

Alternative B, the Service's selected alternative to implement, establishes a uniform process for when and how an operator must obtain an "operations permit" and ensures that all new operations on the NWRS are conducted under a suite of performance-based standards for avoiding or minimizing impacts to refuge resources or visitor uses. Alternative B also ensures that all operators on the NWRS successfully reclaim their area of operations once operations end. Under Alternative B, operations in Alaska would continue to be governed by title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh–410hh–5, 16 U.S.C. 3101 *et seq.*, 43 U.S.C. 1601 *et seq.*), and the Department's implementing regulations and standards found at 43 CFR part 36.

Alternative C includes all the proposed changes in Alternative B, with these additions: Service jurisdiction would expand to regulate non-Federal oil and gas operations that occur on private surface within the boundary of a refuge (*i.e.*, inholdings) and to operations on non-Federal surface locations that use directional drilling to access non-Federal oil and gas underneath the surface of a refuge; and performance-based standards and the permitting process would expand to actively regulate downhole operations such as well cementing, well casing, and well integrity testing.

#### Decision

The Service has determined that Alternative B, the agency-preferred alternative, best meets the agency's purpose and needs for revising regulations governing non-Federal oil and gas activities on the NWRS, because it most appropriately balances protection for refuge resources and uses with the administrative and cost burden imposed on both the regulated community and the Service. Therefore, it is the Service's decision to implement Alternative B, and make final the rule defined by that alternative for managing non-Federal oil and gas activities on the NWRS. This decision is based on the information contained in the final EIS. The ROD was prepared pursuant to the requirements of the Council on Environmental Quality regulations for implementing NEPA at 40 CFR parts 1500–1508 and the Department of the Interior's implementing regulations.

#### Authority

We issue this document under the authority of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*) and the Department of the Interior regulations that implement NEPA (part

46 of title 43 of the Code of Federal Regulations) and the National Wildlife Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act (16 U.S.C. 668dd *et seq.*).

Dated: October 5, 2016

**Michael J. Bean,**

*Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

RIN 0648–BD22

#### Atlantic Highly Migratory Species; Atlantic Shark Management Measures; Draft Amendment 5b

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

**ACTION:** Notice of change of public hearing location.

**SUMMARY:** On October 18, 2016, NMFS published a proposed rule for Amendment 5b to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) based on the results of the 2016 stock assessment update for Atlantic dusky sharks. Based on the assessment update, NMFS determined that the stock remains overfished and is experiencing overfishing. As described in the proposed rule, NMFS proposed management measures that would reduce fishing mortality on dusky sharks and rebuild the dusky shark population, consistent with legal requirements. The proposed rule included times and locations of several public hearings. This notice announces that we are changing the location of the Florida public hearing.

**DATES:** NMFS will hold six public hearings on Draft Amendment 5b as announced in the October 18, 2016 proposed rule, except the November 21, 2016 meeting location has changed from Melbourne, Florida, to Satellite Beach, Florida. Written comments on the October 18, 2016 proposed rule for Amendment 5b will be accepted until December 22, 2016. See **SUPPLEMENTARY INFORMATION** for the revised Florida meeting location. See **SUPPLEMENTARY INFORMATION** in the Amendment 5b proposed rule (October 18, 2016, 81 FR

71672) for the other public hearings, conference calls, and an HMS Advisory Panel meeting dates, times, and locations.

**ADDRESSES:** NMFS will hold a public hearing on the proposed rule for Amendment 5b to the 2006 Consolidated HMS FMP (October 18, 2016, 81 FR 71672) in Satellite Beach, FL. For specific location, date and time see the **SUPPLEMENTARY INFORMATION** section of this document.

Copies of the supporting documents—including the draft environmental impact statement (DEIS), Regulatory Impact Review (RIR), Initial Regulatory Flexibility Analysis (IRFA), and the 2006 Consolidated Atlantic HMS FMP are available from the HMS Web site at <http://www.nmfs.noaa.gov/sfa/hms/> or by contacting Tobey Curtis at 978–281–9273.

**FOR FURTHER INFORMATION CONTACT:** Tobey Curtis at 978–281–9273 or Karyl Brewster-Geisz at 301–427–8503.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 18, 2016, NMFS published a proposed rule (81 FR 71672) for Draft Amendment 5b to the 2006 Consolidated HMS FMP based on the results of the 2016 stock assessment update for Atlantic dusky sharks. Based on this assessment, NMFS determined that the dusky shark stock remains overfished and is experiencing overfishing and in the Draft Amendment proposed management measures that would reduce fishing mortality on dusky sharks and rebuild the dusky shark population consistent with legal requirements. The comment period for the proposed rule closes December 22, 2016, and any comments received during the comment period will be considered in the development of Final Amendment 5b to the 2006 Consolidated HMS FMP.

##### Request for Comments

As announced in the proposed rule, NMFS will hold six public hearings (in New Jersey, Rhode Island, Louisiana, Texas, Florida, and North Carolina) to provide the opportunity for public comment on the proposed measures. NMFS will also hold one public conference call/webinar to provide individuals an opportunity to submit public comment if they are unable to attend a public hearing. Due to a scheduling conflict at the Melbourne Public Library, the location of the Florida public hearing announced in the proposed rule has changed. The public hearing will now be held in Satellite Beach, FL; the date and time have not

changed (Table 1). None of the other public hearing locations have changed.

TABLE 1—DATE, TIME AND LOCATION OF RESCHEDULED PUBLIC HEARING

Venue	Date/Time	Meeting locations	Location contact information
Public Hearing .....	November 21, 2016, 5 p.m.–8 p.m..	Satellite Beach, FL .....	Satellite Beach Public Library, 751 Jamaica Blvd., Satellite Beach, FL 32937.

The public is reminded that NMFS expects participants at the public hearing to conduct themselves appropriately. At the beginning of each public hearing, a representative of NMFS will explain the ground rules (e.g., alcohol is prohibited from the hearing room; attendees will be called to give their comments in the order in which they registered to speak; each attendee will have an equal amount of

time to speak; and attendees should not interrupt one another). The NMFS representative will attempt to structure the meeting so that all attending members of the public will be able to comment, if they choose, regardless of the controversial nature of the subject(s). Attendees are expected to respect the ground rules, and, if they do not, they may be asked to leave the hearing or conference call.

**Authority:** 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

Dated: November 8, 2016.

**Jennifer M. Wallace,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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