

method and the implementation of the planned mitigation measures (see *Description of Mitigation, Monitoring and Reporting Measures* section).

The USACE's pile driving project precludes the likelihood of serious injury or mortality. For all species and stocks, take would occur within a limited, confined area of the stock's range. Level A and Level B harassment would be reduced to the level of least practicable adverse impact through use of mitigation measures described herein.

The additional authorized takes of humpback whale and killer whale represent a minor increase in the percent of stock taken that was authorized in the initial year 2 IHA, and the anticipated impacts are identical to those described in the **Federal Register** notice of issuance of final IHA (87 FR 51346, August 22, 2022). The increases in authorized takes by Level B harassment for humpback and killer whale are extremely small when compared to stock abundance. The increase in authorized take of humpback and killer whale by Level B harassment is less than 0.01 percent for the Central America/Southern Mexico DPS and no greater than 0.46 percent for the Mainland Mexico DPS. Therefore, this activity will not cause effects on annual rates of recruitment or survival. We have determined that the impacts resulting from this activity are not expected to adversely affect annual rates of recruitment or survival for humpback whale, killer whale or any other species where NMFS has authorized take.

Based on the information contained here and in the referenced documents, NMFS has determined the following: (1) the required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) the USACE'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; and (5) appropriate monitoring and reporting requirements are included.

#### Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (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 West Coast Regional Office.

As part of the original IHA, NMFS authorized incidental take of humpback whales from the California/Oregon/Washington stock that was designated at the time, and which included whales from the ESA-listed Mexico and Central America DPSs. The effects of this Federal action were adequately analyzed in the NMFS West Coast Region's Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the Sand Island Pile Dike Repair Project, dated June 14, 2022, which concluded that the action is not likely to adversely affect humpback whales from the Mexico and Central America DPSs or their designated critical habitat. This modification of the IHA does not change the existing analysis and, therefore, the prior determination remains unchanged.

#### 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 NOAA Administrative Order 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 the modification of the IHA continues to qualify to be categorically excluded from further NEPA review.

#### Authorization

NMFS has issued a modified IHA to the USACE for conducting construction activities associated Sand Island Dikes Repair Project on the Columbia River that includes the previously explained mitigation, monitoring, and reporting requirements.

Dated: October 8, 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

#### Request for Information; Data for Marine Spatial Studies in Maryland, New Jersey, and Delaware

**AGENCY:** National Centers for Coastal Ocean Science, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice; request for information.

**SUMMARY:** NOAA's National Ocean Service (NOS) National Centers for Coastal Ocean Science (NCCOS), hereafter NOAA, in partnership with the Bureau of Ocean Energy Management (BOEM), is working to build spatial planning capacity in the United States (U.S.) Central Atlantic region. Through this Request for Information, NOAA is seeking public input to identify coastal and marine spatial data or other critical information to inform marine spatial analyses in Maryland, New Jersey, and Delaware. The input we receive from the data development workshop meeting, as well as the responses to the items listed in the **SUPPLEMENTARY INFORMATION** section of this document, will be used to inform potential coastal and ocean development activities in the U.S. Central Atlantic region, such as renewable energy development.

**DATES:** Interested persons are invited to provide input in response to this Request for Information through November 1, 2024. Late-filed input will be considered to the extent practicable.

Verbal input will be accepted during a public meeting to be held in Columbia, Maryland on October 16-17, 2024.

**ADDRESSES:** Interested persons are invited to provide input using one of the following methods:

- **Electronic Submission:** Submit electronic written public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NOS-2024-0122 in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments. 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. NOAA will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

- **Oral submission:** NOAA will accept verbal input at a data development workshop. The meeting will be held at the Maryland Innovation Center in Columbia, Maryland on Wednesday, October 16, 2024 from 8:30 a.m. to 5 p.m. Eastern Standard Time (EST) and Thursday, October 17, 2024 from 8:30 a.m. to 5 p.m. (EST). There will be a registration window from 8:30 a.m. to 9 a.m. (EST) each day before the start of the meeting.

Reports of meeting results will also be published and made available to the public in the weeks following the meeting. If you are unable to provide electronic written comments or participate in the meeting, please contact Bryce O’Brien at [bryce.obrien@noaa.gov](mailto:bryce.obrien@noaa.gov) or (802) 331-0290 for alternative submission methods.

**FOR FURTHER INFORMATION CONTACT:**

James Morris, NOAA NCCOS, at [james.morris@noaa.gov](mailto:james.morris@noaa.gov) or 252-666-7433.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

NOAA is an agency of the United States Federal Government that works to conserve and manage coastal and marine ecosystems and resources. NOAA works to make fisheries sustainable and productive, provide safe seafood to consumers, conserve threatened and endangered species and other protected resources, and maintain healthy ecosystems. NOAA has jurisdiction and responsibility for its trust marine resources in the U.S. Central Atlantic region as well as significant interest in supporting the resilience of coastal and marine-dependent communities and promoting equity and environmental justice. For these reasons, it is important for NOAA to invest in research that informs marine spatial studies in the U.S. Central Atlantic region, including socioeconomic research that ensures meaningful participation of local communities and supports equitable processes for planning and siting of new and existing marine industries and conservation areas.

NOAA has been engaged with the Bureau of Ocean Energy Management (BOEM) to support siting and environmental review for offshore wind

energy areas in U.S. Federal waters (<https://www.boem.gov/renewable-energy>) to ensure protection of trust resources in any offshore development activities.

**II. Purpose of This Request for Information**

The purpose of this Request for Information is to promote data development to inform marine spatial studies in Maryland, New Jersey, and Delaware, with an emphasis on data needs for offshore wind energy. In addition to input received from the public through the electronic and verbal submissions, NOAA aims to inform the public about its coastal and ocean planning processes and capabilities, discuss the current data available for each ocean sector (*e.g.*, national security, fisheries, industry, natural resources, cultural resources), and gather ideas for other data sources. NOAA hopes to come out of the meetings with a strengthened relationship with the public and a list of best available data and data gaps.

**III. Specific Information Requested To Inform Marine Spatial Studies in Maryland, New Jersey, and Delaware**

Through this Request for Information, NOAA seeks written public input to inform marine spatial studies in the U.S. Central Atlantic region. NOAA is particularly interested in receiving input concerning the items listed below. Responses to this Request for Information are voluntary, and respondents need not reply to items listed. When providing input, please specify if you are providing general feedback on marine spatial studies and/or if you are responding to one of the specific item number(s) below:

1. Specific datasets related to ocean sectors, natural resources, and/or human activities you recommend NOAA use in marine spatial studies.
2. Major concerns you have related to use of any specific datasets that may be used in marine spatial studies.
3. Major concerns you have related to gaps in scientific knowledge or data that could impact marine spatial planning efforts.
4. Specific data or information you recommend NOAA or other partners collect, if it is not currently available or has not been previously collected.
5. Ways in which NOAA can better engage and collaborate with the public and local communities to promote economic, social, and ecological resilience as well as protect trust resources.

6. Ways in which NOAA can build upon existing capacity and resources for regional ocean spatial planning.

**Sean Corson,**

*Director, National Centers for Coastal Ocean Science, National Ocean Service, National Oceanic and Atmospheric Administration.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XE330]

**Endangered and Threatened Species; Draft Recovery Plan for the Giant Manta Ray (*Mobula birostris*); Notice of Initiation of a 5-Year Review for the Giant Manta Ray**

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

**ACTION:** Notice of availability of draft recovery plan; request for comments; notice of initiation; request for information.

**SUMMARY:** We, the National Marine Fisheries Service (NMFS), announce the availability of a Draft Endangered Species Act (ESA) Recovery Plan (Draft Recovery Plan) for the threatened giant manta ray (*Mobula birostris*) for public review. We are soliciting review and comment from the public and all interested parties on the Draft Recovery Plan, and will consider all substantive comments received during the review period before submitting the Recovery Plan for final approval. We are also initiating a 5-year review of the giant manta ray and are requesting new information on its status.

**DATES:** Comments on the Draft Recovery Plan must be received by December 16, 2024.

**ADDRESSES:** You may submit comments on the Draft Recovery Plan, identified by NOAA-NMFS-2024-0110 by any of the following methods:

**Electronic Submissions:** Submit all electronic comments via the Federal eRulemaking Portal. Visit <https://www.regulations.gov> and type NOAA-NMFS-2024-0110 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

**Mail:** Submit written comments to Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway (SSMC3), Silver Spring, MD