

TABLE 1—TAKE ANALYSIS—Continued

Species	Authorized take	Scaled take <sup>1</sup>	Abundance <sup>2</sup>	Percent abundance
Short-finned pilot whale .....	485	143.0	1,981	7.2

<sup>1</sup> Scalar ratios were applied to “Authorized Take” values as described at 86 FR 5322, 5404 (January 19, 2021) to derive scaled take numbers shown here.

<sup>2</sup> Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Roberts *et al.*, 2016). For those taxa where a density surface model predicting abundance by month was produced, the maximum mean seasonal abundance was used. For those taxa where abundance is not predicted by month, only mean annual abundance is available. For Rice’s whale and killer whale, the larger estimated SAR abundance estimate is used.

<sup>3</sup> The final rule refers to the GOM Bryde’s whale (*Balaenoptera edeni*). These whales were subsequently described as a new species, Rice’s whale (*Balaenoptera ricei*) (Rosel *et al.*, 2021).

<sup>4</sup> Includes 28 takes by Level A harassment and 465 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

Based on the analysis contained herein of WesternGeco’s proposed survey activity described in its LOA application and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the affected species or stock sizes (*i.e.*, less than one-third of the best available abundance estimate) and therefore the taking is of no more than small numbers.

**Authorization**

NMFS has determined that the level of taking for this LOA request is consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under the LOA is of no more than small numbers. Accordingly, we have issued an LOA to WesternGeco authorizing the take of marine mammals incidental to its geophysical survey activity, as described above.

Dated: March 28, 2024.

**Kimberly Damon-Randall,**  
Director, Office of Protected Resources,  
National Marine Fisheries Service.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648–XD680]

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Exempted Fishing Permits**

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

**ACTION:** Notice of receipt of an application for exempted fishing permit; request for comments.

**SUMMARY:** NMFS announces the receipt of an application for an exempted

fishing permit (EFP) from LGL Ecological Research Associates Inc. If granted, the EFP would allow the retention, up to 24 hours, and lethal harvest of a limited number of red drum, king mackerel, and Spanish mackerel harvested by approved participants in the Louisiana commercial menhaden purse seine fishery in Federal waters during the 2024 menhaden season. The project would seek to quantify bycatch and test post-release mortality of these species in the fishery to assess impacts the fishery may have on Federally-managed species in the Gulf of Mexico (Gulf).

**DATES:** Written comments must be received on or before April 22, 2024.

**ADDRESSES:** You may submit comments on the application, identified by “NOAA–NMFS–2024–0048”, by any of the following methods:

*Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit <https://www.regulations.gov> and type “NOAA–NMFS–2024–0048” in the Search box. Click the “Comment” icon, complete the required fields, and enter or attach your comments.

*Mail:* Submit written comments to Dan Luers, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

*Instructions:* Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (*e.g.*, name, address, *etc.*), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Electronic copies of the EFP application may be obtained from the Southeast Regional Office website at <https://www.fisheries.noaa.gov/southeast/bycatch/exempted-fishing-permit-quantification-bycatch-composition-and-survival/>.

**FOR FURTHER INFORMATION CONTACT:** Dan Luers, 727–824–5305, [Daniel.Luers@noaa.gov](mailto:Daniel.Luers@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The EFP is requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C 1801 *et seq.*), and regulations at 50 CFR 600.745(b) concerning exempted fishing.

Red drum, king mackerel, and Spanish mackerel are Federally-managed species that occur in Gulf waters that are caught as bycatch in the Louisiana commercial menhaden purse seine fishery, which operates in state and Federal waters. The proposed research would quantify bycatch from the Louisiana menhaden purse seine fishery as they occur in purse seine nets, fish excluder grates, dewatering screens, and release chutes, with the goal of quantifying bycatch for each exclusion method within the fishery and evaluate the post-release mortality of red drum, king mackerel, and Spanish mackerel caught as bycatch by the fishery.

Approximately 400 purse seine sets are expected to occur during the 2024 menhaden purse seine season (April 15–November 1, 2024) in water depths less than 60 feet (18 meters). During fishing operations, the applicant would accompany 1 of the 53 state-permitted vessels, which deploys a 1,200 to 1,500 foot (366 to 457 meters) purse seine for a soak time of 20 to 45 minutes and a second vessel pumps the catch (catch-collecting vessel) from the net into the hold. In this project, researchers on board the catch-collecting vessel would record bycatch caught by each exclusion method described in the previous paragraph. Off Louisiana, the commercial harvest of menhaden is

restricted to waters seaward of a boundary line described in the states' statutes (Louisiana Title 76) and includes both state and some Federal waters. The majority of fishing activities under this EFP are expected to occur in Louisiana State waters, but fishing operations could occur in Federal waters as the menhaden migrate from inshore estuarine waters to offshore marine waters in October. NMFS estimates that 64 of the 400 sets anticipated for the 2024 menhaden season could occur in Federal waters.

The EFP would allow the applicant to harvest up to 200 individuals each of red drum, king mackerel, and Spanish mackerel during the 2024 menhaden season to determine sex ratios. An additional number of red drum, king mackerel, and Spanish mackerel (up to 400 per species) would be held for 24 hours in tanks with continuous water flow on board the catch-collecting vessel to assess short-term survival and then would be tagged and released. All other bycatch initially retained by the applicant would be returned to the water. Red drum, king mackerel, and Spanish mackerel that die during normal fishing operations, or that die in the survival study, would be preferentially biopsied to minimize mortality attributed to this study. No red drum, king mackerel, and Spanish mackerel landed as part of the project would be sold.

Federal regulations at 50 CFR 622.92(b) prohibit the harvest and possession of red drum in or from the Gulf Federal waters and any red drum caught in the Gulf Federal waters must be released immediately with a minimum of harm. The EFP would allow the applicant to biopsy up to 200 red drum and possess for up to 24 hours an additional 400 red drum during the 2024 menhaden purse seine season (April 15–November 1, 2024).

Federal regulations at 50 CFR 622.375(a)(1)(iv) and 622.375(b)(3) prohibit the harvest of king mackerel and Spanish mackerel by purse seine gear. Additionally, regulations at 50 CFR 622.380(b) prohibit possession of king mackerel less than 24 inches (61 cm), fork length, and 622.380(c) prohibit possession of Spanish mackerel less than 12 inches (30.5 cm), fork length. The EFP would allow the applicant to biopsy up to 200 of each species, including undersized fish, and possess for up to 24 hours an additional 400 each of king mackerel and Spanish mackerel and using purse seine gear during the 2024 menhaden purse seine season.

If granted, the EFP would be effective from April 15, 2024, through December

31, 2024. The applicant and commercial menhaden fishermen and vessels participating in the EFP must comply with all other applicable laws and regulations.

NMFS finds the application warrants further consideration based on a preliminary review. At its January 2024 meeting, the Gulf of Mexico Fishery Management Council reviewed the application and recommended that NMFS issue the EFP. A final decision on issuance of the EFP will depend on NMFS' review of public comments received on the application, consultations with the appropriate fishery management agencies of the affected states, and the U.S. Coast Guard, and a determination that the activities to be taken under the EFP are consistent with all other applicable laws.

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

Dated: April 2, 2024.

**Everett Wayne Baxter,**

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

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## 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; Northwest Region, Pacific Coast Groundfish Fishery: Trawl Rationalization Cost Recovery Program

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite 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. Public comments were previously requested via the **Federal Register** on August 22, 2023 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

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

*Title:* Northwest Region, Pacific Coast Groundfish Fishery: Trawl Rationalization Cost Recovery Program.  
*OMB Control Number:* 0648-0663.  
*Form Number(s):* None.

*Type of Request:* Regular submission; revision of a current information collection.

*Number of Respondents:* 580.

*Average Hours per Response:* Cost recovery fee forms: 1 hour.

*Total Annual Burden Hours:* 580.

*Needs and Uses:* This request is for a revision of a currently approved information collection includes the collection of electronic fish ticket numbers on the Shorebased Individual Fishing Quota Program's payment form. The Magnuson-Stevens Fishery Conservation and Management Act (MSA) authorizes and requires that the Secretary of Commerce maintain a cost recovery program to cover part of the management, data collection and analysis, and enforcement costs of the limited access privilege programs, such as the Pacific Coast Groundfish Trawl Rationalization Program (Trawl Program). Cost recovery fees may not exceed three percent of the ex-vessel value. The Trawl Program cost recovery program requires fish sellers to submit fees to fish buyers who then submit those fees to NOAA's National Marine Fisheries Service (NMFS). Fish buyers must also submit information to NMFS on the volume and value of harvested groundfish when submitting the fees. Information is collected from monthly and annual reports as well as non-payment documents when necessary.

The information collected is used to track the payment of cost recovery fees, reconcile cost recovery payments with landings data from other sources, calculate average ex-vessel values, and, if necessary, help in the resolution of non-payment issues. The addition of a requirement to record electronic fish ticket numbers corresponding to cost recovery payments will aid in this reconciliation process.

This program is authorized under the Pacific coast groundfish fishery regulations, trawl rationalization cost recovery program at 50 CFR 660.115.

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

*Frequency:* Monthly and annually.

*Respondent's Obligation:* Mandatory.

*Legal Authority:* NMFS and the Pacific Fisheries Management Council (Council) manage the groundfish fisheries in the exclusive economic zone seaward of California, Oregon, and Washington under the Pacific Coast Groundfish Fishery Management Plan (FMP). The Council prepared the FMP under the authority of the MSA, 16