

Spawning Special Management Zones, an evaluation tool for the zones, and develop an evaluation of the zones. The workgroup will provide recommendations on management of the Spawning Special Management Zones.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aid should be directed to the Council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: June 24, 2026.

Rey Israel Marquez,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF834]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Geophysical Surveys Related to Oil and Gas Activities in the Gulf of America

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

ACTION: Notice; issuance of Letters of Authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, its implementing regulations, and NMFS' MMPA regulations for taking marine mammals incidental to geophysical surveys related to oil and gas activities in the Gulf of America (GOA), notification is hereby given that NMFS has issued two separate Letters of Authorization (LOAs) to WesternGeco, LLC (WesternGeco), for the take of marine mammals incidental to geophysical survey activity in the GOA.

DATES: One LOA issued to WesternGeco is effective from July 1, 2026, through February 29, 2027. The other LOA issued to WesternGeco is effective from August 1, 2026, through March 31, 2027.

ADDRESSES: The LOAs, LOA requests, and supporting documentation are available online at: <https://www.fisheries.noaa.gov/action/>

incidental-take-authorization-oil-and-gas-industry-geophysical-survey. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Jenna Harlacher, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce 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 authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such 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).

On January 19, 2021, we issued a final rule with regulations to govern the unintentional taking of marine mammals incidental to geophysical survey activities conducted by oil and gas industry operators, and those persons authorized to conduct activities on their behalf (collectively "industry operators"), in U.S. waters of the GOA ¹

¹ Pursuant to Executive Order 14172, "Restoring Names That Honor American Greatness," and

over the course of 5 years (86 FR 5322, January 19, 2021). The rule was based on our findings that the total taking from the specified activities over the 5-year period will have a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of those species or stocks for subsistence uses, and became effective on April 19, 2021.

The regulations at 50 CFR 217.180 allow for the issuance of LOAs to industry operators for the incidental take of marine mammals during geophysical survey activities and prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat (often referred to as mitigation), as well as requirements pertaining to the monitoring and reporting of such taking. Under 50 CFR 217.186(e), issuance of an LOA shall be based on a determination that the level of taking will be consistent with the findings made for the total taking allowable under these regulations and a determination that the amount of take authorized under the LOA is of no more than small numbers.

NMFS subsequently discovered that the 2021 rule was based on erroneous take estimates. We conducted another rulemaking using correct take estimates and other newly available and pertinent information relevant to the analyses supporting some of the findings in the 2021 final rule and the taking allowable under the regulations. We issued a final rule in April 2024, effective May 24, 2024 (89 FR 31488, April 24, 2024).

On August 28, 2025, NMFS Office of Protected Resources (OPR) received a request from NMFS Office of Policy (Policy) for reimplementing of the current Incidental Take Regulation (ITR) to avoid a lapse in ITRs offering incidental take coverage for GOA geophysical survey activities. On October 20, 2025, Bureau of Ocean Energy Management (the original petitioner for the current ITRs) submitted a request to be included in the process as a co-petitioner. In response to these requests, NMFS issued a new final rule, effective April 20, 2026, through April 19, 2031 (91 FR 20784, April 17, 2026).

The reimplementing of the regulations continues the established framework for authorization of incidental take through LOAs. The final

Department of the Interior Secretarial Order 3423, "The Gulf of America," the body of water formerly known as the Gulf of Mexico is now called the Gulf of America.

rule made no changes to the specified activities or the specified geographical region in which those activities would be conducted, and there are no changes to the associated mitigation, monitoring, and reporting requirements.

Summary of Requests and Analysis

Engagement 12

WesternGeco plans to conduct a long offset sparse ocean bottom node (OBN) survey over 1,446 lease blocks in the Green Canyon, Walker Ridge and Atwater Valley areas, with water depths ranging from approximately 256 to 3,370 m. See section F of the LOA application for a map of the area.

WesternGeco plans to use one of the following source configurations: a low-frequency airgun source known as Gemini (also referred to as a dual barbell source), or a conventional airgun array source consisting of 28 elements with a total volume of 5,000 cubic inches (in³) (0.082 cubic meter) and a low-frequency tuned pulse source (TPS) in tandem. Please see WesternGeco's application for additional details.

The Gemini and TPS were not included in the acoustic exposure modeling developed in support of the rule. However, the Gemini was described and evaluated in support of a previous LOA (88 FR 72739, October 23, 2023) and the TPS was previously described and evaluated in support of previous LOAs (86 FR 37309, 37310, July 15, 2021; 87 FR 55790, 55791, September 12, 2022). We rely on the prior analyses for the Gemini and TPS here. For additional details regarding sources, see section C of the LOA application. Based on this information we have determined there will be no effects of a magnitude or intensity different from those evaluated in support of the rule. NMFS therefore expects that use of modeling results supporting the final rule relating to use of airgun arrays is expected to be conservative as a proxy for use in evaluating potential impacts of use of the Gemini or TPS.

Consistent with the preamble to the 2026 final rule, the survey effort proposed by WesternGeco in its LOA request was used to develop LOA-specific take estimates based on the acoustic exposure modeling results described in the preamble (91 FR 20784, April 17, 2026). In order to generate the appropriate take number for authorization, the following information was considered: (1) survey type; (2) location (by modeling zoneⁱ); (3)

number of days; (4) source; and (5) monthⁱⁱ. To determine the most appropriate proxy array from the exposure modeling, the directionally dependent source level in a plane parallel to the sea surface was compared to the three airgun array sources that were originally modeled, including the 4,130, 5,110, and 8,000 in³ arrays. Out of these three proxies, the source that had the smallest relative error (arithmetic mean difference taken over the azimuthal or vessel bearing angle) was chosen as the most representative proxy. In this case, because WesternGeco may elect to use the specified 28-element, 5,000 in³ airgun array source, the 5,110 in³ had the lowest mean error (1.1 decibels (dB)) and was the airgun array proxy that was selected. The acoustic exposure modeling performed in support of the rule provides 24-hour exposure estimates for each species, specific to each modeled source and survey type in each zone and month.

No OBN surveys were included in the modeled survey types, and use of existing proxies (*i.e.*, 2D, 3D NAZ, 3D WAZ, Coil) is generally conservative for use in evaluation of 3D OBN survey effort, largely due to the greater area covered by the modeled proxies. Summary descriptions of these modeled survey geometries are available in the preamble to the proposed rule (91 FR 9014, 9018, February 24, 2026). Coil was selected as the best available proxy survey type in this case because the spatial coverage of the planned survey is most similar to the coil survey pattern. The planned OBN survey will involve two source vessels sailing along closely spaced survey lines, with daily survey area coverage of approximately 110 square kilometers (km²) per day, similar to that assumed for the coil survey proxy. Among the different parameters of the modeled survey patterns (*e.g.*, area covered, line spacing, number of sources, shot interval, total simulated pulses), NMFS considers area covered per day to be most influential on daily modeled exposures exceeding Level B harassment criteria. Although WesternGeco is not proposing to perform a survey using the coil geometry, the coil proxy is most representative of the effort planned by WesternGeco in terms of predicted Level B harassment exposures.

The survey will take place over approximately 140 days with 100 days

of sound source operation, including 53 days in Zone 5 and 47 days in Zone 7. The monthly distribution of survey days is not known in advance, though we assume that the planned 100 days of source operation would occur contiguously. Take estimates for each species are based on the time period that produces the greatest value.

For the Rice's whale, recent survey data, sightings, and acoustic data support Rice's whale occurrence in waters throughout the GOM between approximately 100 m and 400 m depth along the continental shelf break, and associated habitat-based density modeling has identified similar habitat (*i.e.*, approximately 100 to 400 meter (m) water depths along the continental shelf break) as being Rice's whale habitat (Garrison *et al.*, 2023; Soldevilla *et al.*, 2022, 2024). NMFS' 2026 proposed rule provided detailed discussion regarding Rice's whale habitat (see, *e.g.*, 91 FR 9014, 9026, February 24, 2026).

WesternGeco's planned activities will overlap this depth range, with approximately 0.6 percent of the area expected to be ensonified by the survey above root-mean-squared pressure received levels (RMS SPL) of 160 dB (referenced to 1 micropascal (re 1 μ Pa)) overlapping the 100–400 m isobaths. Therefore, there is some reasonable potential for take of Rice's whale to occur in association with this survey. The generic acoustic exposure modeling results in one take of Rice's whales and we have rounded that up to a group size, authorizing two Rice's whale takes.

Engagement 13

WesternGeco plans to conduct a long offset sparse OBN survey over 1,153 lease blocks in the Green Canyon and Walker Ridge areas, with water depths ranging from approximately 100 to 3,100 m. See section F of the LOA application for a map of the area.

WesternGeco plans to use one of the following source configurations: a low-frequency airgun source known as Gemini (also referred to as a dual barbell source), or a conventional airgun array source consisting of 28 elements with a total volume of 5,000 in³ and a low-frequency tuned pulse source (TPS) in tandem. Please see WesternGeco's application for additional details.

The Gemini and TPS were not included in the acoustic exposure modeling developed in support of the rule. However, the Gemini was described and evaluated in support of a previous LOA (88 FR 72739, October 23, 2023) and the TPS was previously described and evaluated in support of previous LOAs (86 FR 37309, 37310,

ⁱⁱ Acoustic propagation modeling was performed for two seasons: Winter (December–March) and Summer (April–November). Marine mammal density data is generally available on a monthly basis, and therefore further refines take estimates temporally.

ⁱ For purposes of acoustic exposure modeling, the GOA was divided into seven zones. Zone 1 is not included in the geographic scope of the rule.

July 15, 2021; 87 FR 55790, 55791, September 12, 2022), and we rely on those analyses here. For additional details regarding sources, see section C of the LOA application. Based on this information we have determined there will be no effects of a magnitude or intensity different from those evaluated in support of the rule. NMFS therefore expects that use of modeling results supporting the final rule relating to use of airgun arrays is expected to be conservative as a proxy for use in evaluating potential impacts of use of the Gemini and TPS.

Consistent with the preamble to the final rule, the survey effort proposed by WesternGeco in its LOA request was used to develop LOA-specific take estimates based on the acoustic exposure modeling results described in the preamble (91 FR 20784, April 17, 2026). In order to generate the appropriate take number for authorization, the following information was considered: (1) survey type; (2) location (by modeling zone ⁱ); (3) number of days; (4) source; and (5) month ⁱⁱ. To determine the most appropriate proxy array from the exposure modeling, the directionally dependent source level in a plane parallel to the sea surface was compared to the three airgun array sources which were originally modeled, including the 4,130, 5,110, and 8,000 in³ arrays. Out of these three proxies, the source which had the smallest relative error (arithmetic mean difference taken over the azimuthal or vessel bearing angle) was chosen as the most representative proxy. In this case, because WesternGeco may elect to use the specified 28-element, 5,000 in³ airgun array source, the 5,110 in³ had the lowest mean error (1.1 dB) and was the airgun array proxy that was selected. The acoustic exposure modeling performed in support of the rule provides 24-hour exposure estimates for each species, specific to each modeled source and survey type in each zone and month.

No OBN surveys were included in the modeled survey types, and use of existing proxies (*i.e.*, 2D, 3D NAZ, 3D

WAZ, Coil) is generally conservative for use in evaluation of 3D OBN survey effort, largely due to the greater area covered by the modeled proxies. Summary descriptions of these modeled survey geometries are available in the preamble to the proposed rule (91 FR 9014, 9018, February 24, 2026). Coil was selected as the best available proxy survey type in this case because the spatial coverage of the planned survey is most similar to the coil survey pattern. The planned OBN survey will involve two source vessels sailing along closely spaced survey lines, with daily survey area coverage of approximately 110 km² per day, similar to that assumed for the coil survey proxy. Among the different parameters of the modeled survey patterns (*e.g.*, area covered, line spacing, number of sources, shot interval, total simulated pulses), NMFS considers area covered per day to be most influential on daily modeled exposures exceeding Level B harassment criteria. Although WesternGeco is not proposing to perform a survey using the coil geometry, the coil proxy is most representative of the effort planned by WesternGeco in terms of predicted Level B harassment exposures.

The survey will take place over approximately 140 days with 101 days of sound source operation, including 78 days in Zone 5 and 23 days in Zone 7. The monthly distribution of survey days is not known in advance, though we assume that the planned 101 days of source operation would occur contiguously. Take estimates for each species are based on the time period that produces the greatest value.

Based on the results of our analysis, NMFS has determined that the level of taking expected for each survey and authorized through each of the LOAs is consistent with the findings made for the total taking allowable under the regulations. See table 1 in this notice and table 7 of the rule (91 FR 20784, April 17, 2026).

Small Numbers Determination

Under the rule, NMFS may not authorize incidental take of marine

mammals in an LOA if it will exceed “small numbers.” In short, when an acceptable estimate of the individual marine mammals taken is available, if the estimated number of individual animals taken is up to, but not greater than, one-third of the best available abundance estimate, NMFS will determine that the numbers of marine mammals taken of a species or stock are small (see 91 FR 20784, April 17, 2026). For more information please see NMFS’ discussion of small numbers in the 2026 final rule (91 FR 20784, April 17, 2026).

For each of WesternGeco’s respective surveys, the take numbers for authorization are determined as described above in the Summary of Requests and Analysis section. Subsequently, the total incidents of harassment for each species are multiplied by scalar ratios (except in the cases where the take estimate has been rounded up to reflect a group size) to produce a derived product that better reflects the number of individuals likely to be taken within a survey (as compared to the total number of instances of take), accounting for the likelihood that some individual marine mammals may be taken on more than 1 day (see 91 FR 20784, April 17, 2026). The output of this scaling, where appropriate, is incorporated into adjusted total take estimates that are the basis for NMFS’ small numbers determinations, as depicted in tables 1 and 2.

This product is used by NMFS in making the necessary small numbers determinations through comparison with the best available abundance estimates (see discussion at 91 FR 20784, 20812, April 17, 2026). For this comparison, NMFS’ approach is to use the maximum theoretical population, determined through review of current stock assessment reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and model-predicted abundance information (<https://seamap.env.duke.edu/models/SEFSC/GOM/>). Information supporting the small numbers determinations is provided in tables 1–2.

TABLE 1—WESTERNGECO ENGAGEMENT 12 SURVEY TAKE ANALYSIS¹

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Rice’s whale	³ 2		51	3.9
Kogia spp.	4372	112	1,385	9.8
Atlantic spotted dolphin	406	117	21506	0.5
Bottlenose dolphin	1,326	381	166,538	0.2
Clymene dolphin	2,126	610	6,136	9.9
Beaked whales	1,809	183	1,038	17.6
Fraser’s dolphin	750	215	1,665	12.9

TABLE 1—WESTERNGECO ENGAGEMENT 12 SURVEY TAKE ANALYSIS¹—Continued

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Blackfish ⁵	5,085	1,500	9,535	15.7
Pantropical spotted dolphin	20,467	5,874	50,209	11.7
Risso's dolphin	405	120	1,974	6.1
Rough-toothed dolphin	1,877	539	4,853	11.1
Short-finned pilot whale	618	182	3,277	5.6
Sperm whale	740	313	2,451	12.8
Spinner dolphin	298	86	2,991	2.9
Striped dolphin	5,998	1,721	16,102	10.7

¹Scalar ratios were applied to "Authorized Take" values as described at 91 FR 20784 (April 17, 2026) to derive scaled take numbers shown here.

²Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Garrison *et al.*, 2023). For Rice's whale, Atlantic spotted dolphin, spinner dolphin, and Risso's dolphin, the estimated SAR abundance estimate is used.

³Modeled take of one increased to account for potential encounter with a group of average size (Maze-Foley and Mullin, 2006).

⁴Includes 20 takes by Level A harassment and 248 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

⁵The "blackfish" guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

TABLE 2—WESTERNGECO ENGAGEMENT 13 SURVEY TAKE ANALYSIS¹

Species	Authorized take	Scaled take ¹	Abundance ²	Percent abundance
Rice's whale	2	0.4	51	0.8
<i>Kogia</i> spp.	329	99	1,385	8.6
Atlantic spotted dolphin	580	166	21506	0.8
Bottlenose dolphin	1,716	493	166,538	0.3
Clymene dolphin	1,842	529	6,136	8.6
Beaked whales	2,483	251	1,038	24.2
Fraser's dolphin	811	233	1,665	14.0
Blackfish ⁴	5,029	1,484	9,535	15.6
Pantropical spotted dolphin	19,962	5,729	50,209	11.4
Risso's dolphin	492	145	1,974	7.4
Rough-toothed dolphin	2,132	612	4,853	12.6
Short-finned pilot whale	825	243	3,277	7.4
Sperm whale	774	328	2,451	13.4
Spinner dolphin	315	90	2,991	3.0
Striped dolphin	5,175	1,485	16,102	9.2

¹Scalar ratios were applied to "Authorized Take" values as described 91 FR 20784, 20818 (April 17, 2026) to derive scaled take numbers shown here.

²Best abundance estimate. For most taxa, the best abundance estimate for purposes of comparison with take estimates is considered here to be the model-predicted abundance (Garrison *et al.*, 2023). For Rice's whale, Atlantic spotted dolphin, spinner dolphin, and Risso's dolphin, the estimated SAR abundance estimate is used.

³Includes 20 takes by Level A harassment and 309 takes by Level B harassment. Scalar ratio is applied to takes by Level B harassment only; small numbers determination made on basis of scaled Level B harassment take plus authorized Level A harassment take.

⁴The "blackfish" guild includes melon-headed whales, false killer whales, pygmy killer whales, and killer whales.

Based on the analysis contained herein of WesternGeco's planned survey activities described in their separate LOA applications and the anticipated take of marine mammals, NMFS finds that for each LOA small numbers of marine mammals will be taken relative to the affected species or stock sizes (*i.e.*, less than one-third of the best available abundance estimate) and therefore the taking is of no more than small numbers for each LOA.

Authorization

NMFS has determined that the level of taking for each LOA request is consistent with the findings made for the total taking allowable under the incidental take regulations and that the amount of take authorized under each

LOA is of no more than small numbers. Accordingly, we have issued two LOAs to WesternGeco, authorizing the take of marine mammals incidental to its geophysical survey activity, as described above.

Dated: June 24, 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-XF822]

Fisheries of the Caribbean; Southeast Data, Assessment, and Review; Public Meeting

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of webinar.

SUMMARY: The Southeast Data Assessment and Review (SEDAR) 103 assessment process of Caribbean Alternate Assessment Methods will consist of a Development Workshop, a