

information collection must be received on or before August 3, 2026.

**ADDRESSES:** Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at [NOAA.PRA@noaa.gov](mailto:NOAA.PRA@noaa.gov). Please reference OMB Control Number 0648–0399 in the subject line of your comments. All comments received are part of the public record and will generally be posted on <https://www.regulations.gov> without change. Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or specific questions related to collection activities should be directed to Robert Markle, NOAA Fisheries, 1201 NE Lloyd Blvd. Suite 1100, Portland, OR 97232, (503) 230–5419 or [robert.markle@noaa.gov](mailto:robert.markle@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

This request is for extension of a currently approved information collection. Section 4(d) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et. seq.*) requires the National Marine Fisheries Service (NMFS) to adopt such regulations as it “deems necessary and advisable to provide for the conservation of” threatened species. Those regulations may include any or all the prohibitions provided in section 9(a)(1) of the ESA, which specifically prohibits “take” of any endangered species (“take” includes actions that harass, harm, pursue, kill, or capture). The first salmonid species listed by NMFS as threatened were protected by virtually blanket application of section 9 take prohibitions. There are now 23 separate Distinct Population Segments (DPS) of west coast salmonids listed as threatened, covering a large percentage of the land base in California, Oregon, Washington, and Idaho. NMFS is obligated to enact necessary and advisable protective regulations. NMFS makes section 9 prohibitions generally applicable to many of those threatened DPS, but also seeks to respond to requests from states and others to both provide more guidance on how to protect threatened salmonids and avoid take, and to limit the application of take prohibitions wherever warranted (see 70 FR 37160, June 28, 2005, 71 FR 834, January 5, 2006, and 73 FR 55451, September 25, 2008). The regulations describe programs or circumstances that contribute to the conservation of or are being conducted in a way that limits impacts on listed salmonids. Because

we have determined that such programs/circumstances adequately protect listed salmonids, the regulations do not apply the “take” prohibitions to them. Some of these limits on the take prohibitions entail voluntary submission of a plan to NMFS and/or annual or occasional reports by entities wishing to take advantage of these limits or continue within them.

The currently approved application and reporting requirements apply to Pacific marine and anadromous fish species.

**II. Method of Collection**

Submissions may be electronically or on paper.

**III. Data**

*OMB Control Number:* 0648–0399.

*Form Number(s):* None.

*Type of Review:* Regular submission (extension of a current information collection).

*Affected Public:* Federal government; State, Local, or Tribal government; Business or other for-profit organizations; Not-for-profit institutions.

*Estimated Number of Respondents:* 707.

*Estimated Time per Response:* Limit 3: Fish Rescue, 4 hours. Limit 4: CA—FMEP Annual Reporting, 4 hours; CA—FMEP Development/Submission, 1,230 hours; ID—FMEP Development/In season Reporting/Submission of Annual Reports, 120 hours; OR—FMEP Development/Submission of Annual Reports, 120 hours; WA—FMEP Development/Submission of Annual Reports, 100 hours. Limit 4, 6 and 14—Puget Sound/Klamath Basins: Annual Reporting, 104 hours; Development of RMP, 624 hours; Submittal of RMP, 150 hours; Litigation Assistance, 416 hours. Limit 5: CA—HGMP Annual Reporting, 8 hours; CA—HGMP Development/ Submission, 2,080 hours. Limit 5 and 6: ID—RMP/HGMP Development/ Submission of Annual Reports, 120 hours; OR—RMP/HGMP Development/ Submission of Annual Reports, 120 hours; WA—RMP/HGMP Development/ Submission of Annual Reports, 120 hours. Limit 6—Fisheries—Columbia River Basin, 120 hours. Limit 7—State Research Programs: Applications, 5 hours; Modifications, 2 hours; Reports, 3 hours. Limit 10: OR—5-year plan submission, 160 hours; OR—Annual Reporting, 40 hours; CA—Annual Reporting, 4 hours. Limit 14—CA—Annual Reporting, 8 hours.

*Estimated Total Annual Burden Hours:* 167,872 hours.

*Estimated Total Annual Cost to Public:* \$0.

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

*Legal Authority:* Section 4(d) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et. seq.*).

**IV. Request for Comments**

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this information collection request. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Sheleen Dumas,**

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

[FR Doc. 2026–11133 Filed 6–2–26; 8:45 am]

**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648–XF688]

**Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the Port of Alaska Modernization Program Phase 2B: Cargo Terminals Replacement Project in Anchorage, Alaska**

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

**ACTION:** Notice of issuance of a modified letter of authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that a modified letter of authorization (LOA) has been issued to the Don Young Port of Alaska (POA), for the unintentional taking of marine mammals incidental to the Cargo Terminals Replacement (CTR) project at the existing port facility in Anchorage, Alaska over the course of 5 years (2026–2031). Specifically, NMFS has updated table 2 Shutdown and Harassment Zones for vibratory extraction of 42-inch (in), 48-in, and 72-in steel pipe piles. In doing so, NMFS determined that the anticipated impacts are the same as those described in the final rule, the modification does not change the findings made for the regulations, the modification does not result in any change in the authorized number of takes of marine mammals, and the requirements of the previous LOA were implemented. As required under the relevant Incidental Take Regulations, NMFS is publishing a notice of issuance of the modified LOA.

**DATES:** This LOA is effective from the date of issuance through February 28, 2031.

**ADDRESSES:** The modified LOA and supporting documentation are available online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-port-alaskas-construction-activities-port-alaska-modernization>. 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:**

**Background**

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking 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 either regulations are issued or, if the taking is limited to harassment, a notice of a proposed incidental take authorization may be provided to the public for review.

Authorization for incidental takings shall be granted if NMFS 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 the species or stocks for taking for certain subsistence uses (referred to as “mitigation”); and requirements pertaining to the mitigation, monitoring, and reporting of the takings are set forth. NMFS has defined “negligible impact” in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

Except with respect to certain activities not pertinent here, the MMPA defines “harassment” as: any act of pursuit, torment, or annoyance which: (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

**Summary of Request and Analysis**

On July 15, 2025, we promulgated a final rule upon request from the POA for authorization to take marine mammals incidental to their in-water construction and demolition activities associated with the CTR Project at the existing port facility in Anchorage, Alaska (90 FR 31756) and subsequently issued a LOA thereunder (50 CFR 217.17; 90 FR 40566, Aug. 20, 2025). Specifically, NMFS authorized the take of 7 species, comprising 10 stocks, by Level A and Level B harassment incidental to acoustic disturbance from impact pile driving; we refer to the final rule and notice of issuance for the complete discussion (90 FR 31756, 90 FR 40566).

On January 21, 2026, POA notified NMFS of updates to its construction plan: use of one 72-in temporary pile rather than four 36-in temporary piles per pile location; vibratory extraction of 42-in and 48-in steel pipe piles that are part of the existing structure; and extending the construction schedule of

Terminal 1 (T1) into the fourth year of the 5 year authorization. NMFS determined the extended construction schedule of T1 is consistent with the existing authorization. NMFS also determined that the other construction plan updates will have the same impacts analyzed in the rule and do not change the findings made for the regulations but the addition of shutdown and monitoring zones to table 2 of the LOA are necessary.

The final rule analyzed unattenuated vibratory installation of 72-in diameter pipe piles, resulting in a Level B harassment isopleth of 9,039 m (bin 5; >6,639 m) (90 FR at 31773 July 15, 2025, table 10). There are no existing data on sound levels produced by vibratory extraction of 72-in piles. NMFS has therefore used sound levels produced by vibratory installation of 72-in piles as a reasonable proxy for sound levels produced during vibratory extraction. Thus, the analysis for vibratory extraction of 72-in piles is identical to the analysis for vibratory installation of the same pile size and the activity is expected to have the same Level B harassment isopleth.

The POA originally anticipated that existing piles would be left in place, cut at the mudline, or extracted via dead-pull methods (89 FR at 85687, October 28, 2024). Vibratory driving of both smaller (24-in and 36-in) and larger (72-in) steel pipe piles was analyzed in the rule, and vibratory extraction of intermediate sized piles is anticipated to have the same general effects on marine mammals. Previous phases of the Port of Alaska Modernization Program included hydroacoustic monitoring of vibratory installation of 48-in piles (Austin *et al.*, 2016, Illingworth and Rodkin 2021). NMFS used these data to evaluate the expected isopleth from vibratory extraction of 48-in piles at the POA. There are no existing data for vibratory pile installation or extraction of 42-in piles at the POA; thus, 48-in pile data was used as a proxy for both 42-in and 48-in piles. Using the median measured source values and the transmission loss coefficients measured during these projects, NMFS calculated the median source value estimated at 10 m from the piles (table 1) and used that value to calculate the estimated sound propagation under the conditions used in the final rule (Transmission Loss Coefficient (TL) = 16.5 for unattenuated vibratory driving; 90 FR at 31770–31771, July 15, 2025). The estimated Level B harassment isopleth for unattenuated vibratory driving (installation and extraction) of 48-in piles is 6,222 m.

TABLE 1—MEASURED AND CALCULATED SOURCE VALUES FOR UNATTENUATED VIBRATORY DRIVING OF 48-IN PILES AT THE POA DURING THE PCT PROJECT (ONE PILE) AND THE 2016 TEST PILE PROGRAM (3 PILES)

Report	Pile	Measured values			Converted values		Median SL @ 10m (dB re 1 μPa RMS)
		Range (m)	TL coefficient	Median RMS source level (dB re 1 μPa)	Converted range (m)	Median RMS source level (dB re 1 μPa) @ 10 m	
Illingworth and Rodkin (2021) .....	B-1	16	18.2	167	10	170.7	168.3
Austin <i>et al.</i> (2016) .....	IP1	14	18.35	166.3	10	169	.....
.....	IP15	11	18.35	166.8	10	167.6	.....
.....	IP6a	12	18.35	162.9	10	164.4	.....

The estimated distance to the Level B harassment isopleth for unattenuated 48-in pile extraction (6,222 m) falls within the same spatial bin as unattenuated installation of 36-in piles shown in the final rule (bin 4; 3,150 m to 6,639 m) (90 FR at 31778, July 15, 2025). The source values and estimated Level B harassment isopleths for extraction of 42-in piles are also expected to fall within the same bin, making 48-in and 42-in piles analytically indistinguishable from 36-in piles in the estimated take analysis. Therefore, NMFS has determined that the adjustment to the project design does not require any modification beyond the necessary changes to distances associated with required shutdown measures and that this modification does not change the findings made for the regulations and does not result in changes in the total authorized take numbers.

The shutdown zones for all species (see table 20, 90 FR at 31783, July 15, 2025) were calculated based on the minimum 100-m shutdown zone proposed by the POA for all pile installation and vibratory extraction activities, as well as the calculated Level A (non-Cook Inlet beluga whale (CIBW) species) and Level B (CIBWs) harassment isopleths. For CIBWs, the shutdown zones exceed the calculated Level B harassment isopleths in all scenarios.

Table 2 of the LOA has been modified to include shutdown and harassment zones for vibratory extraction of 42-in, 48-in, and 72-in diameter steel pipe piles. There are no other changes to the LOA.

**Authorization**

NMFS has issued a modified LOA to POA authorizing the take, by harassment, of small numbers of marine mammals incidental to in-water construction and demolition activities associated with the CTR project, which includes the modification discussed herein.

Dated: May 29, 2026.

**Kimberly Damon-Randall,**

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

[FR Doc. 2026-11127 Filed 6-2-26; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

[Docket No.: PTO-P-2026-0265]

**Standards Participation and Representation Kudos (SPARK) Pilot Program**

**AGENCY:** United States Patent and Trademark Office, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) is launching the Standards Participation and Representation Kudos (SPARK) Pilot Program to incentivize meaningful participation in standards development organizations (SDOs) by U.S. small and medium-sized businesses, universities, and non-profit organizations. Under the pilot program, examination of certain patent applications and *ex parte* appeals to the Patent Trial and Appeal Board (PTAB) may be expedited if the U.S.-domiciled juristic applicant meaningfully participated in a voluntary consensus-based SDO and meets the requirements specified in this notice. The application or appeal being expedited does not need to be related to the SDO participation. The expedited examination or appeal provides additional tangible value for the time and resources invested in standards development. Applications accepted into the pilot program for expedited examination will be advanced out of turn, that is, accorded special status, for examination until a first Office action is issued, and *ex parte* appeals accepted into the pilot program will be advanced out of turn before the PTAB. This notice sets forth the requirements of the pilot

program and describes how the pilot program will be administered.

**DATES: Pilot Duration:** The SPARK Pilot Program will accept petitions requesting expedited examination or appeal beginning June 3, 2026 until either June 3, 2027 or the date the USPTO grants a total of 200 petitions, whichever is earlier. The USPTO may, at its sole discretion, terminate the pilot program for any reason, including factors such as workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program. If the pilot program is terminated, the USPTO will notify the public. The USPTO, on its website, will specify the number of petitions filed and the number of petitions granted under the pilot program.

**FOR FURTHER INFORMATION CONTACT:** For questions or comments regarding this pilot program, please contact Susy Tsang-Foster, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patents, at 571-272-7711; or Brannon Smith, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patents, at 571-270-1601; or *SPARKprogram@uspto.gov*. For questions on electronic filing, please contact the Patent Electronic Business Center (EBC) at 866-217-9197 (during its operating hours of 9 a.m. to 8 p.m. ET, Monday-Friday) or *ebc@uspto.gov*. For questions related to a particular petition requesting expedited examination of an application, please contact the Office of Petitions at 571-272-3282. For questions related to a particular petition requesting expedited *ex parte* appeal of an application, please contact the Patent Trial and Appeal Board at 571-272-9797.

**SUPPLEMENTARY INFORMATION:** The USPTO is launching the Standards Participation and Representation Kudos (SPARK) Pilot Program to incentivize meaningful participation in standards development organizations (SDOs) by U.S. small and medium-sized