

on December 19, 2016 reinstating the North Fork Coal Mining Area exception to the Colorado Roadless Rule.

DATES: The effective date of the rule amending 36 CFR part 294 published in the **Federal Register** at 81 FR 91811 on December 19, 2016, is delayed until April 17, 2017.

FOR FURTHER INFORMATION CONTACT:

Jason Robertson; Deputy Director; Recreation, Lands, and Minerals; Rocky Mountain Regional Office, U.S. Forest Service, at 303-275-5470. Individuals using telecommunication devices for the deaf may call the Federal Information Relay Services at 1-800-877-8339 between 8 a.m. and 8 p.m. Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: On January 20, 2017, the Assistant to the President and Chief of Staff (“Chief of Staff”) issued a memorandum, published in the **Federal Register** on January 24, 2017 (82 FR 8346), outlining the President’s plan for managing the Federal regulatory process at the outset of the new Administration. In implementation of one of the measures directed by that memorandum, the United States Department of Agriculture (“USDA”) hereby temporarily postpones the effective date of its final rule titled, “Roadless Area Conservation; National Forest System Lands in Colorado,” that was published in the **Federal Register** at 81 FR 91811 on December 19, 2016, reinstating the North Fork Coal Mining Area exception to the Colorado Roadless Rule.

The Colorado Roadless Rule is a State-specific rule that establishes management direction for the conservation of roadless area values and characteristics across approximately 4.2 million acres of land located within the State of Colorado in Roadless Areas on National Forest System (NFS) lands. The North Fork Coal Mining Area exception to the Colorado Roadless Rule provides for the construction of temporary roads, if needed, for coal exploration and coal-related surface activities in the 19,700-acre area defined as the North Fork Coal Mining Area. In addition, the final rule makes an administrative correction to Colorado Roadless Area boundaries associated with the North Fork Coal Mining Area based on updated information. The correction adds an additional 200 acres to the roadless area. These boundary corrections address changes identified by new road survey information. The temporary 60-day delay in effective date is necessary to give USDA officials the opportunity for further review and consideration of new regulations,

consistent with the Chief of Staff’s memorandum of January 20, 2017.

To the extent that 5 U.S.C. 553(b)(A) applies to this action, it is exempt from notice and comment for good cause and the reasons cited above. USDA finds that notice and solicitation of comment regarding the brief extension of the effective date for the final regulation are impracticable, unnecessary, and contrary to the public interest pursuant to 5 U.S.C. 553(b)(B). USDA believes that affected entities need to be informed as soon as possible of the extension and its length in order to plan and adjust their implementation process accordingly.

Dated: February 2, 2017.

Daniel J. Jiron,

Acting Deputy Under Secretary, Natural Resources and Environment.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3160

[17X.LLWO300000.L13100000.PP0000]

RIN 1004-AE37

Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Onshore Oil and Gas Order Number 1, Approval of Operations

AGENCY: Bureau of Land Management, Interior.

ACTION: Final order; delay of effective and implementation dates.

SUMMARY: In accordance with a January 20, 2017, Memorandum for the Heads of Executive Departments and Agencies (memorandum) from the White House, the Bureau of Land Management (BLM) is delaying the effective date of a rule published on January 10, 2017.

DATES: The effective date of the rule that published on January 10, 2017, at 82 FR 2906, is delayed from February 9, 2017, to March 21, 2017. In addition, the implementation date is delayed from March 13, 2017 to April 20, 2017.

FOR FURTHER INFORMATION CONTACT: Steven Wells, Division Chief, Fluid Minerals Division, 202-912-7143 for information regarding the substance of the final Order or information about the BLM’s Fluid Minerals Program. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 1-800-877-8339 to contact the above individual during normal business hours. The Service is

available 24 hours a day, 7 days a week to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: On July 29, 2016, the BLM published for public review and comment a proposed rule to update the filing requirements of Onshore Oil and Gas Order Number 1 (Onshore Order 1), requiring the electronic filing (e-filing) of all Applications for Permit to Drill (APDs) and Notices of Staking (NOSs). The comment period closed on August 28, 2016. Five comments were received; three were substantive, resulting in changes to the final rule; two were non-substantive and considered outside the scope of the proposed rule.

On January 10, 2017, the BLM published a notice at 82 FR 2906 of the final Order to revise Onshore Order 1 to require e-filing of all APDs and NOSs. Per that notice, the final Order is currently scheduled to take effect on February 9, 2017.

Previously, Onshore Order 1 stated that an “operator must file an APD or any other required documents in the BLM Field Office having jurisdiction over the lands described in the application,” but allowed for e-filing of such documents as an alternative. The revision to Onshore Order 1 makes e-filing the required method of submission, subject to limited exceptions. The BLM made this change to improve the efficiency and transparency of the APD and NOS processes.

On January 20, 2017, the White House issued a memorandum instructing Federal agencies to temporarily postpone the effective date of certain regulations for 60 days after January 20, 2017, to ensure the President’s appointees or designees have the opportunity to review any new or pending regulations. Section 3 of the memorandum states, “With respect to regulations that have been published in the OFR [Office of the Federal Register] but have not taken effect, as permitted by applicable law, temporarily postpone their effective date for 60 days from the date of this memorandum, . . . for the purpose of reviewing questions of fact, law, and policy they raise.” The memorandum goes on to state in Section 3(a) that following the delay in effective date, “for those regulations that raise no substantial questions of law or policy, no further action needs to be taken.” The BLM is, therefore, delaying the effective date of the rule by 60 days, from the date of the memorandum, to March 21, 2017.

Sections III.A, III.C, and III.E of the final Order include an implementation

date for certain provisions to begin 30 days after the effective date of the Order. The implementation date of these provisions is now April 20, 2017.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A). Alternatively, our implementation of this action without opportunity for public comment, effective immediately upon publication in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and 553(d)(3). Pursuant to 5 U.S.C. 553(b)(B), we have determined that good cause exists to forego the requirement to provide prior notice and an opportunity for public comment thereon for this rule as such procedures would be impracticable, unnecessary and contrary to the public interest. We are temporarily postponing for 60 days the effective date of this regulation pursuant to the previously-noted memorandum of the Chief of Staff. As a result, seeking public comment on this delay is unnecessary and contrary to the public interest. For these same reasons we find good cause to waive the 30-day delay in effective date provided for in 5 U.S.C. 553(d).

Authority: 43 CFR part 3160.

Richard T. Cardinale,
Acting Assistant Secretary, Land and Minerals Management.

For reasons set out in the preamble, the Bureau of Land Management amends the appendix following the regulatory text of the final rule published in the **Federal Register** at 72 FR 10308 at 10328 (March 7, 2007), corrected on March 9, 2007 (72 FR 10608), effective March 7, 2007, and revised on January 10, 2017 (82 FR 2906), as follows:

Note: This appendix does not appear in the BLM regulations in 43 CFR part 3160.

Appendix—Text of Oil and Gas Onshore Order

Amend Onshore Oil and Gas Order Number 1 sections III.A, III.C, and III.E by replacing “March 13, 2017,” with “April 20, 2017,” at each place it occurs.

[FR Doc. 2017-02711 Filed 2-8-17; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 223

[Docket No. 150211138-7024-02]

RIN 0648-XD771

Endangered and Threatened Wildlife and Plants; Final Rule To List Two Guitarfishes as Threatened Under the Endangered Species Act

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

ACTION: Final rule; delay of effective date.

SUMMARY: In accordance with the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” published in the **Federal Register** on January 24, 2017 (the Memorandum), this action delays the final rule NMFS published on January 19, 2017.

DATES: Effective February 9, 2017, the effective date of the final rule amending 50 CFR part 223, that published on January 19, 2017, at 82 FR 6309, is delayed until March 21, 2017.

FOR FURTHER INFORMATION CONTACT: Marta Nammack, NMFS, Office of Protected Resources (OPR), (301) 427-8403.

SUPPLEMENTARY INFORMATION: On January 19, 2017, NMFS published the final rule to list two foreign marine guitarfish species under the Endangered Species Act (ESA). We considered comments submitted on the proposed listing rule and have determined that the blackchin guitarfish (*Rhinobatos cemiculus*) and common guitarfish (*Rhinobatos rhinobatos*) warrant listing as threatened species. We will not designate critical habitat for either of these species because the geographical areas occupied by these species are entirely outside U.S. jurisdiction, and we have not identified any unoccupied areas within U.S. jurisdiction that are currently essential to the conservation of either of these species.

On January 20, 2017, the White House issued a memorandum instructing Federal agencies to temporarily postpone the effective date for 60 days after January 20, 2017, of any regulations or guidance documents that have published in the **Federal Register** but not yet taken effect, for the purpose of “reviewing questions of fact, law, and

policy they raise.” In accordance with this memorandum, this action delays the final rule NMFS published on January 19, 2017, at 82 FR 6309, until March 21, 2017.

List of Subjects in 50 CFR Part 223

Endangered and threatened species, Exports, Imports, Transportation.

Dated: February 3, 2017.

Alan D. Risenhoover,
Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2017-02609 Filed 2-8-17; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 150916863-6211-02]

RIN 0648-XF209

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands

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

ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is reallocating the projected unused amounts of the Community Development Quota pollock directed fishing allowance from the Aleutian Islands subarea to the Bering Sea subarea. This action is necessary to provide opportunity for harvest of the 2017 total allowable catch of pollock, consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 9, 2017 until the effective date of the final 2017 and 2018 harvest specifications for Bering Sea and Aleutian Islands (BSAI) groundfish, unless otherwise modified or superseded through publication of a notification in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council (Council)