

who found that a majority of the diet comprised Chinook and Coho salmon, with seasonal differences in importance. We have also added information on toxic pollutants.

Humpback Whale, California/Oregon/Washington

Comment 35: CBD–WDC comment that rather than referring to the stock structure guidance, the proposed text revision to the “Stock Definition and Geographic Range” section of the California/Oregon/Washington humpback whale report makes the issue murky by saying the “relationship of MMPA stocks to ESA distinct population segments is complex.” The NMFS Procedure, to the contrary, says that “NMFS should align stock designations with DPSs established under the ESA unless there is compelling reason not to.” Further, “maintaining incongruent MMPA and ESA management units is neither practical nor implementable.” The SARs’ continued reliance on a California/Oregon/Washington humpback stock is confusing, but the relationship of MMPA stocks to ESA DPSs is not “complex.” CDC–WDC recommend NMFS revise the stocks to align with the DPSs.

Response: See response to Comment 2.

Comment 36: CBD–WDC comment that updates to the “Ship Strikes” section in the California/Oregon/Washington humpback whale SAR are helpful and request that Rockwood and Jahncke (2019) be cited at the end of that section.

Response: We have added the unpublished Rockwood and Jahncke (2019) reference to the California/Oregon/Washington humpback whale SAR text.

Comment 37: CBD–WDC suggest the “Habitat Concerns” section of the California/Oregon/Washington humpback whale SAR be updated with the recent scientific information in the humpback whale critical habitat proposed rule and biological report.

Response: NMFS has added language to the California/Oregon/Washington humpback whale 2019 final SAR to reflect the critical habitat proposed rule and habitat concerns.

References

- Davis, G.E., M.F. Baumgartner, J.M. Bonnell, J. Bell, C. Berchok, J.B. Thornton, S. Brault, G. Buchanan, R.A. Charif, D. Cholewiak, C.W. Clark, P. Corkeron, J. Delarue, K. Dudzinski, L. Hatch, J. Hildebrand, L. Hodge, H. Klinck, S. Kraus, B. Martin, D.K. Mellinger, H. Moors-Murphy, S. Nieuwirth, D.P. Nowacek, S. Parks, A.J. Read, A.N. Rice, D. Risch, A. Širović, M. Soldevilla, K. Stafford, J.E. Stanistreet, E. Summers, S. Todd, A. Warde and S.M. Van Parijs. 2017. Long-term passive acoustic recordings track the changing distribution of North Atlantic right whales (*Eubalaena glacialis*) from 2004 to 2014. *Sci. Rep.* 7:13460.
- Ford M.J., J. Hempelmann, M.B. Hanson, K.L. Ayres, R.W. Baird, C.K. Emmons, J.I. Lundin, G.S. Schorr, S.K. Wasser, L.K. Park. 2016. Estimation of a killer whale (*Orcinus orca*) population’s diet using sequencing analysis of DNA from Feces. *PLoS ONE* 11(1): e0144956.
- Hayes, S.A., S. Gardner, L. Garrison, A. Henry, L. Leandro. 2018. North Atlantic right whales—Evaluating their recovery challenges in 2018. NOAA Tech Memo NMFS NE. 247; 24 p. Available online at: <https://doi.org/10.25923/w9cy-5844>
- Kraus, S.D. 1990. Rates and potential causes of mortality in North Atlantic right whales (*Eubalaena glacialis*). *Mar. Mamm. Sci.* 6:278–291.
- Leiter, S.M., K.M. Stone, J.L. Thompson, C.M. Accardo, B.C. Wikgren, M.A. Zani, T.V.N. Cole, R.D. Kenney, C.A. Mayo and S.D. Kraus. 2017. North Atlantic right whale *Eubalaena glacialis* occurrence in offshore wind energy areas near Massachusetts and Rhode Island, USA. *Endang. Species Res.* 34:45–59.
- Matkin, C.O., Ward Testa, J., Ellis, G. M. and Saulitis, E. L. 2014. Life history and population dynamics of southern Alaska resident killer whales (*Orcinus orca*). *Marine Mammal Science*, 30: 460–479.
- National Marine Fisheries Service (NMFS). 2019. National Marine Fisheries Service Procedure 02–204–03: Reviewing and designating stocks and issuing Stock Assessment Reports under the Marine Mammal Protection Act. 9 p. Available online: <https://www.fisheries.noaa.gov/national/laws-and-policies/protected-resources-policy-directives>
- National Marine Fisheries Service (NMFS). 2016. National Marine Fisheries Service Procedure 02–204–01: Guidelines for preparing stock assessment reports pursuant to the 1994 amendments to the Marine Mammal Protection Act. 23 p. Available online: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/guidelines-assessing-marine-mammal-stocks>
- National Marine Fisheries Service (NMFS). 2012. National Marine Fisheries Service Instruction 02–038–01: process for distinguishing serious from non-serious injury of marine mammals. 42 p. Available online: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/guidelines-assessing-marine-mammal-stocks>
- National Marine Fisheries Service (NMFS). 2005. Recovery Plan for the North Atlantic Right Whale (*Eubalaena glacialis*) Revision. 137 p. Available online: <https://www.fisheries.noaa.gov/resource/document/recovery-plan-north-atlantic-right-whale-eubalaena-glacialis>
- Nelson, M.A., L.T. Quakenbush, B.D. Taras, and Ice Seal Committee. 2019. Subsistence harvest of ringed, bearded, spotted, and ribbon seals in Alaska is sustainable. *Endangered Species Research* 40: 1–16.
- Pace, R.M., III, P.J. Corkeron and S.D. Kraus. 2017. State-space mark-recapture estimates reveal a recent decline in abundance of North Atlantic right whales. *Ecol. and Evol.* 7:8730–8741. DOI: 10.1002/ece3.3406
- Sharp, S. M., McLellan WA, Rotstein DS, Costidis AM *et al.* 2019. Gross and histopathologic diagnoses from North Atlantic right whale *Eubalaena glacialis* mortalities between 2003 and 2018. *Diseases of Aquatic Organisms* 135(1):1–31
- Wade, P.R., C. Boyd, K.E.W. Shelden, and C.L. Sims. 2019. Chapter 2: Group size estimates and revised abundance estimates and trend for the Cook Inlet beluga population. In K.E.W. Shelden and P. R. Wade (eds.), *Aerial surveys, distribution, abundance, and trend of belugas (*Delphinapterus leucas*) in Cook Inlet, Alaska, June 2018*. AFSC Processed Rep. 2019–09, 93 p. Alaska Fisheries Science Center, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115.

Dated: July 28, 2020.

Chris Oliver,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 2020–16720 Filed 7–31–20; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Federal Consistency Appeal by Electric Boat Corporation of New York State Department of State Objection

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of stay—closure of administrative appeal decision record.

SUMMARY: This announcement provides notice that the Department of Commerce has stayed, for a period of 28 days, closure of the decision record in an administrative appeal filed by Electric Boat Corporation (Appellant) under the Coastal Zone Management Act requesting that the Secretary of Commerce override an objection by the New York State Department of State to a consistency certification for a proposed project to dispose of dredged material in the Eastern Long Island Sound Dredged Material Disposal Site.

DATES: The decision record for Electric Boat Corporation’s federal consistency appeal of New York State Department of State’s objection will now close on August 31, 2020.

ADDRESSES: NOAA has provided access to publicly available materials and

related documents comprising the appeal record on the following website: <https://www.regulations.gov/docket?D=NOAA-HQ-2020-0021>.

FOR FURTHER INFORMATION CONTACT: For questions about this Notice, contact Lauren Bregman, NOAA Office of the General Counsel, Oceans and Coasts Section, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910, (301) 713-7389, lauren.bregman@noaa.gov.

SUPPLEMENTARY INFORMATION: On January 24, 2020, the NOAA Administrator, pursuant to authority delegated by the Secretary of Commerce to decide Coastal Zone Management Act of 1972 (CZMA) federal consistency appeals, received a "Notice of Appeal" filed by Electric Boat Corporation under the CZMA, 16 U.S.C. 1451 *et seq.*, and implementing regulations found at 15 CFR part 930, subpart H. The Notice of Appeal is taken from an objection by the New York State Department of State to Appellant's consistency certification for a proposed U.S. Army Corps of Engineers permit to dispose of dredged material in the Eastern Long Island Sound Dredged Material Disposal Site.

Under the CZMA, the NOAA Administrator may override New York State Department of State's objection on grounds that the project is consistent with the objectives or purposes of the CZMA, or is necessary in the interest of national security. To make the determination that the proposed activity is "consistent with the objectives or purposes of the CZMA," the Department of Commerce must find that: (1) The proposed activity furthers the national interest as articulated in sections 302 or 303 of the CZMA, in a significant or substantial manner; (2) the national interest furthered by the proposed activity outweighs the activity's adverse coastal effects, when those effects are considered separately or cumulatively; and (3) no reasonable alternative is available that would permit the proposed activity to be conducted in a manner consistent with the enforceable policies of the applicable coastal management program. 15 CFR 930.121. To make the determination that the proposed activity is "necessary in the interest of national security," the NOAA Administrator must find that a national defense or other national security interest would be significantly impaired if the proposed activity is not permitted to go forward as proposed. 15 CFR 930.122.

The NOAA Administrator must close the decision record in a federal consistency appeal 160 days after the Notice of Appeal is published in the

Federal Register. 15 CFR 930.130(a)(1). The CZMA, though, authorizes the NOAA Administrator to stay the closing of the decision record for up to 60 days when the NOAA Administrator determines it is necessary to receive, on an expedited basis, any supplemental information specifically requested by the NOAA Administrator to complete a consistency review. 15 CFR 930.130(a)(2), (3).

After reviewing the decision record developed to date, the NOAA Administrator has decided to solicit supplemental briefs from the Appellant and New York State Department of State pertaining to additional information including a July 17, 2020, comment letter received from the Department of the Navy. In order to allow time for the receipt of these briefs, the NOAA Administrator hereby stays closure of the decision record, currently scheduled to occur on August 3, 2020, until August 31, 2020.

Public Availability of Appeal Documents

NOAA has provided access to publicly available materials and related documents comprising the appeal record on the following website: <https://www.regulations.gov/docket?D=NOAA-HQ-2020-0021>.

Authority Citation: 15 CFR 930.130(a)(2), (3).

Adam Dilts,

Chief, Oceans and Coasts Section, NOAA Office of the General Counsel.

[FR Doc. 2020-16663 Filed 7-31-20; 8:45 am]

BILLING CODE 3510-JE-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XA330]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council's is convening a meeting of its Groundfish Committee via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Wednesday, August 19, 2020, beginning at 9:30 a.m.

ADDRESSES: All meeting participants and interested parties can register to join the webinar for the August 19 webinar: <https://attendee.gotowebinar.com/register/6047049378918009870>.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Committee will meet to discuss the Conservation Law Foundation petition for rulemaking on Atlantic cod. They will receive an update on the development of Framework Adjustment 61 specifications and other measures and make recommendations to the Groundfish Committee, as appropriate. Other business will be discussed, as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign

language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: July 29, 2020.

Tracey L. Thompson,

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

[FR Doc. 2020-16789 Filed 7-31-20; 8:45 am]

BILLING CODE 3510-22-P