

regulatory flexibility analysis unless the agency certifies that the rule will not, once implemented, have a significant economic impact on a substantial number of small entities. The proposed rule would extend the delayed effectiveness period for the second criterion in each of the Part 800 and Part 802 Rules without making any change to the two-criteria conjunctive test in either the definition of excepted foreign state or excepted real estate foreign state. The proposed rule therefore would not change the circumstances of any investor. Both before and after the proposed rule's effectiveness, any investor with sufficiently close ties to an eligible foreign state may be excepted from certain aspects of CFIUS's jurisdiction, including if engaging in a transaction with a small business. Such exception would be expected to lessen the burden on any such small business. The proposed rule therefore would not impose any additional burden on potential filers, including small businesses. Considering the foregoing, the Secretary of the Treasury certifies, pursuant to 5 U.S.C. 605(b), that this proposed rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects

31 CFR Part 800

Foreign investments in the United States, Investments.

31 CFR Part 802

Investments, Real estate transactions in the United States.

For the reasons set forth in the preamble, the Treasury Department proposes to amend 31 CFR parts 800 and 802 as follows:

PART 800—REGULATIONS PERTAINING TO CERTAIN INVESTMENTS IN THE UNITED STATES BY FOREIGN PERSONS

- 1. The authority citation for part 800 continues to read:

Authority: 50 U.S.C. 4565; E.O. 11858, as amended, 73 FR 4677.

Subpart B—Definitions

§ 800.218 [Amended]

- 2. Amend § 800.218 introductory text by removing the year “2022” wherever it appears and adding in its place “2023”.

PART 802—REGULATIONS PERTAINING TO CERTAIN TRANSACTIONS BY FOREIGN PERSONS INVOLVING REAL ESTATE IN THE UNITED STATES

- 3. The authority citation for part 802 continues to read:

Authority: 50 U.S.C. 4565; E.O. 11858, as amended, 73 FR 4677.

Subpart B—Definitions

§ 802.214 [Amended]

- 4. Amend § 802.214 introductory text by removing the year “2022” wherever it appears and adding in its place “2023”.

Larry McDonald,

Acting Assistant Secretary for International Markets.

[FR Doc. 2021-24597 Filed 11-10-21; 4:15 pm]

BILLING CODE 4810-25-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2021-0808]

RIN 1625-AA08

Safety Zone; Tchefuncte River, Madisonville, LA; Correction

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: The Coast Guard published a notice of proposed rulemaking (NPRM) in the *Federal Register* on November 10, 2021, titled “Safety Zone; Tchefuncte River, Madisonville, LA.” The document contained incorrect public comment period which closes after the date of the event. The comment period should have been 15 instead of 30 days. **DATES:** The NPRM published on November 10, 2021, at 86 FR 62500, is corrected as of November 15, 2021.

ADDRESSES: You may submit comments identified by docket number USCG-2021-0808 using the Federal Decision Making Portal at <https://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section in the NPRM published on November 10, 2021, at 86 FR 62500, for further instructions on submitting comments. **FOR FURTHER INFORMATION CONTACT:** If you have questions about this

document, call or email Lieutenant Commander William A. Stewart, Waterways Management Division Chief, U.S. Coast Guard; telephone 504-365-2246, email William.A.Stewart@uscg.mil.

SUPPLEMENTARY INFORMATION: The document published on November 10, 2021, at 86 FR 62500, contains an incorrect public comment period end date which closes on December 10, 2021, after the date of the event. The comment period should have been 15 instead of 30 days with an end date of November 22, 2021.

Correction

In the *Federal Register* of November 10, 2021, in FR Doc. 2021-24588, beginning on page 62500, the following corrections are made:

1. On page 62500, in the third column, in the **DATES** section, remove the text, “December 10, 2021” and add in its place the text “November 22, 2021”.

Dated: November 10, 2021.

M.T. Cunningham,

Chief, Office of Regulations and Administrative Law.

[FR Doc. 2021-24946 Filed 11-12-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R4-ES-2018-0035; FXES11130400000-212-FF04E00000]

RIN 1018-BB98

Endangered and Threatened Wildlife and Plants; Replacement of the Regulations for the Nonessential Experimental Population of Red Wolves in Northeastern North Carolina

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; withdrawal.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), withdraw the proposed rule to replace the existing regulations governing the North Carolina nonessential experimental population designation of the red wolf (*Canis rufus*) under section 10(j) of the Endangered Species Act (Act), as amended. Based on recent court decisions involving the North Carolina nonessential experimental population designation of the red wolf (NC NEP), having considered the public comments submitted in response to the proposed

rule, and upon further consideration of the proposal, we have determined that withdrawing the proposed rule is the best course of action at this time. The NC NEP will be managed under the provisions of the existing regulations and as informed by relevant court orders.

DATES: The U.S. Fish and Wildlife Service is withdrawing the proposed rule published on June 28, 2018 (83 FR 30382), as of November 15, 2021.

ADDRESSES: This withdrawal of the proposed rule and supporting documents are available on the internet at <https://www.regulations.gov> at Docket No. FWS-R4-ES-2018-0035.

FOR FURTHER INFORMATION CONTACT: Pete Benjamin, Field Supervisor, U.S. Fish and Wildlife Service, Raleigh Ecological Services Field Office, 551F Pylon Drive, Raleigh, NC 27606; telephone 919-856-4520; or facsimile 919-856-4556. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Previous Federal Actions

Please refer to our June 28, 2018, proposed rule (83 FR 30382) for a detailed description of previous Federal actions concerning the red wolf.

Service Actions

On April 24, 2018, the Service completed a species status assessment (SSA) and 5-year status review for the red wolf. The SSA represents a compilation of the best scientific and commercial data available concerning the status of the species, including the impacts of past, present, and future factors (both negative and beneficial) affecting the red wolf. The SSA can be found on the Southeast Region website at <https://www.fws.gov/southeast/wildlife/mammals/red-wolf/> and at <https://www.regulations.gov> under Docket No. FWS-R4-ES-2018-0035. In the 5-year status review, we determined that the species continues to meet the definition of an endangered species, as defined under section 3 of the Act (16 U.S.C. 1531 *et seq.*), and did not recommend a change in status. The 5-year review is available at https://ecos.fws.gov/docs/five_year_review/doc5714.pdf.

On June 28, 2018, we published in the **Federal Register** (83 FR 30382) a proposed rule to replace the existing regulations governing the NC NEP, which were codified in 1995 (see 60 FR 18940; April 13, 1995), in title 50 of the Code of Federal Regulations (CFR) at § 17.84(c) (50 CFR 17.84(c)). In the June

28, 2018, proposed rule, we made available a draft environmental assessment for the proposed regulations, and we opened a 30-day comment period, which ended July 30, 2018. On July 10, 2018, we held a public information session and public hearing on the proposed rule and draft environmental assessment. On August 13, 2018, we published in the **Federal Register** (83 FR 39979) a document reopening the proposed rule's comment period for another 15 days to allow the public an additional opportunity to review and comment on the proposed rule and draft environmental assessment.

Legal Actions

On November 12, 2015, Southern Environmental Law Center, on behalf of Red Wolf Coalition, Defenders of Wildlife, and the Animal Welfare Institute (plaintiffs), filed a complaint challenging the Service's management of the NC NEP, alleging, in part, that we violated section 9 of the Act by authorizing take of red wolves by private landowners without satisfying the requirements of 50 CFR 17.84(c)(4)(v). On September 28, 2016, the U.S. District Court for the Eastern District of North Carolina (Court) issued a preliminary injunction prohibiting the take of red wolves either directly or by landowner authorization, pursuant to 50 CFR 17.84(c)(4)(v) and (c)(10), without first demonstrating that the red wolf is a threat to human safety or the safety of livestock (see *Red Wolf Coal v. United States Fish & Wildlife Serv.*, 210 F. Supp. 3d 796 (E.D.N.C. 2016)). On November 4, 2018, the Court permanently enjoined the Service from taking red wolves either directly or by landowner authorization, pursuant to 50 CFR 17.84(c)(4)(v) and (c)(10) without first demonstrating that such red wolves are a threat to human safety or the safety of livestock or pets (see *Red Wolf Coal v. United States Fish & Wildlife Serv.*, 346 F. Supp. 3d 802 (E.D.N.C. 2018)). At that time, we announced that we would evaluate the implications of the Court's decision on the June 28, 2018, proposed rule.

On November 16, 2020, plaintiffs filed a complaint against the Service alleging violations of the Act and of the Administrative Procedure Act (APA; 5 U.S.C. 551 *et seq.*) in connection with management of the NC NEP. Specifically, they alleged that the Service interpreted its existing regulations at 50 CFR 17.84(c) as prohibiting additional releases of captive red wolves into the NC NEP and prohibiting implementation of the Red Wolf Adaptive Management Work Plan

(RWAMWP) and that this interpretation constituted a new policy that was adopted in contravention of the Act and the APA. Shortly after filing the suit, plaintiffs filed a motion for preliminary injunction to require the Service to release red wolves from captivity and reinstate the use of the RWAMWP. On January 22, 2021, the Court granted plaintiffs' motion for preliminary injunction determining that plaintiffs were likely to succeed on the merits of their claims that the Service adopted a policy preventing the Service from releasing captive red wolves into the NC NEP in violation of the Act and the APA. The Court's injunction barred the Service from effecting this policy and ordered the Service to develop a plan to release red wolves into the NC NEP and submit the plan to the Court by March 1, 2021 (see *Red Wolf Coalition v. U.S. Fish and Wildlife Service* (No. 2:20-CV-75-BO) (January 22, 2021)). On March 1, 2021, the Service filed with the Court our plan to release red wolves into the NC NEP. On April 14, 2021, the Court issued an order directing the Service to immediately implement that release plan.

Background

On April 13, 1995, we published in the **Federal Register** (60 FR 18940) a final rule amending the regulations at 50 CFR 17.84(c) for the nonessential experimental populations of red wolves in North Carolina and Tennessee. Since that time, the NC NEP has been managed under the regulations set forth in the April 13, 1995, final rule at 50 CFR 17.84(c). On June 28, 2018, we published in the **Federal Register** (83 FR 30382) a proposed rule to replace those existing regulations. The purpose of the proposed rule was to incorporate the most recent science and lessons learned related to the management of red wolves to further the conservation of the species. We proposed to establish a more manageable wild population that would allow for more resources to support the captive population component of the red wolf program (which is the genetic fail safe for the species), serve the future needs of new reintroduction efforts, retain the influences of natural selection on the species, eliminate regulatory burden on private landowners, and provide a population for continued scientific research on wild red wolf behavior and population management.

The June 28, 2018, rule proposed to:

- Establish an NC NEP management area to include Alligator River National Wildlife Refuge (NWR) and the Dare County Bombing Range. A small group (*i.e.*, one or two packs likely consisting

of fewer than 15 animals) of red wolves would be maintained in the NC NEP management area and actively managed under the RWAMWP.

- Specify that the primary role of the NC NEP would be to provide a source of red wolves that are raised in, and adapted to, natural conditions for the purpose of facilitating future reintroductions.
- Not prohibit take of red wolves on private lands and non-Federal public lands outside of the NC NEP management area.

Withdrawal of Proposed Rule

During the two comment periods on the June 28, 2018, proposed rule, we received more than 16,000 public comments. Of those, more than 99 percent of the comments opposed the proposed rule and recommended greater conservation efforts for red wolves in the NC NEP. In general, commenters were concerned about the reduction in the size of the NEP area and lack of take prohibitions on private and non-Federal lands outside the NC NEP management area; many commenters asserted that the proposed rule did not further the conservation of the red wolf. Additionally, many commenters recommended that the rule include measures for improving working relationships with private landowners and other stakeholders, and foster increased tolerance of red wolves on private lands.

After fully considering the recent court decisions involving the NC NEP discussed above under *Legal Actions* and concerns raised in the comments we received in response to the June 28, 2018, proposed rule, we are withdrawing the June 28, 2018, proposed rule. We will manage the NC NEP under the existing regulations at 50 CFR 17.84(c), as informed by relevant court orders, which include authority to release captive red wolves and conduct adaptive management. The NC NEP will continue to encompass the five counties of the Albemarle Peninsula in North Carolina (Beaufort, Dare, Hyde, Tyrrell, and Washington Counties). Furthermore, the Service currently has a permit from the North Carolina Wildlife Resources Commission (which regulates take of coyotes) authorizing the Service to conduct coyote sterilization on Federal lands and non-Federal lands with the written consent of the landowner within the five-county NC NEP.

Authorized take will be limited to protection of oneself or others from potential harm, protection of livestock or pets in immediate danger, and unintentional take. Otherwise, take

prohibitions under section 9 of the Act will be enforced. While we remain concerned that the existing regulations at 50 CFR 17.84(c) may not provide some private landowners and stakeholders with the management flexibility sufficient to improve tolerance of red wolves, we continue to work with stakeholders to identify ways to foster more effective coexistence between people and wolves. For example, the Service has implemented a new project under its Partners for Fish and Wildlife Program, Prey for the Pack, which is intended to improve these relationships and create a more supportive environment for conservation of red wolves. Through this program, the Service works with willing private landowners within the NC NEP to provide funding and technical assistance to restore and enhance habitat on private lands to benefit red wolf prey species (e.g., white-tailed deer, rabbits) in exchange for landowner willingness to tolerate red wolf use of their property and to provide the Service access to conduct red wolf management activities. We will continue to work with our partners and stakeholders to establish the support necessary for red wolf conservation.

Authors

The primary authors of this rule are the staff members of the Service's South Atlantic-Gulf Interior Region.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Martha Williams,

Principal Deputy Director, Exercising the Delegated Authority of the Director, U.S. Fish and Wildlife Service.

[FR Doc. 2021-24809 Filed 11-12-21; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

RIN 0648-BK66

Pacific Island Fisheries; Amendment 6 to the Fishery Ecosystem Plan for the Mariana Archipelago; Rebuilding Plan for Guam Bottomfish

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

ACTION: Notice of availability of fishery ecosystem plan amendment; request for comments.

SUMMARY: NMFS announces that the Western Pacific Fishery Management Council (Council) proposes to amend the Fishery Ecosystem Plan for the Mariana Archipelago (FEP). If approved, Amendment 6 would establish a rebuilding plan for the Guam bottomfish stock complex. The Council recommended Amendment 6 to rebuild the Guam bottomfish stock, which is overfished.

DATES: NMFS must receive comments on Amendment 6 by January 14, 2022.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2021-0104, by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov> and enter NOAA-NMFS-2021-0104 in the Search box, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- *Mail:* Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

Instructions: NMFS may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. All comments received are a part of the public record, and NMFS will generally post them for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

Amendment 6 includes a draft environmental assessment (EA) that analyzes the potential impacts of the proposed action and alternatives considered. Copies of Amendment 6, including the draft EA and Regulatory Impact Review (RIR), and other supporting documents are available at www.regulations.gov or the Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226, www.wpcouncil.org.

FOR FURTHER INFORMATION CONTACT: Kate Taylor, Sustainable Fisheries, NMFS PIR, 808-725-5182.

SUPPLEMENTARY INFORMATION: NMFS and the Council manage the Guam