

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Availability of Final Evaluation Findings of National Estuarine Research Reserves**

**AGENCY:** Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

**ACTION:** Notice of availability of evaluation findings.

**SUMMARY:** Notice is hereby given of the availability of final evaluation findings for seven national estuarine research reserves, Ashepoo-Combahee-Edisto (ACE) Basin, Chesapeake Bay Virginia, Guana Tolomato Matanzas (GTM), San Francisco Bay, South Slough, Tijuana River, and Weeks Bay, under Section 315 of the Coastal Zone Management Act (CZMA).

**ADDRESSES:** Copies of these final evaluation findings may be found at [https://coast.noaa.gov/czm/evaluations/evaluation\\_findings/index.html](https://coast.noaa.gov/czm/evaluations/evaluation_findings/index.html) or by submitting a written request to Michael Migliori at [Michael.Migliori@noaa.gov](mailto:Michael.Migliori@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Michael Migliori, Lead Evaluator, NOAA Office for Coastal Management, by phone at (443) 332-8936 or email at [Michael.Migliori@noaa.gov](mailto:Michael.Migliori@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The NOAA Office for Coastal Management has completed the national estuarine research reserve evaluations for ACE Basin, Chesapeake Bay Virginia, GTM, San Francisco Bay, South Slough, Tijuana River, and Weeks Bay. The reserves were found to be adhering to the terms of the reserves' financial assistance awards and to the programmatic requirements of the CZMA, including the requirements of Section 315(f), and its implementing regulations. NOAA published in the **Federal Register** notices for public meetings and opportunities to submit public comments on the evaluation of these national estuarine research reserves. See 86 FR 23349 (May 3, 2021) (ACE Basin), 86 FR 52131 (September 20, 2021) (Chesapeake Bay Virginia), 87 FR 66162 (November 2, 2022) (GTM), 87 FR 33992 (June 28, 2021) (San Francisco Bay), 87 FR 11417 (March 1, 2022) (South Slough), 87 FR 36308 (June 16, 2022) (Tijuana River), and 87 FR 36309 (June 16, 2022) (Weeks Bay). NOAA addressed the public comments it received in the final evaluation findings.

*Authority:* 16 U.S.C. 1458 and 1461(f); 15 CFR 921.40 and 923.133(b)(7).

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

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**Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Replacement of Pier 3 at Naval Station Norfolk in Norfolk, Virginia**

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

**ACTION:** Notice; request for comments on proposed renewal incidental harassment authorization (IHA).

**SUMMARY:** NMFS received a request from the United States Department of the Navy for the renewal of their currently active incidental harassment authorization (IHA) to take marine mammals incidental to the replacement of Pier 3 at Naval Station Norfolk in Norfolk, Virginia. These activities are identical to those covered in the current authorization. Pursuant to the Marine Mammal Protection Act, prior to issuing the currently active IHA, NMFS requested comments on both the proposed IHA and the potential for renewing the initial authorization if certain requirements were satisfied. The renewal requirements have been satisfied, and NMFS is now providing an additional 15-day comment period to allow for any additional comments on the proposed renewal not previously provided during the initial 30-day comment period.

**DATES:** Comments and information must be received no later than March 29, 2023.

**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.taylor@noaa.gov](mailto:ITP.taylor@noaa.gov).

*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. Attachments to comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. 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:** Jessica Taylor Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the original application, renewal request, and supporting documents (including NMFS **Federal Register** notices of the original proposed and final authorizations, and the previous IHA), as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed above.

**SUPPLEMENTARY INFORMATION:****Background**

The Marine Mammal Protection Act (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 issued or, if the taking is limited to harassment, an incidental harassment authorization is issued.

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