hélène M.N. Scalliet,**

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

[FR Doc. 2020-09628 Filed 5-5-20; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Science Advisory Board (SAB); Solicitation for Members of the NOAA Science Advisory Board

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

**ACTION:** Notice of solicitation for members of the NOAA Science Advisory Board.

**SUMMARY:** NOAA is soliciting nominations for members of the NOAA Science Advisory Board (SAB). The SAB is the only Federal Advisory Committee with the responsibility to advise the Under Secretary of Commerce for Oceans, Atmosphere, and NOAA Administrator on long- and short-range strategies for research, education, and application of science to resource management and environmental assessment and prediction. The SAB consists of approximately fifteen members reflecting the full breadth of NOAA's areas of responsibility and assists NOAA in maintaining a complete and accurate understanding of scientific issues critical to the agency's missions.

**DATES:** Nominations should be sent to the web address specified below and must be received by June 22, 2020.

**ADDRESSES:** Applications should be submitted electronically to [noaa.sab.newmembers@noaa.gov](mailto:noaa.sab.newmembers@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Dr. Cynthia Decker, Executive Director, Science Advisory Board, NOAA, Rm. 11230, 1315 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301-734-1156, Fax: 301-713-1459, Email: [Cynthia.Decker@noaa.gov](mailto:Cynthia.Decker@noaa.gov)); or visit the NOAA SAB website at <http://www.sab.noaa.gov>.

**SUPPLEMENTARY INFORMATION:** At this time, individuals are sought with expertise in tsunami science; extreme weather prediction (including tornadoes); social sciences (including geography, sociology, behavioral science); Great Lakes research; cloud computing, artificial intelligence and data management; unmanned, autonomous system technology; 'omics science and eDNA; weather modeling and data assimilation; and ocean ecosystem science. Individuals with expertise in other NOAA mission areas are also welcome to apply.

*Composition and Points of View:* The Board will consist of approximately fifteen members, including a Chair, designated by the Under Secretary in accordance with Federal Advisory Committee Act requirements.

Members will be appointed for three-year terms, renewable once, and serve at the discretion of the Under Secretary. If a member resigns before the end of his or her first term, the vacancy appointment shall be for the remainder of the unexpired term, and shall be renewable twice if the unexpired term is less than one year. Members will be

appointed as special government employees (SGEs) and will be subject to the ethical standards applicable to SGEs. Members are reimbursed for actual and reasonable travel and per diem expenses incurred in performing such duties but will not be reimbursed for their time. As a Federal Advisory Committee, the Board's membership is required to be balanced in terms of viewpoints represented and the functions to be performed as well as the interests of geographic regions of the country and the diverse sectors of U.S. society.

The SAB meets in person three times each year, exclusive of teleconferences or subcommittee, task force, and working group meetings. Board members must be willing to serve as liaisons to SAB working groups and/or participate in periodic reviews of the NOAA Cooperative Institutes and overarching reviews of NOAA's research enterprise.

**Nominations:** Interested persons may nominate themselves or third parties.

**Applications:** An application is required to be considered for Board membership, regardless of whether a person is nominated by a third party or self-nominated. The application package must include: (1) The nominee's full name, title, institutional affiliation, and contact information; (2) the nominee's area(s) of expertise; (3) a short description of his/her qualifications relative to the kinds of advice being solicited by NOAA in this Notice; and (4) a current resume (maximum length four [4] pages).

Dated: April 28, 2020.

**David Holst,**

*Director Chief Financial Officer/CAO, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.*

[FR Doc. 2020-09641 Filed 5-5-20; 8:45 am]

**BILLING CODE 3510-KD-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XV180]

**Determination of Overfishing or an Overfished Condition**

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

**ACTION:** Notice.

**SUMMARY:** This action serves as a notice that NMFS, on behalf of the Secretary of Commerce (Secretary), has found that

Saint Matthew Island blue king crab is still overfished, the American Samoa Bottomfish Multi-species Complex is now subject to overfishing and now overfished, and the Guam Bottomfish Multi-species Complex is now overfished. NMFS, on behalf of the Secretary, notifies the appropriate regional fishery management council (Council) whenever it determines that overfishing is occurring, a stock is in an overfished condition, or a stock is approaching an overfished condition.

**FOR FURTHER INFORMATION CONTACT:** Regina Spallone, (301) 427-8568.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 304(e)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1854(e)(2), NMFS, on behalf of the Secretary, must notify Councils, and publish in the **Federal Register**, whenever it determines that a stock or stock complex is subject to overfishing, overfished, or approaching an overfished condition.

NMFS has determined that Saint Matthew Island blue king crab is still overfished. This determination is based on the most recent assessment, completed in 2019 using data through 2019, which indicates that the biomass estimate remains below its threshold. NMFS has notified the North Pacific Fishery Management Council of the requirements to rebuild this stock.

NMFS has determined that the American Samoa Bottomfish Multi-species Complex is now subject to overfishing and now overfished. This determination is based on the most recent assessment, completed in 2019, using data through 2017, which indicates that this complex is overfished because the biomass estimate is less than the threshold and subject to overfishing because the fishing mortality rate is greater than the threshold. In addition, NMFS has determined that the Guam Bottomfish Multi-species Complex is now overfished. This determination is based on the most recent assessment, completed in 2019, using data through 2017, which indicates that this complex is overfished because the biomass estimate is less than the threshold. NMFS has notified the Western Pacific Fishery Management Council of its obligation to end overfishing on the American Samoa Multi-species Complex and rebuild both stock complexes.

Dated: April 30, 2020.

**Hélène M.N. Scalliet,**

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

[FR Doc. 2020-09622 Filed 5-5-20; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XA132]

**Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Marine Site Characterization Surveys Off of Massachusetts, Rhode Island, Connecticut, and New York**

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

**ACTION:** Notice; issuance of an incidental harassment authorization.

**SUMMARY:** In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Vineyard Wind, LLC (Vineyard Wind) to incidentally harass, by Level B harassment only, marine mammals during marine site characterization surveys off the coast of Massachusetts in the areas of the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0501 and OCS-A 0522) and along potential submarine cable routes to a landfall location in Massachusetts, Rhode Island, Connecticut, and New York.

**DATES:** This authorization is valid from June 1, 2020 through May 31, 2021.

**FOR FURTHER INFORMATION CONTACT:** Robert Pauline, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the applications and supporting documents, as well as a list of the references cited in this document, may be obtained by visiting the internet 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). In case of problems accessing these documents, please call the contact listed above.

**SUPPLEMENTARY INFORMATION:**

**Background**

The MMPA prohibits the "take" of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and