

supersedes the plan approved previously for March 27, 2024, through August 3, 2026 (89 FR 21241, March 27, 2024).

Dated: June 4, 2025.

**Kelly Denit,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XE881]

#### **Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Alaska Department of Transportation and Public Facilities Angoon Ferry Terminal Modification Project in Angoon, Alaska**

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

**ACTION:** Notice; issuance of incidental harassment authorization.

**SUMMARY:** In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Alaska Department of Transportation and Public Facilities (ADOT&PF) for authorization to take marine mammals incidental to the Angoon Ferry Terminal Modification Project in Angoon, Alaska. **DATES:** This authorization is effective for one year from the date of effectiveness.

**ADDRESSES:** 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 below.

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

#### **SUPPLEMENTARY INFORMATION:**

#### **MMPA Background and Determinations**

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Among the exceptions is section 101(a)(5)(D) of the MMPA (16

U.S.C. 1361 *et seq.*) which directs the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking by harassment 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 the public has an opportunity to comment on the proposed IHA.

Specifically, NMFS will issue an IHA if it 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 such species or stocks for taking for certain subsistence uses (referred to here as “mitigation”). NMFS must also prescribe requirements pertaining to monitoring and reporting of such takings. The definition of key terms such as “take,” “harassment,” and “negligible impact” can be found in the MMPA and the NMFS’ implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

On March 24, 2025, a notice of NMFS’ proposal to issue an IHA to ADOT&PF for take of marine mammals incidental to the Angoon Ferry Terminal Modification Project in Angoon, Alaska was published in the **Federal Register** (90 FR 13463). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock and the mitigation, monitoring, and reporting measures that would be required should the IHA be issued. The **Federal Register** notice also included analysis to support NMFS’ preliminary conclusions and determinations that the IHA, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHA. The **Federal Register** notice included web links to a draft IHA for review and other supporting documents.

No substantive comments were received during the public comment period. There are no changes to the specified activity, the species taken, the proposed numbers, type, or methods of take, or the mitigation, monitoring, or reporting measures in the proposed IHA notice. All information for species taken remains the same with one exception. In

the Description of Marine Mammals in the Area of Specified Activities section of the **Federal Register** notice of the proposed IHA (90 FR 13463, March 24, 2025), table 2 and the associated species description inadvertently misidentified the humpback whale stock as the Mainland Mexico-CA/OR/WA stock rather than the Mexico-North Pacific stock. However, NMFS’ analysis was based upon the appropriate stock information for the Mexico-North Pacific stock, and no changes to the IHA are necessary. Furthermore, no new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHA notice has become available since that notice was published and, therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHA are considered final.

#### **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 NAO 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 determined that the issuance of this IHA qualifies to be categorically excluded from further NEPA review.

#### **Endangered Species Act**

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species, in this case with the Alaska Regional Office.

There are two ESA-listed marine mammal species (Steller sea lion (Western Distinct Population Segment (DPS)) and humpback whale (Mexico

DPS)) with confirmed occurrence in the project area. The NMFS Alaska Regional Office Protected Resources Division issued a Biological Opinion on June 3, 2025, under section 7 of the ESA, on the issuance of an IHA to ADOT&PF under section 101(a)(5)(D) of the MMPA by the NMFS Permits and Conservation Division. The Biological Opinion concluded that the proposed action is not likely to jeopardize the continued existence of the Western DPS of Steller sea lions and the Mexico DPS of humpback whales, and is not likely to destroy or adversely modify critical habitat for either species.

#### Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to ADOT&PF for authorization to take marine mammals incidental to the Angoon Ferry Terminal Modification Project in Angoon, Alaska.

Dated: June 5, 2025.

**Kimberly Damon-Randall,**

*Director, Office of Protected Resources,  
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; Fishery Products Subject to Trade Restrictions Pursuant to Provisions of the High Seas Driftnet Fishing Moratorium Protection Act

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 March 17, 2025, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

*Title:* Fishery Products Subject to Trade Restrictions Pursuant to provisions of the High Seas Driftnet Fishing Moratorium Protection Act or Marine Mammals Protection Act.

*OMB Control Number:* 0648-0651.

*Form Number(s):* None.

*Type of Request:* Regular submission (extension of a currently approved information collection).

*Number of Respondents:* 100 respondents annually filing 50 responses each.

*Average Hours per Response:* 10 minutes.

*Total Annual Burden Hours:* 833.

*Needs and Uses:* This is a request for extension of an approved information collection for Fishery Products Subject to Trade Restrictions Pursuant to Certification Under the High Seas Driftnet Fishing Moratorium Protection Act (Moratorium Protection Act) or the Marine Mammal Protection Act (MMPA).

The National Marine Fisheries Service's (NMFS) Office of International Affairs, Trade, and Commerce requests extension of the information collection involving Certification of Admissibility for the importation of certain fish and fish products that are subject to requirements of the Moratorium Protection Act or the MMPA.

The purpose of this information collection is to enable the continued flow of trade while adhering to existing statutory requirements. Pursuant to the Moratorium Protection Act, certain fish or fish products of a nation may be subject to import prohibitions. To facilitate enforcement, NMFS requires that other fish or fish products from that nation that are not subject to the import prohibitions must be accompanied by documentation of admissibility. A duly authorized official/agent of the applicant's Government must certify that the fish in the shipments being imported into the United States (U.S.) are of a species, or from fisheries, that are not subject to an import restriction. If a nation is identified under the Moratorium Protection Act and fails to receive a positive certification decision from the Secretary of Commerce, products from that nation may be subject to the import prohibitions and would subsequently need to be accompanied by the certificate of admissibility.

Under the MMPA, import certification requirements apply in collection-of-information requirement (Control Number 0648-0732) cases where foreign fisheries do not meet U.S. standards for marine mammal bycatch mitigation. Final rule (RIN 0648-AY15) implemented a procedure for making

comparability findings for nations that are eligible for exporting fish and fish products to the United States. The nations may receive a comparability finding to export fish and fish products by providing documentation that a nation's bycatch reduction regulatory program is comparable in effectiveness to that of the United States. Fish and fish products from a foreign fishery without a comparability finding are prohibited from entry into U.S. commerce. To facilitate enforcement, NMFS requires that other fish or fish products from that nation that are not subject to the import prohibitions must be accompanied by documentation of admissibility.

Information collected under the Certification of Admissibility process is used by the United States Customs and Border Protection authorities to determine that inbound seafood shipments are not subject to trade restrictions. NMFS uses the information to ensure compliance with fish product trade restrictions and to assess compliance with international fishery management regulations.

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

*Frequency:* Dependent upon the import rate of fish or fish products subject to prohibition(s).

*Respondent's Obligation:* Required to Obtain or Retain Benefits.

*Legal Authority:* 50 CFR part 216; 50 CFR part 300, subpart N.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0648-0651.

**Sheleen Dumas,**

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

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