

measurement research to today's quantum information science, NIST has long been, and continues to be, a center for high-impact research meeting the needs of academia, industry, and government. The NIST laboratories conduct world-class research, often in close collaboration with industry, which advances the nation's technology infrastructure and helps U.S. companies continually improve products and services.

NIST publishes this notice to seek comments on the *Draft NIST Plan for Providing Public Access to Results of Federally Funded Research*, posted at www.nist.gov/open. NIST developed a public access plan in response to the February 22, 2013, Office of Science and Technology Policy (OSTP) memorandum *Increasing Access to the Results of Federally Funded Scientific Research* and several White House memoranda (*i.e.*, Office of Management and Budget memoranda M–10–06 *Open Government Directive* and M–13–13 *Open Data Policy—Managing Information as an Asset*). NIST policy was developed from that original plan; NIST's public access policy has been operational since 2015. NIST's original plan and the resultant policy ensured that the integrity of NIST data are maintained throughout their life cycle and increased the visibility of NIST measurements, standards, technology, and research activities.

On August 25, 2022, OSTP issued a new public access memorandum, *Ensuring Free, Immediate, and Equitable Access to Federally Funded Research*. In response to OSTP's 2022 memo, NIST is taking new steps to make its scientific data and publications more readily available and accessible by the public.

The *Draft NIST Plan for Providing Public Access to the Results of Federally Funded Research* applies to the results of research funded wholly or in part by NIST, presented in peer-reviewed scholarly publications and as research data. The document outlines NIST's plan to manage public access to research data and publications in accordance with new recommendations of the 2022 OSTP memo, including the removal of embargo periods for access to publications resulting from NIST-funded work, requiring immediate release of data associated with narrative publications, inclusion of available persistent identifiers in publications, and emphasis on the need for accessibility to users who have disabilities through provision of machine-readable publications. The NIST Public Access Plan was reviewed by the Office of Science and Technology

Policy and the Office of Management and Budget, and those comments have been addressed in the plan being posted for comment.

NIST invites respondents to comment on the following questions that pertain to the implementation NIST's updated public access plan:

- How can NIST ensure equity in publication opportunities?
- How can NIST ensure public access and accessibility to outputs of NIST-funded research?
- How can NIST monitor impacts on affected communities—authors and readers alike?
- How can NIST improve the plan to provide greater public access to NIST-funded research results?

Comments relating to the text of the *Draft NIST Plan for Providing Public Access to the Results of Federally Funded Research* should reference the document by page and line number. All comments must be received in accordance with the **DATES** and **ADDRESSES** sections of the notice above.

Alicia Chambers,

NIST Executive Secretariat.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XD120]

Council Coordination Committee Meeting

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

ACTION: Notice of a public meeting; information regarding the agenda.

SUMMARY: The National Marine Fisheries Service, Office of Sustainable Fisheries, will host an interim session of the Council Coordination Committee (CCC), consisting of the Regional Fishery Management Council chairs, vice chairs, and executive directors, on July 17, 2023. The intent of this virtual meeting is to discuss priorities and process for distributing funds provided under the Inflation Reduction Act (IRA) to the Councils for climate-ready fisheries and to describe the agencies planned investment in various scientific data collection, processing, and analysis efforts with IRA funds.

DATES: The meeting will begin at 4 p.m. Eastern Daylight Time (EDT) on Monday, July 17, adjourning at 5:30 p.m. EDT.

ADDRESSES: The meeting will be held online via WebEx. Webinar information to join the meeting can be found at <https://www.fisheries.noaa.gov/national/partners/council-coordination-committee>.

FOR FURTHER INFORMATION CONTACT:

Morgan Corey by email at Morgan.Corey@noaa.gov or at (301) 427–8500.

SUPPLEMENTARY INFORMATION: The IRA is a historic, Federal Government-wide investment that furthers efforts to build a Climate-Ready Nation. NMFS will receive an unprecedented investment to strengthen the agency's core mission to provide science-based management and conservation of the Nation's marine resources as we confront climate change.

During this interim CCC session, NMFS will outline the process for providing IRA funding to the Councils to advance climate-ready fisheries management. Actions funded under IRA for the Councils sub-component will contribute to the following goals: implementation of fishery management measures necessary to improve climate resiliency and responsiveness to climate impacts, and development and advancement of climate-related fisheries management planning and implementation efforts in support of underserved communities.

In addition, NMFS will provide an overview of how IRA funding will be used in the Data Acquisition and Management sub-component. Actions funded under this sub-component will use advanced technologies, including data management, to improve and expand observation and sampling capabilities of critical fish, protected species, ecosystem, and climate data in order to understand where climate-driven shifts in distribution of fish and other key living marine resources are occurring.

The 2007 reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act established the CCC. The CCC consists of the chairs, vice chairs, and executive directors of each of the eight Regional Fishery Management Councils.

Proposed Agenda

Monday, July 17, 2023—4 p.m.–5:30 p.m. EDT

1. Data Acquisition and Management Funding Overview & Discussion
2. Regional Fishery Management Councils Funding Overview & Discussion
3. Public Comment
4. Close of Meeting

Special Accommodations

If you have particular access needs please contact Morgan Corey at Morgan.Corey@noaa.gov at least 7 business days prior to the meeting for accommodation.

Dated: June 27, 2023.

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

[RTID 0648-XD066]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to San Francisco Bay Area Water Emergency Transportation Authority's Ferry Terminal Refurbishment in Alameda, California

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 San Francisco Bay Area Water Emergency Transportation Authority (WETA) for authorization to take marine mammals incidental to the refurbishment of the Alameda Main Street Ferry Terminal in Alameda, California. 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-time, one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than July 31, 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.clevenstine@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. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities> 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:

Alyssa Clevenstine, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities>. 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 (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 proposed or, if the taking is limited to harassment, a notice of a proposed IHA is provided to the public for review.

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 availability of the species or stocks for taking for certain subsistence uses (referred to in shorthand as "mitigation"); and requirements pertaining to the mitigation, monitoring, and reporting of the takings are set forth. The definitions of all applicable MMPA statutory terms cited above are included in the relevant sections below.

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 IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs 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 preliminarily determined that the issuance of the proposed IHA qualifies to be categorically excluded from further NEPA review.

We will review all comments submitted in response to this notice prior to concluding our NEPA process or making a final decision on the IHA request.

Summary of Request

On February 9, 2023, NMFS received a request from WETA for an IHA to take marine mammals incidental to pile removal and driving associated with refurbishment of the Alameda Main Street Ferry Terminal in Alameda, California. Following NMFS' review of the application, WETA submitted revised versions on March 15, April 18, May 18, and May 24, 2023. The application was deemed adequate and complete on May 25, 2023. WETA's request is for take of harbor seals (*Phoca vitulina*) and California sea lions (*Zalophus californianus*) by Level A harassment and Level B harassment. Neither WETA nor NMFS expect serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.