

**ADDRESSES:** The meeting will be held at the Courtyard Marriott, Boston Logan, 225 McClellan Highway, Boston, MA 02128; phone: (617) 561-0971.

*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 SSC Committee will review information provided by the Council's Groundfish Plan Development Team (PDT) and recommend the overfishing levels (OFLs) and acceptable biological catches (ABCs) for witch flounder for fishing years 2017 and 2018. They will receive a presentation on the revisions to the Magnuson Stevens Fishery Management and Conservation Act (MSA) National Standard 1 guidelines. Also on the agenda will be an update from the Council staff on the Council's efforts to develop a worked example of an Ecosystem-Based Fishery Management approach to fisheries management for Georges Bank. 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 this meeting. 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: December 23, 2016.

**Tracey L. Thompson,**

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

[FR Doc. 2016-31612 Filed 12-28-16; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration.**

**RIN 0648-XE477**

**SAW-SARC 63 Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** NMFS and the Northeast Regional Stock Assessment Workshop (SAW) will convene the 63rd SAW Stock Assessment Review Committee for the purpose of reviewing the stock assessment of Ocean Quahog. The Northeast Regional SAW is a formal scientific peer-review process for evaluating and presenting stock

assessment results to managers for fish stocks in the offshore U.S. waters of the northwest Atlantic. Assessments are prepared by SAW working groups and reviewed by an independent panel of stock assessment experts called the Stock Assessment Review Committee, or SARC. The public is invited to attend the presentations and discussions between the review panel and the scientists who have participated in the stock assessment process.

**DATES:** The public portion of the Stock Assessment Review Committee Meeting will be held from February 21, 2017–February 23, 2017. The meeting will commence on February 21, 2017 at 10 a.m. Eastern Standard Time. Please see **SUPPLEMENTARY INFORMATION** for the daily meeting agenda.

**ADDRESSES:** The meeting will be held in the S.H. Clark Conference Room in the Aquarium Building of the National Marine Fisheries Service, Northeast Fisheries Science Center (NEFSC), 166 Water Street, Woods Hole, MA 02543.

**FOR FURTHER INFORMATION CONTACT:** Sheena Steiner, 508-495-2177; email: [sheena.steiner@noaa.gov](mailto:sheena.steiner@noaa.gov); or, James Weinberg, 508-495-2352; email: [james.weinberg@noaa.gov](mailto:james.weinberg@noaa.gov).

**SUPPLEMENTARY INFORMATION:** For further information, please visit the NEFSC Web site at <http://www.nefsc.noaa.gov>. For additional information about the SARC meeting and the stock assessment review of Ocean Quahog, please visit the NMFS/NEFSC SAW Web page at <http://www.nefsc.noaa.gov/saw/>.

**DAILY MEETING AGENDA—SAW/SARC 63 BENCHMARK STOCK ASSESSMENT FOR OCEAN QUAHOG**

[Subject to change; all times are approximate and may be changed at the discretion of the SARC Chair]

Tuesday, February 21, 2017:		
10 a.m.–10:30 a.m .....	Welcome Introductions .....	James Weinberg, SAW Chair.
10:30 a.m.–12:30 p.m .....	Ocean Quahog (OQ) Assessment Presentation .....	Dan Hennen.
12:30 p.m.–1:30 p.m .....	Lunch.	
1:30 p.m.–3:30 p.m .....	OQ Presentation (cont.) .....	Dan Hennen.
3:30 p.m.–3:45 p.m .....	Break.	
3:45 p.m.–5:45 p.m .....	OQ SARC Discussion .....	Ed Houde, SARC Chair.
5:45 p.m.–6 p.m .....	Public Comment Period.	
Wednesday, February 22, 2017:		
9:00 a.m.–10:45 a.m .....	Revisit with OQ presenters .....	Ed Houde.
10:45 a.m.–11:00 a.m .....	Break.	
11:00 a.m.–11:45 a.m .....	OQ presentation (cont.) .....	Ed Houde.
11:45 a.m.–12:00 p.m .....	Public Comment.	
12:00–1:15 p.m .....	Lunch.	
1:15–4:00 p.m .....	Review/Edit Assessment Summary Report .....	Ed Houde.
4:00 p.m.–4:15 p.m .....	Break.	
4:15 p.m.–5:00 p.m .....	SARC Report Writing.	
Thursday, February 23, 2017:		
9 a.m.–5 p.m .....	SARC Report Writing.	

The meeting is open to the public; however, during the “SARC Report Writing” sessions on February 22nd and 23rd, the public should not engage in discussion with the SARC.

### Special Accommodations

This meeting is physically accessible to people with disabilities. Special requests should be directed to Sheena Steiner at the NEFSC, 508–495–2177, at least 5 days prior to the meeting date.

Dated: December 20, 2016.

**Alan D. Risenhoover,**

*Director, Office of Sustainable Fisheries,  
National Marine Fisheries Service.*

[FR Doc. 2016–31087 Filed 12–28–16; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648–XF120

### Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Trawl Rationalization Program; 2017 Cost Recovery

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

**ACTION:** Notice; 2017 cost recovery fee percentages and mothership (MS) pricing.

**SUMMARY:** This action provides participants in the Pacific coast groundfish trawl rationalization program with the 2017 fee percentages and “MS pricing” needed to calculate the required payments for trawl rationalization program cost recovery fees due in 2017. It also provides a redetermination of previous years’ fees. For calendar year 2017, NMFS announces the following fee percentages by sector: 3.0 percent for the Shorebased Individual Fishing Quota (IFQ) Program, 0 percent for the MS Coop Program, 0 percent for the Catcher/Processor (C/P) Coop Program. For 2017, the MS pricing to be used as a proxy by the C/P Coop Program is: \$0.08/lb for Pacific whiting.

**DATES:** Effective January 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Christopher Biegel, Cost Recovery Program Coordinator, (503) 231–6291, fax (503) 872–2737, email [Christopher.Biegel@NOAA.gov](mailto:Christopher.Biegel@NOAA.gov).

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires NMFS to collect fees to

recover the costs directly related to the management, data collection, and enforcement of a limited access privilege program (LAPP) (16 U.S.C. 1854(d)(2)), also called “cost recovery.” The Pacific coast groundfish trawl rationalization program is a LAPP, implemented in 2011, and consists of three sectors: The Shorebased IFQ Program, the MS Coop Program, and the C/P Coop Program. In accordance with the MSA, and based on a recommended structure and methodology developed in coordination with the Pacific Fishery Management Council, NMFS began collecting mandatory fees of up to three percent of the ex-vessel value of groundfish from each sector (Shorebased IFQ Program, MS Coop Program, and C/P Coop Program) in 2014. NMFS collects the fees to recover the incremental costs of management, data collection, and enforcement of the trawl rationalization program. Additional background can be found in the cost recovery proposed and final rules, 78 FR 7371 (February 1, 2013) and 78 FR 75268 (December 11, 2013), respectively. The details of cost recovery for the groundfish trawl rationalization program are in regulation at 50 CFR 660.115 (trawl fishery cost recovery program), § 660.140 (Shorebased IFQ Program), § 660.150 (MS Coop Program), and § 660.160 (C/P Coop Program).

By December 31 of each year, NMFS must announce the next year’s fee percentages, and the applicable MS pricing for the C/P Coop Program. NMFS calculated the 2017 fee percentages by sector using the best available information. In addition, NMFS revisited the methodology used to determine the direct program costs (DPC) attributable to each sector for fiscal years 2013, 2014, and 2015. NMFS’ redetermination of the DPCs for those fiscal years resulted in a decrease in the DPCs used to determine the fee percentages for calendar years 2014, 2015, and 2016. For 2017, the fee percentages by sector, taking into account the redetermined DPCs and any adjustments, are:

- 3.0 percent for the Shorebased IFQ Program,
- 0 percent for the MS Coop Program,
- 0 percent for the C/P Coop Program.

To calculate the fee percentages, NMFS used the formula specified in regulation at § 660.115(b)(1), where the fee percentage by sector equals the lower of three percent or DPC for that sector divided by total ex-vessel value (V) for that sector multiplied by 100 (Fee percentage = the lower of 3 percent or (DPC/V) × 100).

“DPC,” as defined in the regulations at § 660.115(b)(1)(i), are the actual incremental costs for the previous fiscal year directly related to the management, data collection, and enforcement of each sector (Shorebased IFQ Program, MS Coop Program, and C/P Coop Program). Actual incremental costs means those net costs that would not have been incurred but for the implementation of the trawl rationalization program, including both increased costs for new requirements of the program and reduced costs resulting from any program efficiencies. NMFS only included the cost of employees’ time (salary and benefits) spent working on the program in calculating DPC rather than all incremental costs of management, data collection, and enforcement. NMFS is still evaluating how to incorporate additional costs and may, in coordination with the Pacific Fishery Management Council, do so in the future.

“V”, as specified at § 660.115(b)(1)(ii), is the total ex-vessel value, as defined at § 660.111, for each sector from the previous calendar year. To calculate “V” for use in determining 2017 fee percentages, NMFS used the ex-vessel value for 2015 as reported in Pacific Fisheries Information Network (PacFIN) from electronic fish tickets. The electronic fish ticket data in PacFIN is for the Shorebased IFQ Program. Therefore, the ex-vessel value for both the MS Coop Program and the C/P Coop Program is a proxy based on the Shorebased IFQ Program ex-vessel price and on the retained catch estimates (weight) from the observer data for the MS and C/P Coop Programs.

Ex-vessel values and amounts landed each year fluctuate, and the amount NMFS collects each year in cost recovery fees also fluctuate accordingly. When the cost recovery fees collected by NMFS are greater or less than the actual net incremental costs incurred for a given year, the fee percentage for the following year will be adjusted as specified at § 660.115(b)(1)(i).

### Redetermination of Past DPCs

On August 10, 2016, the U.S. Court of Appeals for the Ninth Circuit issued its opinion in *Glacier Fish Co. LLC v. Pritzker*, 832 F.3d 1113 (9th Cir. 2016), a case involving a challenge to NMFS’ authority to recover cost recovery fees from members of the C/P Coop Program and the reasonableness of NMFS’ calculation of the C/P Coop Program’s 2014 fee percentage. The court upheld NMFS’ authority to recover cost recovery fees from members of the C/P Coop Program because the C/P coop permit is a limited access privilege and