

and threatened CCC Distinct Population Segment (DPS) of steelhead (*O. mykiss*).

### Background

The City of Santa Cruz's operation, maintenance, rehabilitation, and management of their water supply and water system facilities, municipal facilities, and City lands are essential to the welfare of the City's citizens and visitors. Normal, otherwise lawful operation of the City of Santa Cruz facilities could result in take of ESA-listed species. Section 10(a)(1)(B) of the ESA authorizes NMFS to issue an ITP to non-Federal parties for the potential incidental taking of endangered and threatened species. In support of their ITP application, the City of Santa Cruz has prepared an ASHCP to address effects of water diversions and for operation, rehabilitation, replacement, repair and maintenance of conveyance facilities and other existing infrastructure (covered activities) on salmonids listed under the ESA. The ASHCP plan area includes watershed and water service/urban areas that total approximately 176 square miles (~455.8 km<sup>2</sup>) in Santa Cruz County, California across three geographically distinct areas: (1) North Coast watersheds (Liddell, Laguna, and Majors); (2) San Lorenzo River watershed; and (3) City Urban Center. The ASHCP provides an assessment of impacts; measures to monitor, minimize, and mitigate for those impacts; and procedures to account for unforeseen or extraordinary circumstances.

### Preliminary Proposed Action and Alternatives

NMFS has prepared a draft EA, in accordance with the requirements of NEPA, to analyze the potential impacts on the human (biological, physical, social, and economic) environment caused by the City of Santa Cruz ASHCP (proposed action). Under the proposed action, NMFS would approve the ASHCP and issue an ITP with a 30-year permit term to the City of Santa Cruz for incidental take of covered species from covered activities in the plan area. Under the no action alternative, NMFS would not issue an ITP to the City, and the ASHCP would not be implemented. Under the no action alternative, the City would need to evaluate individual operations and maintenance activities to determine whether incidental take of listed salmonid species could be avoided through seasonal restrictions and other modifications to the activity, or whether an activity-specific incidental take authorization would instead be required.

### Summary of Expected Impacts

Incidental take is expected to result from covered activities described in the ASHCP. Expected impacts are less than what occurs under the City of Santa Cruz's current practices. The City of Santa Cruz is proposing a conservation strategy as part of their ASHCP that is intended to fully offset the impacts of the take.

Under the no action alternative, the City would conduct project-by-project reviews. It is anticipated that activities, if permitted, would occur at a slower pace and avoidance, minimization, and mitigation measures may be less comprehensive and more site-specific, compared to the proposed action. This type of mitigation can also be more expensive and time-consuming and provide less conservation benefit than a regional or watershed-level approach, as provided by the proposed action.

### Authority

Section 9 of the ESA and Federal regulations prohibit the taking of a species listed as endangered or threatened. The ESA defines "take" to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may issue permits, under limited circumstances to take listed species incidental to, and not the purpose of, otherwise lawful activities. Section 10(a)(1)(B) of the ESA and implementing regulations (50 CFR 222.307) provide for authorizing incidental take of listed species. The final permit decision will not be made until after the end of the 30-day comment period. NMFS will publish notice of its final action in the **Federal Register**.

NEPA requires Federal agencies to conduct an environmental analysis of their proposed actions to determine if the actions may affect the human environment (42 U.S.C. 4321 *et seq.*; 40 CFR parts 1500 through 1508; and Companion Manual for NOAA Administrative Order 216-6A, 82 FR 4306, January 13, 2017). Therefore, NMFS is seeking public input on the scope of the required NEPA analysis in the EA, including the range of reasonable alternatives and associated impacts of any alternatives.

Dated: September 5, 2023.

**Angela Somma,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XD299]

### Gulf of Mexico Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will hold a two-day in-person meeting of its Standing, Reef Fish, Socioeconomic, and Ecosystem Scientific and Statistical Committees (SSC).

**DATES:** The meeting will be held Wednesday, September 27, 2023 and Thursday, September 28, 2023; 8:30 a.m.–5 p.m., EDT both days.

**ADDRESSES:** The meeting will take place at the Gulf Council office. Registration information will be available on the Council's website by visiting [www.gulfcouncil.org](http://www.gulfcouncil.org) and clicking on the "meeting tab".

*Council address:* Gulf of Mexico Fishery Management Council, 4107 W Spruce Street, Suite 200, Tampa, FL 33607; telephone: (813) 348-1630.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ryan Rindone, Lead Fishery Biologist, Gulf of Mexico Fishery Management Council; [ryan.rindone@gulfcouncil.org](mailto:ryan.rindone@gulfcouncil.org), telephone: (813) 348-1630.

### SUPPLEMENTARY INFORMATION:

**Wednesday, September 27, 2023; 8:30 a.m.–5 p.m., EDT**

The meeting will begin with Introductions and Adoption of Agenda, Approval of Verbatim Minutes and Meeting Summary from the July 19–20, 2023, meeting, and a review of the Scope of Work. The Committees will select an SSC Representative for the October 23–26, 2023, Gulf Council meeting in Panama City Beach, FL.

Following, the Committees will review *Gag Grouper* Abundance, Movement, Spawning Behavior, Discard Mortality, and Environment Influences; presentations, background documentation and references will be provided to support SSC discussion. The Committees will review Possible Management Modifications for *Gag and Black Grouper*, with presentations, background documentation and references for SSC recommendations and discussion. The Committees will also discuss the SEDAR 94 Florida *Hogfish* Scope of Work. Public comment will be heard at the end of the day.

**Thursday, September 28, 2023; 8:30 a.m.–5 p.m., EDT**

The Committees will review and discuss the Gulf of Mexico *Gag* Health Check, *Vermilion Snapper* Interim Analysis, Southeast Region Best Scientific Information Available Framework, Incorporating Social Science Theory and Methods into Ecosystem Assessments, and the *Lane Snapper* Updated Catch Analysis, including presentations and background materials for SSC discussions.

The Committees will receive public comment, if any, before addressing any items under Other Business.

—Meeting Adjourns

The meeting will also be broadcast via webinar. You may register for the webinar by visiting [www.gulfcouncil.org](http://www.gulfcouncil.org) and clicking on the SSC meeting on the calendar.

The agenda is subject to change, and the latest version along with other meeting materials will be posted on [www.gulfcouncil.org](http://www.gulfcouncil.org) as they become available.

Although other non-emergency issues not on the agenda may come before the Scientific and Statistical Committees for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Actions of the Scientific and Statistical Committee will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take-action to address the emergency.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to Kathy Pereira, (813) 348–1630, at least 5 days prior to the meeting date.

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: September 6, 2023.

#### Rey Israel Marquez,

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

[FR Doc. 2023–19512 Filed 9–8–23; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Review of Nomination for Mariana Trench National Marine Sanctuary

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice.

**SUMMARY:** On January 21, 2022, NOAA requested written comments to facilitate the Office of National Marine Sanctuaries' (ONMS) five-year review of the nomination for a proposed Mariana Trench National Marine Sanctuary (NMS). On March 10, 2022, NOAA reopened the public comment period for an additional 45 days, ending on April 25, 2022. In those notices, NOAA requested relevant information as it pertains to its 11 evaluation criteria for inclusion in the inventory of sites eligible to be considered for designation as national marine sanctuaries. NOAA has synthesized the information gathered through the public process, completed an internal analysis, and the ONMS Director has made the determination that the Mariana Trench NMS nomination will be removed from the inventory.

**DATES:** This determination took effect on September 7, 2023.

**ADDRESSES:** Kristina Kekuewa, Pacific Islands Regional Director, NOAA Office of National Marine Sanctuaries, 1845 Wasp Blvd., Honolulu, Hawaii 96818, or at [kristina.kekuewa@noaa.gov](mailto:kristina.kekuewa@noaa.gov), or at 808–725–5252.

**FOR FURTHER INFORMATION CONTACT:** Kristina Kekuewa, Pacific Islands Regional Director, NOAA Office of National Marine Sanctuaries, 1845 Wasp Blvd., Honolulu, Hawaii 96818, or at [kristina.kekuewa@noaa.gov](mailto:kristina.kekuewa@noaa.gov), or at 808–725–5252.

#### SUPPLEMENTARY INFORMATION:

##### Background Information

In 2014, NOAA issued a final rule re-establishing the sanctuary nomination process (SNP), which details how communities may submit nominations of areas of the marine and Great Lakes environment for NOAA to consider for designation as national marine sanctuaries (79 FR 33851). NOAA moves successful nominations to an inventory of areas that could be considered for national marine sanctuary designation. The final rule re-establishing the SNP included a five-year limit on any nomination added to

the inventory that NOAA does not advance for designation. The nomination for Mariana Trench NMS was accepted to the national inventory on March 13, 2017, and was therefore scheduled to expire in March 2022.

In November 2019, NOAA issued a notice (84 FR 61546) to clarify procedures for evaluating and updating a nomination as it approaches the five-year mark on the inventory of areas that could be considered for national marine sanctuary designation. This notice explained that if a nomination remains responsive to the 11 evaluation criteria for inclusion on the inventory, it may be appropriate to allow the nomination to remain on the inventory for another five years. The notice also established a process for NOAA to consider the continuing viability of nominations nearing the five-year expiration mark. The 11 evaluation criteria can be found at <https://nominate.noaa.gov>.

On January 21, 2022, NOAA published a notice in the **Federal Register** to request written comments to facilitate ONMS' five-year review of the nomination of the Mariana Trench NMS (87 FR 3284). On March 10, 2022, following requests from the public for additional time to comment on the five-year review, NOAA reopened the public comment period for an additional 45 days, ending on April 25, 2022 (87 FR 13709). NOAA requested relevant information pertaining to the 11 evaluation criteria that NOAA applied to evaluate the Mariana Trench NMS nomination for inclusion in the national inventory of areas that NOAA may consider for future designation as a national marine sanctuary. During the two comment periods, 62 online comments were received, and the nominator provided additional information, which NOAA has considered in evaluating the nomination against the criteria. Submitted comments can be found at [www.regulations.gov](http://www.regulations.gov) (search for Docket Number NOAA–NOS–2022–0005). Additionally, the nominating organization subsequently submitted a letter to NOAA requesting that the nomination be withdrawn and removed from the inventory.

In analyzing this material, particular attention was given to new scientific information about the national significance of natural and cultural resources, increases or decreases in the threats to resources proposed for protection, and changes to the management framework of the area. NOAA also assessed the level of community-based support for the nomination from a broad range of interests.