

concludes that it will not appreciably reduce the likelihood of survival and recovery nor modify or destroy critical habitat of Hood Canal summer-run chum salmon, Puget Sound Chinook salmon, or Puget Sound steelhead.

**DATES:** June 2, 2026.

**ADDRESSES:** The document is available on the internet at <https://www.fisheries.noaa.gov/action/dungeness-hatcheries-plans>.

**FOR FURTHER INFORMATION CONTACT:** Morgan Robinson, (253) 307-2670, [morgan.robinson@noaa.gov](mailto:morgan.robinson@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Endangered Species Act (ESA)-Listed Species Covered in This Notice**

- Hood Canal summer-run chum salmon (*Oncorhynchus keta*): threatened, naturally and artificially propagated;
- Puget Sound Chinook salmon (*O. tshawytscha*): threatened, naturally and artificially propagated;
- Puget Sound Steelhead (*O. mykiss*): threatened, naturally and artificially propagated.

**Background**

The term “take” is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The ESA prohibits the take of endangered salmonids and, pursuant to ESA section 4(d), ESA regulations can be extended to prohibit the take of threatened salmonids. However, NMFS may make exceptions to the take prohibitions for hatchery programs that are approved by NMFS under the limits on the prohibitions outlined in 50 CFR 223.203(b). The operators, WDFW collaborating with Tribal co-manager Jamestown S’Klallam Tribe, have submitted an HGMP to NMFS pursuant to NMFS’ limit 6 of the 4(d) rule of the ESA for hatchery activities in the Dungeness River basin, Washington. The ERD is NMFS’ determination for how the HGMP addresses the criteria in 50 CFR 223.203(b)(5).

The hatchery program under review is designed to contribute to the reintroduction and recovery of Hood Canal summer-run chum salmon in the Dungeness River basin. This hatchery program is intended to contribute to fulfilling Federal trust responsibilities toward Tribes with rights guaranteed through treaties, as affirmed in *United States v. Washington* (1974), by contributing to the recovery of ESA-listed salmon. Included in the HGMP is research and monitoring activities to study the effect of the program on the

recovery of Hood Canal summer-run chum salmon, Puget Sound Chinook salmon, and Puget Sound steelhead.

As required in 50 CFR 223.203(b)(6), of the Endangered Species Act (ESA), exemption 6 of the section 4(d) rule for salmon and steelhead, the Secretary of Commerce published notice of NMFS’ proposed evaluation and pending determination (PEPD) together with a discussion of the biological analysis underlying that determination. NMFS received no public comments on that PEPD.

**Classification**

Under section 4 of the ESA, the Secretary of Commerce may issue regulations for the conservation of listed threatened species. The ESA salmon and steelhead 4(d) rule (50 CFR 223.203(b)) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The rule further provides that the prohibitions of paragraph (a) of the rule do not apply to actions undertaken in compliance with a plan developed jointly by a State and a Tribe and determined by NMFS to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000).

*Authority:* 16 U.S.C. 1531 *et seq.*; 16 U.S.C. 742a *et seq.*

Dated: May 29, 2026.

**Jennifer Leigh Quan,**  
Regional Administrator, West Coast Region,  
National Marine Fisheries Service.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XF760]

**Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Sparrows Point Container Terminal Project in Baltimore County, Maryland**

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

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

**SUMMARY:** In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued two consecutive incidental harassment authorizations

(IHAs) to Tradepoint TiL Terminals, LLC (TTT) for authorization to take marine mammals incidental to the Sparrows Point Container Terminal Project in Baltimore County, Maryland.

**DATES:** These authorizations are effective from June 1, 2026, through May 31, 2027; and June 1, 2027, through May 31, 2028.

**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/action/incidental-take-authorization-trade-point-til-terminal-llcs-sparrows-point-container-terminal>. In case of problems accessing these documents, please call the contact listed below.

**FOR FURTHER INFORMATION CONTACT:** Cara Hotchkin, 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 the monitoring and reporting of such takings. The definitions 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 April 22, 2026, a notice of NMFS' proposal to issue two consecutive IHAs to TTT for take of marine mammals incidental to the Sparrows Point Container Terminal Project in Baltimore, MD was published in the **Federal Register** (91 FR 21400). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock, as well as the mitigation, monitoring, and reporting measures that would be required should the IHAs be issued. The **Federal Register** notice also included analysis to support NMFS' preliminary conclusions and determinations that the IHAs, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHAs. The **Federal Register** notice included web links to

both draft IHAs for review, as well as other supporting documents.

No substantive comments were received during the public comment period. With the exception of the minor changes described below, 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 IHAs notice. No new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHAs notice has become available since that notice was published, and therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHAs are considered final.

**Changes From the Proposed IHAs to the Final IHAs**

Changes from the proposed IHAs to the final issued IHAs include

clarifications of the monitoring and clearance zones, and addition of the largest predicted Level B harassment isopleth to the IHAs. The clearance zones listed in table 13 of the notice of proposed IHAs (91 FR 21400 at 21416) reflect the range of the modeled sound propagation after removal of the farthest 5 percent of points, and this radial distance encompasses at least 95 percent of the horizontal area exposed to sound at or above the 120 decibels (dB) referenced to 1 micropascal (re 1 µPa) root-mean-square (RMS) threshold. The maximum modeled distances exceed these clearance zones and for clarity, the maximum distances (table 1) have been added to the IHAs. With NMFS' concurrence, TTT will adjust the sizes of shutdown and clearance zones in year 2 as needed based on the results of hydroacoustic monitoring in year 1.

TABLE 1—SHUTDOWN, CLEARANCE AND LARGEST LEVEL B HARASSMENT ZONES DURING PROJECT ACTIVITIES

Activity	Shutdown zone (m)	Clearance zone (m)	Largest Level B harassment zone (m)
Impact Installation .....	40	1,190	1,360
Vibratory installation .....	10	2,860	3,890

**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 ensures 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.

No incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

**Authorization**

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued two consecutive IHAs to TTT for authorization to take marine mammals incidental to Sparrows Point Container Terminal Project in Baltimore County, Maryland.

Dated: May 29, 2026.

**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-XF759]

**Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Francis Scott Key Bridge Rebuild Project in Baltimore, Maryland**

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

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

**SUMMARY:** In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued two consecutive incidental harassment authorizations (IHAs) to the Federal Highway Administration (FHWA) for authorization to take marine mammals incidental to the Francis Scott Key Bridge Rebuild Project in Baltimore, Maryland.

**DATES:** These authorizations are effective from June 1, 2026, through