

of a proposed IHA (87 FR 12089, March 3, 2022).

### Preliminary Determinations

The City is in the process of reconstructing Waterfront Park which includes vibratory removal of existing in-water piles and vibratory and impact installation of new piles. The reconstructed pier requires installation of 120 permanent 30-inch steel piles by vibratory hammer and impact proofing. Under the initial IHA, 76 steel piles were successfully installed. The remaining 44 piles, which represent a subset of the originally planned 120 piles, would be installed under the renewal IHA. The pile type, size and method of installation (*i.e.*, vibratory, impact) would be identical to that conducted in Season 1. A total of 31 existing steel H-piles and timber piles were removed under the initial IHA by pulling the piles using a vibratory extraction method or clamshell bucket. A nearly identical activity proposed under the renewal IHA would be the removal of eight 12-inch creosote timber piles (1 day) by vibratory hammer and the vibratory installation of eight 16-inch steel piles (2 days) at the Don Armeni Boat Ramp.

A detailed description of the construction activities for which take is proposed, including the installation of 30-inch permanent steel piles and, potentially, 24-inch temporary template steel piles may be found in the notice of the proposed and final IHA for the initial authorization (87 FR 12089, March 3, 2022; 87 FR 31985, May 26, 2022). As previously mentioned, these specific activities represent a subset of the activities authorized in the initial IHA that would not be completed prior to its expiration.

Minor changes to the initial scope as described in notice of the proposed and final IHA for the initial authorization (87 FR 12089, March 3, 2022; 87 FR 31985, May 26, 2022) include the removal of eight 12-inch creosote timber piles by vibratory hammer and the vibratory installation of eight 16-inch steel piles at the boat ramp. Vibratory removal of the 12-inch creosote timber piles, requiring an estimated 2 days, is nearly identical to the vibratory removal of H-piles and timber piles, which required 3 days, under the initial IHA. The installation of eight 16-inch steel piles under the proposed renewal IHA is nearly identical to the installation of 30-inch steel piles under the initial IHA with the only difference being the size of piles (30-inch vs. 16-inch) and the duration (36 days vs. 2 days).

There is no new information which would change our potential impacts to

the specified marine mammal species and stocks. The anticipated effects of the action under the renewal IHA are expected to be the same as those that may have occurred under the initial IHA. The species proposed for take are identical to those that were identified in the initial IHA. The same species that were authorized for limited take by Level A harassment under the initial IHA are proposed for take by Level A harassment under the renewal IHA. The Level A and Level B harassment zones for 30-inch pile installation under the renewal IHA are larger than those contained in the initial IHA. However, the number of animals of each species proposed for authorized take is less than what was authorized under the initial IHA since the number of in-water work days anticipated is less than half of the number of work days that occurred under the initial IHA. Furthermore, PSO monitoring of the renewal IHA's extended harassment zones demonstrated that most take occur closer to the in-water driving location. The mitigation and monitoring measures proposed for the renewal IHA are identical to those mandated in the initial IHA, with one exception. The shutdown and Level B harassment zones under the proposed renewal IHA are larger than those employed in Season 1.

After analyzing the City's application for the initial IHA, NMFS determined that the action would have a negligible impact on all affected stocks and that the taking of authorized species would be small relative to population size (< 6 percent of the total abundance for all stocks).

NMFS has preliminarily concluded that there is no new information suggesting that our analysis or findings should change from those reached for the initial IHA. Based on the information and analysis contained here and in the referenced documents, NMFS has preliminarily determined the following: (1) the required mitigation measures will affect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) The City's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action, and; (5) appropriate monitoring and reporting requirements are included.

### 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 insure 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 these activities. Therefore, NMFS has determined that consultation under section 7 of the ESA is not required for this action.

### Proposed Renewal IHA and Request for Public Comment

As a result of these preliminary determinations, NMFS proposes to issue a renewal IHA to the City for conducting activities associated with the Pier 58 Reconstruction Project in Seattle, Washington from August 1, 2023 through July 31, 2024, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed and final initial IHA can be found at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. We request comment on our analyses, the proposed renewal IHA, and any other aspect of this notice. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

Dated: July 12, 2023.

**Kimberly Damon-Randall,**

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

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

### Charter Establishment of Department of Defense Federal Advisory Committees—Department of the Navy Science and Technology Board

**AGENCY:** Department of Defense (DoD).

**ACTION:** Establishment of Federal advisory committee.

**SUMMARY:** The DoD gives notice that it is establishing the Department of the

Navy Science and Technology Board (DoN S&T Board) as a discretionary Federal advisory committee.

**FOR FURTHER INFORMATION CONTACT:** Jim Freeman, DoD Advisory Committee Management Officer, 703-692-5952, [james.d.freeman4.civ@mail.mil](mailto:james.d.freeman4.civ@mail.mil).

**SUPPLEMENTARY INFORMATION:** This committee is being established in accordance with the Federal Advisory Committee Act (FACA) and 41 CFR 102-3.50(a). The charter and contact information for the DoN S&T Board's Designated Federal Officer (DFO) are found at: <https://www.facadatabase.gov/FACA/apex/FACAPublicAgencyNavigation>.

The DoN S&T Board is a discretionary Federal advisory committee established to provide independent advice and recommendations on matters relating to the Department of the Navy's (DoN) scientific, technical, manufacturing, acquisition, logistics, medicine, and business management functions. These matters include, but are not limited to, the pressing and complex scientific and technological problems facing the DoD in such areas as research, engineering, organizational structure and process, business and functional concepts, and manufacturing, and will ensure the identification of new technologies and new applications of technology in those areas to strengthen national security.

The DoN S&T Board shall be composed of no more than 20 members who are prominent authorities in one or more of the following disciplines and fields: science, technology, manufacturing, acquisition, logistics, medicine, climate, and business management functions, as well as other matters of special interest to the DoN. Membership will consist of private and public leaders, fairly balanced to provide a diversity of background, experience, and thought in support of the DoN S&T Board mission.

Individual members are appointed according to DoD policy and procedures and serve a term of service of one-to-four years with annual renewals. One member will be appointed as Chair of the DoN S&T Board. No member, unless approved according to DoD policy and procedures, may serve more than two consecutive terms of service on the DoN S&T Board, or serve on more than two DoD Federal advisory committees at one time.

DoN S&T Board members who are not full-time or permanent part-time Federal civilian officers or employees are appointed as experts or consultants, pursuant to 5 U.S.C. 3109, to serve as special government employee members. DoN S&T Board members who are full-

time or permanent part-time Federal civilian officers or employees are appointed pursuant to 41 CFR 102-3.130(a), to serve as regular government employee members.

All DoN S&T Board members are appointed to provide advice based on their best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Except for reimbursement of official DoN S&T Board-related travel and per diem, members serve without compensation.

The public or interested organizations may submit written statements about the DoN S&T Board mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meetings of the DoN S&T Board. All written statements shall be submitted to the DoN S&T Board's DFO, and this individual will ensure that the written statements are provided to the membership for their consideration.

Dated: July 12, 2023.

**Aaron T. Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEPARTMENT OF EDUCATION

### **Applications for New Awards; Technical Assistance and Dissemination To Improve Services and Results for Children With Disabilities and School Safety National Activities Programs—National Technical Assistance Center on Positive Behavioral Interventions and Supports**

**AGENCY:** Office of Special Education and Rehabilitative Services, Office of Elementary and Secondary Education, Department of Education.

**ACTION:** Notice.

**SUMMARY:** The Department of Education (Department) is issuing a notice inviting applications for new awards for fiscal year (FY) 2023 for a National Technical Assistance Center on Positive Behavioral Interventions and Supports, Assistance Listing Number 84.326S. This notice relates to the approved information collection under OMB control number 1820-0028.

#### **DATES:**

*Applications Available:* July 17, 2023.  
*Deadline for Transmittal of Applications:* August 31, 2023.

*Pre-Application Webinar Information:* No later than July 24, 2023, the Office

of Special Education and Rehabilitative Services will post pre-recorded informational webinars designed to provide technical assistance (TA) to interested applicants. The webinars may be found at <https://www2.ed.gov/fund/grant/apply/osep/new-osep-grants.html>.

**ADDRESSES:** For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on December 7, 2022 (87 FR 75045) and available at [www.federalregister.gov/documents/2022/12/07/2022-26554/common-instructions-for-applicants-to-department-of-education-discretionary-grant-programs](http://www.federalregister.gov/documents/2022/12/07/2022-26554/common-instructions-for-applicants-to-department-of-education-discretionary-grant-programs). Please note that these Common Instructions supersede the version published on December 27, 2021.

#### **FOR FURTHER INFORMATION CONTACT:**

Mohamed Soliman, U.S. Department of Education, 400 Maryland Avenue SW, Room 5054B, Potomac Center Plaza, Washington, DC 20202-5067. Telephone: (202) 245-6335. Email: [Mohamed.Soliman@ed.gov](mailto:Mohamed.Soliman@ed.gov).

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

#### **SUPPLEMENTARY INFORMATION:**

##### **Full Text of Announcement**

##### **I. Funding Opportunity Description**

*Purpose of Program:* The purpose of the Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities program is to promote academic achievement and to improve results for children with disabilities by providing TA, supporting model demonstration projects, disseminating useful information, and implementing activities that are supported by scientifically based research.

The School Safety National Activities Program provides support to State educational agencies (SEAs) and local educational agencies (LEAs) for activities to improve student safety and well-being.

*Priorities:* This competition includes two absolute priorities. Applicants must address both priorities, and we will make one award as a comprehensive investment designed to enhance local and State efforts to improve school climate, conditions for learning, and access to and engagement in the instructional environment, with a focus on students with behavioral challenges, by implementing comprehensive positive behavioral interventions and