

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.

The MMPA states that the term “take” means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

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).

In Executive Order 14008, President Biden stated that it is the policy of the United States to organize and deploy the full capacity of its agencies to combat the climate crisis to implement a Government-wide approach that reduces climate pollution in every sector of the economy; increases resilience to the impacts of climate change; protects public health; conserves our lands, waters, and biodiversity; delivers environmental justice; and spurs well-paying union jobs and economic growth, especially through innovation, commercialization, and deployment of clean energy technologies and infrastructure.

### Summary of Request

On March 18, 2022, NMFS received an application from Mayflower Wind requesting authorization to take marine mammals incidental to construction activities associated with the Mayflower Wind Offshore Wind Project offshore of Massachusetts in the designated Lease Area OCS-A-0521. In response to our comments, and following extensive information exchange with NMFS, Mayflower Wind submitted a final, revised application on September 14, 2022, which we determined was adequate and complete on September 19, 2022. Mayflower Wind requested the regulations and subsequent LOA be valid for 5 years beginning on April 1, 2025.

Mayflower Wind plans to conduct wind farm construction activities, including impact and vibratory pile driving, cable installation, unexploded ordnances (UXO) detonation, and high-resolution geophysical (HRG) site characterization surveys to build and operate the Mayflower Wind Project. Vessel use and fishery surveys will also be necessary to support the project. The

proposed action may incidentally expose marine mammals occurring in the vicinity to elevated levels of underwater noise during pile driving, UXO detonation, and HRG surveys, thereby resulting in incidental take, by Level A harassment and/or Level B harassment, of marine mammals. Therefore, Mayflower Wind requests authorization to incidentally take marine mammals.

### Specified Activities

Through a competitive leasing process under 30 CFR 585.211, Mayflower Wind was awarded Commercial Lease OCS-A 0521 offshore of Massachusetts and the exclusive right to submit a construction and operations plan (COP) for activities within the lease area. Mayflower Wind has submitted a COP to BOEM proposing the construction, operation, maintenance, and conceptual decommissioning of the Mayflower Wind Project, a 2,400 megawatt (MW) capacity commercial-scale offshore wind energy facility consisting of up to 147 wind turbines, up to five offshore sub-stations, and two export cable corridors making landfall in Falmouth and Somerset, Massachusetts.

Mayflower Wind anticipates the following activities may potentially result in harassment of marine mammals during the effective period of the requested regulations and associated LOA:

- Installing up to 147 WTG monopile foundations with a maximum diameter tapering from 9 meters (m; 30 feet (ft)) above the waterline to 16 m (39 ft) below the waterline (9/16-m monopile) using a vibratory hammer and 6,600 kJ impact hammer, or installing up to 588 pin piles with a 4.5-m maximum diameter to support up to 147 WTGs using a vibratory hammer and a 3,500 kJ impact hammer;
- Installing up to five 9/16-m diameter OSP monopile foundations using a 6,600 kJ impact hammer, or installing up to 135 pin piles with a 4.5-m maximum diameter to support five OSPs using a 3,500 kJ impact hammer;
- Using HRG equipment to survey approximately 27,000 kilometers (km) (16,777 miles (mi)) over 338 days across all 5 years (2025–2030);
- Detonating up to 10 UXOs over the course of 5 years with no more than 1 UXO detonation occurring on any given day.

### Information Sought

Interested persons may submit information, suggestions, and comments concerning Mayflower Wind’s request (see **ADDRESSES**). NMFS will consider all information, suggestions, and comments

related to the request during the development of proposed regulations governing the incidental taking of marine mammals by Mayflower Wind, if appropriate.

Dated: October 11, 2022.

**Kimberly Damon-Randall**,  
Director, Office of Protected Resources,  
National Marine Fisheries Service.

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## CONSUMER PRODUCT SAFETY COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** Wednesday, October 19, 2022—11:30 a.m.; and Wednesday, October 19, 2022—2:00 p.m. (See **MATTERS TO BE CONSIDERED** for each meeting).

**PLACE:** These meetings will be held remotely.

**STATUS:** Commission meetings—open to the public.

**MATTERS TO BE CONSIDERED:**

#### Decisional Matter

*Final Rule:* Safety Standard for Clothing Storage Units (Decisional Matter).

All attendees should pre-register for the Commission meeting using the following link: <https://cpsc.webex.com/cpsc/onstage/g.php?MTID=e4492a8eec00e0d15cdb2e77f32f33d19>.

*After registering you will receive a confirmation email containing information about joining the meeting.*

#### Briefing Matter

Final Rules to (1) Add Window Covering Cords to the Substantial Product Hazard List, and (2) Establish a Safety Standard for Operating Cords on Custom Window Coverings.

All attendees should pre-register for the Commission meeting using the following link: <https://cpsc.webex.com/cpsc/onstage/g.php?MTID=e498d881d4c2070fb48eade3acc83c308>.

*After registering you will receive a confirmation email containing information about joining the meeting.*

**CONTACT PERSON FOR MORE INFORMATION:** Alberta E. Mills, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814, 301–504–7479 (Office) or 240–863–8938 (Cell).

Dated: October 12, 2022.

**Alberta E. Mills**,  
Commission Secretary.

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