

the one-year timeframe of the IHA (effective dates originally December 1, 2016 through November 30, 2017). One species of marine mammal is expected to be affected by the specified activities: Bottlenose dolphin (*Tursiops truncatus truncatus*). This species may occur year-round in the action area. On January 23, 2017, the Navy informed us that no work had been performed relevant to the specified activity considered in the MMPA analysis and requested that the dates of the IHA be revised.

### Summary of the Activity

The purpose of the project is to complete necessary repairs at an existing general purpose berthing wharf at NSM. The wharf is one of NSM's two primary deep-draft berths and is one of the primary ordnance handling wharves, and is in an advanced state of deterioration resulting in load restrictions. Construction of the replacement pier will require vibratory pile installation, with impact pile driving as a contingency. The entire project is expected to require a maximum of 130 in-water workdays over two phases within a 24-month period. This IHA would be valid from December 1, 2016 through November 30, 2017.

In order to rehabilitate Bravo Wharf, the Navy proposes to install a new steel sheet pile bulkhead at Bravo Wharf, requiring approximately 880 single sheet piles (Phase I—berths B-2 and B-3: 590; Phase II—berth B-1: 290). Vibratory driving will be the primary method of installation for all piles, although impact driving may be required as a contingency in the case of difficult subsurface driving conditions.

Effects to marine mammals from the specified activity are expected to result from underwater sound produced by vibratory and impact pile driving. In order to assess project impacts, the Navy used thresholds recommended by NMFS. The Navy assumed practical spreading loss and used empirically-measured source levels from representative pile driving events to estimate potential marine mammal exposures. The calculations predict that only Level B harassment would occur associated with pile driving activities, and required mitigation measures further ensure that no more than Level B harassment would occur.

### Findings

**Marine Mammal Protection Act (MMPA)**—As required by the MMPA, in order to issue an IHA, we determined that (1) the required mitigation measures are sufficient to reduce the effects of the specified activities to the

level of least practicable impact; (2) the authorized takes will have a negligible impact on the affected marine mammal species; (3) the authorized takes represent small numbers relative to the affected stock abundances; and (4) the Navy's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action.

**National Environmental Policy Act (NEPA)**—The Navy prepared an Environmental Assessment analyzing the project. We reviewed the EA and the public comments received and determined that it was appropriate to adopt the document in order to assess the impacts to the human environment of issuance of an IHA to the Navy. We signed a Finding of No Significant Impact on July 25, 2016.

**Endangered Species Act (ESA)**—There are no ESA-listed marine mammals expected to occur in the action area. Therefore, the Navy did not request authorization of the incidental take of ESA-listed species and no such authorization was issued; therefore, no consultation under the ESA was required.

### Summary of the Revision

Construction activities have been delayed for the project due to delays from construction activities at another wharf in NSM, where they are allowed to only have one out-of-service wharf at a time. No in-water work has occurred, including all aspects of the specified activity considered in our issuance of the IHA. The IHA, as issued, is a one-year IHA with no consideration of seasonality in timing any component of the specified activity. Therefore, shifting the effective dates of the IHA to accommodate the Navy's delayed schedule for this project has no effect on our analysis of project impacts and does not affect our findings. NOAA's new acoustic guidance was published in the **Federal Register** on August 4, 2016 (81 FR 51693) after the original IHA was issued. We are not considering this information here; the change to the effective dates is the only change to this IHA. No other new information is available that would substantively affect our analyses under the MMPA, NEPA, or ESA. All mitigation, monitoring, and reporting measures described in our notice of issuance of the IHA remain in effect. The species for which take was authorized and the numbers of incidences of take authorized are unchanged.

As a result of the foregoing, we have revised the IHA issued to the Navy to conduct the specified activities in Naval

Station Mayport, FL. Originally valid for 1 year, from December 1, 2013, through November 30, 2014, the IHA now becomes effective on March 13, 2017, and is valid for one year, until March 12, 2018.

Dated: February 16, 2017.

**Donna S. Wieting,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648–XF185**

### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States, Dolphin and Wahoo Fishery Off the Atlantic States, and Coral and Coral Reefs Fishery in the South Atlantic; Exempted Fishing Permit

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

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

**SUMMARY:** NMFS announces the receipt of an application for an exempted fishing permit (EFP) from Dr. Janelle Fleming, on behalf of the Eastern Carolina Artificial Reef Association (ECARA). If granted, the EFP would authorize the deployment of Maine lobster traps, crab pot Christmas trees, and geometric reef balls (fish attracting devices) at several sites in the Federal waters off North Carolina to determine the efficacy of these gear types for attracting and collecting invasive lionfish.

**DATES:** Written comments must be received on or before March 24, 2017.

**ADDRESSES:** You may submit comments on the application, identified by “NOAA–NMFS–2017–0011”, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0011](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0011), click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Frank Helies, 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 [www.regulations.gov](http://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).

**FOR FURTHER INFORMATION CONTACT:** Frank Helies, 727-824-5305; email [frank.helies@noaa.gov](mailto:frank.helies@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.

The EFP request involves activities covered by regulations implementing the Fishery Management Plans (FMP) for Federally managed fisheries of the South Atlantic Region, which prohibit the use of fish traps in the South Atlantic (50 CFR 622.9). The applicant requests authorization to deploy two sets of five Maine lobster traps with crab pot Christmas trees and geometric reef balls. Crab pot Christmas trees are a vertical, pyramid-shaped structure with many branch-type projections. Crab pot Christmas trees and geometric reef balls would be used as fish attracting devices in the project. The deployed fishing gear and accompanying attracting devices would be set along artificial reef sites, natural reef sites, rocky reef bottom, and a flat sandy area in Federal waters off North Carolina.

The applicant has requested the EFP be effective from April 15, 2017, through December 31, 2018.

The purpose of this study is to support continued research on traps that could be used for collecting invasive lionfish off eastern North Carolina artificial reefs, and to determine their efficacy for lionfish collection and as fish attracting devices. Additionally, the project intends to assess consumers' preference for lionfish as an exotic food source in a restaurant setting to determine if Carteret County, North Carolina, would support a consumer market for the species.

Each string of five Maine lobster traps and crab pot Christmas trees will be

connected by a chain with no buoy lines to the surface, and deployed along designated hard bottom features with a distance of 30 ft (9.14 m) to 50 ft (15.24 m) between each trap. After deployment, divers will verify the position of the deployed fishing gear to ensure they are located between 20 ft (6.10 m) and 30 ft (9.14 m) from the designated bottom feature. Fishing gear deployment would occur year-round along the North Carolina coast from 3 nautical miles offshore, and up to 360 ft (109.68 m) in depth. The fishing gear will be deployed for at least 48 hours and no longer than 3 weeks. After 48 hours, divers will count and identify the number of fish inside and around the fishing gear, and record video prior to hauling the gear.

Video images will be used to assess the success of the crab pot Christmas trees and geometric reef balls as attracting devices for lionfish, and other fish species. Fish captured in the Maine lobster traps will be quantified to the lowest possible taxon, measured, photographed/video documented, and released alive. Any egg bearing lobsters captured in a trap will be returned to the water and released alive. Captured lionfish will be counted, measured, and prepared for consumption at nearby restaurants. These lionfish will be offered, free of charge, to patrons as part of the consumer demand assessment portion of the research project.

The applicant previously submitted an application for an EFP for this study and NMFS noticed receipt of that application in the **Federal Register** (80 FR 5737, February 3, 2015). No public comments were submitted based on that notice and the South Atlantic Fishery Management Council (Council) supported the issuance of an EFP for the study. Based on that application and NMFS review, an EFP was issued on March 6, 2015, with an expiration date of December 31, 2016. The applicant now seeks to continue this study, as during the course of the previous EFP, they encountered logistical difficulties related to vessel availability and obtaining the required fishing gear.

NMFS finds this application warrants further consideration based on a preliminary review. Possible conditions the agency may impose on this permit, if they are granted, include but are not limited to, a prohibition of conducting research within marine protected areas, marine sanctuaries, special management zones, or artificial reefs without additional authorization, and use of escape panels on the Maine lobster traps. Additionally, and consistent with Appendix F to 50 CFR part 622, NMFS will require any sea turtles taken

incidentally during the course of fishing or scientific research activities to be handled with due care to prevent injury to live specimens, observed for physical condition, and returned to the water. A final decision on issuance of the EFP will depend on NMFS' review of public comments received on the application, consultations with the affected state, the Council, and the U.S. Coast Guard, and a determination that the application, and EFP if issued, are consistent with all applicable laws.

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

Dated: February 16, 2017.

**Karen H. Abrams,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Economic Impacts of Marine Debris on Tourism-dependent Communities

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

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before April 24, 2017.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [pracomments@doc.gov](mailto:pracomments@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Amy V. Uhrin, Chief Scientist, NOS Office of Response and Restoration, Marine Debris Division, N/ORR, SSMC4, Rm. 10240, 1305 East-West Highway, Silver Spring, MD 20910, (240)-533-0426, [amy.uhrin@noaa.gov](mailto:amy.uhrin@noaa.gov).

**SUPPLEMENTARY INFORMATION:**