

FOR FURTHER INFORMATION CONTACT: Ben Laws, 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).

Summary of Request

On September 2, 2016, we received an adequate and complete request from SCWA for authorization to take marine mammals incidental to estuary management activities. On December 30, 2016 (81 FR 96415), we published a notice of proposed rulemaking in the **Federal Register**, requesting comments and information related to the SCWA request for 30 days. The final rule was published in the **Federal Register** on March 15, 2017 (82 FR 13765). For detailed information on this action, please refer to those documents. The

regulations include mitigation, monitoring, and reporting requirements for the incidental take of marine mammals during estuary management activities in Sonoma County, California.

The specified activity involves management of the estuary to prevent flooding while preventing adverse modification to critical habitat for Endangered Species Act-listed salmonids. During the lagoon management period (May 15–October 15), this involves construction and maintenance of a lagoon outlet channel that would facilitate formation of a perched lagoon. A perched lagoon, which is an estuary closed to tidal influence in which water surface elevation is above mean high tide, would reduce flooding while maintaining beneficial conditions for juvenile salmonids. Additional breaches of the barrier beach may be conducted for the sole purpose of reducing flood risk.

There are three components to SCWA’s ongoing estuary management activities: (1) Lagoon outlet channel management, during the lagoon management period only, required to accomplish the dual purposes of flood risk abatement and maintenance of juvenile salmonid habitat; (2) traditional artificial breaching, with the sole objective of flood risk abatement; and (3) physical and biological monitoring in and near the estuary, required to understand response to water surface elevation management in the estuary-lagoon system. SCWA is authorized to take individuals of three species by Level B harassment only. No takes by Level A harassment, serious injury, or mortality are anticipated.

Authorization

We have issued a LOA to SCWA authorizing the take of marine mammals incidental to estuary management activities, as described above. Take of marine mammals will be minimized through implementation of mitigation measures designed to eliminate startling reactions that may result in stampedes or extended mother-pup separation, to further reduce the possibility of impacts to pups by eliminating or altering management activities on the beach when pups are present, and by setting limits on the frequency and duration of events during pupping season (March 15–June 30). Additionally, the rule includes an adaptive management component that allows for timely modification of mitigation or monitoring measures based on new information, when appropriate. The SCWA will submit reports as required.

Based on these findings and the information discussed in the preamble to the final rule, the activities described under this LOA will have a negligible impact on marine mammal stocks and will not have an unmitigable adverse impact on the availability of the affected marine mammal stock for subsistence uses.

Dated: May 10, 2017.

Donna S. Wieting,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XF426

North Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meetings.

SUMMARY: The North Pacific Fishery Management Council (Council) and its advisory committees will meet June 5, 2017 through June 13, 2017.

DATES: The Council will begin its plenary session at 8 a.m. in Ballroom 1, Centennial Hall Convention Center on Wednesday, June 7, continuing through Tuesday, June 13, 2017. The Scientific and Statistical Committee (SSC) will begin at 8 a.m. in Ballroom 2 on Monday, June 5 and continue through Wednesday, June 7, 2017. The Council’s Advisory Panel (AP) will begin at 8 a.m. in Ballroom 3 Tuesday, June 6, and continue through Saturday, June 10, 2017. The Enforcement Committee will meet in the Egan Room, June 6 from 1 p.m. to 4 p.m. The Legislative Committee will meet in the Egan Room (time and date to be determined).

ADDRESSES: The meeting will be held at the Centennial Hall Convention Center, 101 Egan Drive, Juneau, AK 99801.

Council address: North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252; telephone: (907) 271-2809.

FOR FURTHER INFORMATION CONTACT: David Witherell, Council staff; telephone: (907) 271-2809.

SUPPLEMENTARY INFORMATION:

Agenda

Monday, June 5, 2017 Through Tuesday, June 13, 2017

Council and AP Plenary Session: The agenda for the Council's plenary session will include the following issues, as well as an executive session. The Council may take appropriate action on any of the issues identified.

- (1) Executive Director's Report
- (2) NMFS Management Report (including reports on Best Scientific Information Available and Stock Assessment Improvement Plan, EFH Consultation report)
- (3) NOAA Enforcement Report (including review of draft OLE National Priorities)
- (4) ADF&G Report
- (5) USCG Report
- (6) USFWS Report
- (7) IPHC Report
- (8) 2016 Observer Annual Report and OAC Report
- (9) Lead Level 2 Observers
- (10) Area 4 Halibut IFQ Leasing
- (11) BSAI yellowfin Sole TLAS Fishery Limited Entry
- (12) Halibut Abundance-based PSC Limits; Candidate Performance Metrics
- (13) Squid to Ecosystem Component Category
- (14) BSAI Crab Harvest Specifications for 3 Stocks and PT Report
- (15) Five-Year Research Priorities
- (16) AFA and Non-AFA Small Sideboard Elimination
- (17) GOA Crab Habitat Conservation Measures
- (18) Allocation Review Triggers

The SSC agenda will include the following issues:

- (1) Observer Annual Report
- (2) BSAI Crab Specifications
- (3) Halibut ABM Performance Metrics
- (4) Social Science Planning Team TOR: Reports on Best Scientific Information Available and Stock Assessment Improvement Plan
- (5) Five-Year Research Priorities

In addition to providing ongoing scientific advice for fishery management decisions, the SSC functions as the Councils primary peer review panel for scientific information as described by the Magnuson-Stevens Act section 302(g)(1)(e), and the National Standard 2 guidelines (78 FR 43066). The peer review process is also deemed to satisfy the requirements of the Information Quality Act, including the OMB Peer Review Bulletin guidelines.

The Agenda is subject to change, and the latest version will be posted at <http://www.npfmc.org/>.

Although other non-emergency issues not on the agenda may come before the

Council for discussion, those issues may not be the subject of formal action during these meetings. Actions will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shannon Gleason at (907) 271-2809 at least 7 working days prior to the meeting date.

Dated: May 10, 2017.

Tracey L. Thompson,

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

[FR Doc. 2017-09750 Filed 5-12-17; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XF422

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Scientific & Statistical Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Thursday, May 25, 2017 beginning at 10 a.m.

ADDRESSES: The meeting will be held at the Hilton Garden Inn, Boston Logan, 100 Boardman Street, Boston, MA 02128; phone: (617) 567-6789.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:**Agenda**

The Committee will receive updates on the Council's progress on developing Ecosystem-based Fishery Management (EBFM), and provide comments to the Council on the Council's draft 5-year research recommendations, and the NMFS draft Stock Assessment Improvement Program. Depending on progress, the Committee also will receive an update on the development of terms of reference for operational stock assessments for which assessment models are not feasible. Other business will be discussed as needed.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: May 10, 2017.

Tracey L. Thompson,

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

[FR Doc. 2017-09748 Filed 5-12-17; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XF427

Western Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting and hearing.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold a meeting of its American Samoa