

activities should be directed to Matt Dunlap, Fishery Policy Analyst, West Coast Regional Office, 7600 Sand Point Way NE, Seattle, WA 98115, (206) 526-6119, or [matthew.dunlap@noaa.gov](mailto:matthew.dunlap@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This submission is a renewal of an existing package. The program was developed through Amendment 20 to the Groundfish Fishery Management Plan (FMP), under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and consists of an individual fishing quota (IFQ) program for the shore based trawl fleet (including whiting and non-whiting fisheries); and cooperative (coop) programs for the at-sea mothership (MS) and catcher/processor (C/P) trawl fleets (whiting only). As part of its fishery management responsibilities, the National Marine Fisheries Service (NMFS) collects information to determine the amount and type of catch taken by fishing vessels. This collection supports monitoring requirements including scale test requirements for first receivers in the Pacific Coast groundfish fishery's shore based individual fishery quota (IFQ) program; and mothership and catcher/processors in the at-sea whiting fisheries. The collection also supports permits for businesses that provide certified observer and certified catch monitor services. The respondents are principally shore-based first receivers, catch monitor and observer service providers, mothership processors, and catcher/processors which are companies/partnerships.

##### II. Method of Collection

This collection utilizes both electronic and paper forms, depending on the specific item. Methods of submittal include email of electronic forms, and mail and facsimile transmission of paper forms. Additionally, this collection utilizes interviews for some information collection and phone calls for transmission of other information.

##### III. Data

*OMB Control Number:* 0648-0619.

*Form Number(s):* None.

*Type of Review:* Regular submission (extension of a current information collection).

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 150.

*Estimated Time Per Response:* For 2 existing observer providers: 2 hours for preparation and submission of the

annual observer provider permit renewal application. For 1 new observer provider: 10 hours for observer provider permit application preparation and submission. For 1 observer provider: 4 hours for a written response and submission of an appeal if an observer provider permit is denied. For 45 catch monitors: 1 hour for submission of qualifications to work as a catch monitor. For 5 catch monitors: 4 hours for a written response and submission of an appeal if a catch monitor permit is denied. For 16 vessels in the Mothership or Catcher/Processor fleet, 30 minutes or less for satisfying requirements for use of at-sea scales, including daily testing reports (30 minutes), daily catch and cumulative weight reports (10 minutes), audit trail (1 minute), calibration log (2 minutes), and fault log (3 minutes).

*Estimated Total Annual Burden Hours:* 441 hours (83 hours for observer and catch monitor providers and 358 hours for Motherships or Catcher/Processors).

*Estimated Total Annual Cost to Public:* \$3,678. Annualized capital costs for computer hardware are \$3,510. Annualized reporting/recordkeeping costs are \$168.

*Respondent's Obligation:* Mandatory.

*Legal Authority:* The regulations at §§ 660.140(h), 660.150(j), and 660.160(g), specify observer coverage requirements for trawl vessels and define the responsibilities for observer providers, including reporting requirements. Regulations at § 660.140(i) specify requirements for catch monitor coverage for first receivers. Regulations at § 660.15 specify equipment, performance and technical requirements for scales used to weigh catch at sea.

##### IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or

summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[RTID 0648-XD633]

##### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Coastal Virginia Offshore Wind Commercial Project Offshore of Virginia

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

**ACTION:** Notice; issuance of Letter of Authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA) as amended, and implementing regulations, notification is hereby given that a Letter of Authorization (LOA) has been issued to the Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion Energy), for the taking of marine mammals incidental to the construction of the Coastal Virginia Offshore Wind Commercial (CVOW-C) Project (hereafter known as the “CVOW-C Project” or the “Project”).

**DATES:** The LOA is effective from February 5, 2024 through February 4, 2029.

**ADDRESSES:** The LOA and supporting documentation are available 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 below (see **FOR FURTHER INFORMATION CONTACT**).

**FOR FURTHER INFORMATION CONTACT:** Kelsey Potlock, Office of Protected Resources, NMFS, (301) 427-8401.

**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, regulations are promulgated (when applicable), and public notice and an opportunity for public comment are provided.

An 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). If such findings are made, NMFS must prescribe the permissible methods of taking; “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 as “mitigation”); and requirements pertaining to the monitoring and reporting of such takings. The MMPA defines “take” to mean harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal (16 U.S.C. 1362(13); 50 CFR 216.103). Level A harassment is defined as any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammal stock in the wild (16 U.S.C. 1362(18); 50 CFR 216.3). Level B harassment is defined as any act of pursuit, torment, or annoyance which has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (16 U.S.C. 1362(18); 50 CFR 216.3). Section 101(a)(5)(A) of the MMPA and the implementing regulations at 50 CFR part 216, subpart I authorize NMFS to propose and, if appropriate, promulgate regulations and issue associated LOA(s). NMFS promulgated regulations on

January 23, 2024 (89 FR 4370) for the taking of marine mammals incidental to the construction of the CVOW-C Project offshore of Virginia. The LOA authorizes Dominion Energy and those persons it authorizes or funds to conduct activities on its behalf to take marine mammals incidental to specified activities during the construction of the Project and requires them to implement mitigation, monitoring, and reporting requirements.

**Summary of Request**

On January 23, 2024, NMFS promulgated a final rule (89 FR 4370) responding to a request from Dominion Energy for authorization to take marine mammals (21 species comprising 22 stocks) by Level B harassment (all 22 stocks) and by Level A harassment (7 stocks) incidental to construction activities occurring in Federal and State waters off of Virginia, specifically within and around the Bureau of Ocean Energy Management (BOEM) Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Lease Area OCS-A 0483 (Lease Area) and along an export cable route to sea-to-shore transition points (collectively referred to as the “Project Area”), over the course of 5 years (February 5, 2024 through February 4, 2029). The final rule included the following specified activities: the installation of 176 wind turbine generators (WTGs) on monopile foundations (through a maximum of 183 separate piling events) and 3 offshore substations (OSSs) on jacket foundations using pin piles by vibratory and impact pile driving; nearshore cable landfall work comprising of the installation and subsequent removal of nearshore temporary cofferdams by vibratory pile driving and the installation and subsequent removal of temporary goal posts by impact pile driving at the sea-to-shore transition point located at the State Military Reservation in Virginia Beach, Virginia; high-resolution geophysical (HRG) marine site characterization surveys using active acoustic sources; fishery and ecological monitoring surveys; the placement of scour protection; the installation of the export cable route from OSSs to shore-based converter stations and inter-array cables between turbines by trenching, laying, and burial activities; vessel transit within the specified geographical region to transport crew, supplies, and materials; and WTG operation.

Marine mammals exposed to elevated noise levels during foundation impact pile driving may be taken by Level A harassment, and marine mammals

exposed to elevated noise levels during impact and vibratory pile driving and HRG site characterization surveys may be taken by Level B harassment. No mortality or serious injury of any marine mammal is anticipated or authorized. The number of takes, by species, authorized may be found in table 1 in the LOA, which is available at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>.

**Authorization**

In accordance with the final rule (89 FR 4370, January 23, 2024; see 50 CFR 217.296), NMFS has issued a LOA to Dominion Energy authorizing the take, by harassment, of marine mammals incidental to specified activities within the specified geographical region. As previously stated, no mortality or serious injury of any marine mammal species is anticipated or authorized. The incidental takes authorized herein are the same as those analyzed and authorized in the final rule (89 FR 4370, January 23, 2024). Takes of marine mammals will be minimized through the following planned mitigation and monitoring measures, as applicable for each specified activity: (1) implementation of spatio-temporal seasonal/time of day work restrictions; (2) use of multiple NMFS-approved Protected Species Observers (PSOs) to visually observe for marine mammals (with any detection within specifically designated zones triggering a delay or shutdown, as applicable); (3) use of NMFS-approved passive acoustic monitoring (PAM) operators to acoustically detect marine mammals, with a focus on detecting baleen whales (with any detection within designated zones triggering a delay or shutdown, as applicable); (4) implementation of clearance and shutdown zones; (5) use of soft-start upon commencement of impact pile driving and ramp-up of acoustic sources during HRG surveys; (6) use of noise attenuation technology during foundation pile driving; (7) use of situational awareness monitoring for marine mammal presence; (8) use of sound field verification monitoring; (9) use of PAM within the vessel transit corridor for Project vessels to travel over 10 knots (11.5 miles per hour); and (10) implementation of several vessel strike avoidance measures to avoid vessel strikes, including but not limited to, vessel separation zones between marine mammals and project vessels. Additionally, NMFS may modify the LOA’s mitigation, monitoring, or reporting measures, based on new information. Dominion Energy is also

required to submit reports, as specified in the final rule.

Based on the findings discussed in the preamble of the final rule, NMFS has determined that the take authorized in the LOA is of small numbers, will have a negligible impact on marine mammal stocks, will not have an unmitigable adverse impact on the availability of the affected marine mammal stock for subsistence uses, and the mitigation measures provide a means of affecting the least practicable adverse impact on the affected stocks and their habitat.

Dated: February 6, 2024.

**Shannon Bettridge,**

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

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Tornado Watch/Warning Post-Event Evaluation

**AGENCY:** National Oceanic & Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of information collection, request for comment.

**SUMMARY:** The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before April 9, 2024.

**ADDRESSES:** Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at [NOAA.PRA@noaa.gov](mailto:NOAA.PRA@noaa.gov). Please reference OMB Control Number 0648-0797 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or specific questions related to collection

activities should be directed to Dr. Makenzie Krocak, Research Scientist, NOAA NSSL, 120 David L. Boren Blvd., Norman, OK 73071, 405-325-0805, [makenzie.krocak@noaa.gov](mailto:makenzie.krocak@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

Each year over 1,000 tornadoes affect communities across the United States, yet little is known about how individuals receive, interpret, and respond to information from NOAA relating to this hazard. In fact, only a small sample of tornadoes ever receive study, and most often those are only the most violent tornadoes. No generalizable, or even relatively large-scale information on tornado forecast and warning response after real-world events exists. The NOAA National Weather Service (NWS) and National Severe Storms Laboratory (NSSL) designed the data collection instrument to allow for more routine collection of this information. Respondents include members of the United States public who have been in or near a tornado, received a tornado warning, or were in or near a strong storm that made them concerned about tornadoes. They answer questions about the ways they received, understood, and responded to information about the event, including NWS watch and warning information. This survey is delivered through a web application hosted by NSSL called Tornado Tales, available online at <https://inside.nssl.noaa.gov/tornado-tales/>.

After approval of our initial data collection instrument (that shown on the website), the OU Cooperative Institute for Severe and High-Impact Weather Research and Operations (CIWRO) and NOAA NSSL Behavioral Insights Unit carried out post-event data collections for multiple tornado events, validating the questions and identifying issues for improvement. This fieldwork led to several needed improvements, including the addition of questions about the event more broadly, changing some response types, rephrasing some questions that were interpreted too broadly, and including questions about efficacy and the availability of forecast information to individuals. While the revisions have added questions to the survey, their improved clarity should allow for faster response times per question. We estimate the time to complete the survey is five to ten minutes on average. Subject recruitment will primarily be done by NOAA NSSL and its partners advertising the survey via websites and social media outlets. In addition to these efforts, there is also the

possibility that during post-storm damage assessment activities NWS forecasters may direct impacted individuals to the Tornado Tales website.

In addition to the changes to the survey instrument, researchers at NOAA NSSL and at the OU CIWRO Behavioral Insights Unit would like to conduct interviews with emergency managers, broadcast meteorologists, and members of the public after certain tornado events. These more in-depth interviews will collect similar information to the survey instrument from members of the public, broadcast meteorologists, and Emergency Management personnel who recently experienced a tornado event. The interviews will walk respondents through a timeline of events leading up to the tornado event. Researchers will use a skip-logic approach, meaning participants will only answer questions about the time periods relevant to their personal experience. The purpose of these interviews will be to more thoroughly explore how residents, broadcast meteorologists, and Emergency Managers received, understood, and responded to tornado forecasts and warnings. Given the in-person nature of these interviews, we expect them to take between 15 and 30 minutes on average.

##### II. Method of Collection

The method of data collection currently gathers tornado survivor stories through a web-based interface (<https://inside.nssl.noaa.gov/tornado-tales>). Specific questions in the web-based application are aimed at discovering whether and how information about potential tornado threats was received across time, including tornado watches and warnings, and what action citizens did or did not take as the event unfolded. We use a 'skip-logic' method in the survey so that individuals only answer questions that are relevant to their experiences.

The interviews will be conducted in-person or via video call with individuals who recently experienced a tornado event. Researchers will also use a skip-logic approach during the interviews such that respondents will not be asked questions that are not relevant to their experience (*i.e.*, questions about time periods before respondents received any forecast or warning information). Consent will be obtained to take notes and record the interviews.

##### III. Data

*OMB Control Number:* 0648-0797.  
*Form Number(s):* None.