

and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: June 29, 2017.

**Alexis Strauss,**

Acting Regional Administrator, Region IX.

[FR Doc. 2017–15052 Filed 7–18–17; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket No. FWS–R8–ES–2016–0078; 4500030113]

RIN 1018–BB64

#### Endangered and Threatened Wildlife and Plants; 6-Month Extension of Final Determination on the Proposed Threatened Status for *Chorizanthe parryi* var. *fernandina* (San Fernando Valley Spineflower)

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; reopening of the comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 6-month extension of the final determination of whether to list the *Chorizanthe parryi* var. *fernandina* (San Fernando Valley spineflower), a plant species from southern California, as a threatened species. Along with this announcement to extend the final determination, we are also reopening the comment period on the proposed rule to list the species, for an additional 30 days. We are taking this action to extend the final determination based on substantial disagreement regarding the potential impact of Argentine ant invasion on the pollination ecology of *C. parryi* var. *fernandina* and scientific uncertainty related to establishment of *C. parryi* var. *fernandina* using introduction of seed into suitable, unoccupied areas. Comments previously submitted need not be resubmitted as they are already incorporated into the public record and will be fully considered in the final rule. We will submit a final listing determination to the **Federal Register** on or before March 15, 2018.

**DATES:** The comment period for the proposed rule that published September 15, 2016, at 81 FR 63454 is reopened. We will accept comments received or postmarked on or before August 18, 2017. If you comment using the Federal eRulemaking Portal (see **ADDRESSES**),

you must submit your comments by 11:59 p.m. Eastern Time on the closing date.

**ADDRESSES:** You may submit comments by one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>. In the Search box, enter the docket number for this proposed rule, which is FWS–R8–ES–2016–0078. Then click on the Search button. You may submit a comment by clicking on “Comment Now!” Please ensure that you have found the correct rulemaking before submitting your comment.

(2) *U.S. mail or hand delivery:* Public Comments Processing, Attn: Docket No. FWS–R8–ES–2016–0078; U.S. Fish and Wildlife Service, MS: BPHC; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

**FOR FURTHER INFORMATION CONTACT:** Stephen P. Henry, Field Supervisor, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, 2493 Portola Road, Ventura, CA 93003; telephone 805–644–5763; facsimile 805–644–3958. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 800–877–8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 15, 2016, we published a proposed rule (81 FR 63454) to list *Chorizanthe parryi* var. *fernandina* as a threatened species under the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 *et seq.*). That proposal had a 60-day comment period, ending November 14, 2016. For a description of previous Federal actions concerning *C. parryi* var. *fernandina*, please refer to the September 15, 2016, proposed listing rule (81 FR 63454). We also solicited and received independent scientific review of the information contained in the proposed rule from peer reviewers with expertise in *C. parryi* var. *fernandina* or similar species ecology and identified threats to the species, in accordance with our July 1, 1994, peer review policy (59 FR 34270).

Section 4(b)(6) of the Act and its implementing regulations at 50 CFR 424.17(a) require that we take one of three actions within 1 year of a proposed listing: (1) Finalize the proposed rule; (2) withdraw the proposed rule; or (3) extend the final determination by not more than 6 months, if there is substantial disagreement regarding the sufficiency or accuracy of the available data relevant to the determination.

Since the publication of the September 15, 2016, proposed listing

rule (81 FR 63454), there has been substantial disagreement among peer reviewers regarding the potential impact of the invasion of Argentine ants (*Linepithema humile*) on the pollination ecology of *C. parryi* var. *fernandina*, and there is scientific uncertainty related to establishment of *C. parryi* var. *fernandina* using introduction of seed into suitable, unoccupied areas.

We find that there is substantial scientific uncertainty and disagreement about certain data relevant to our listing determination. Therefore, in consideration of these disagreements, we have determined that a 6-month extension of the final determination for this rulemaking is necessary, and we are hereby extending the final determination for 6 months in order to solicit and consider additional information that will help to clarify these issues and to fully analyze data that are relevant to our final listing determination. With this 6-month extension, we will make a final determination on the proposed rule no later than March 15, 2018.

#### Information Requested

We will accept written comments and information during this reopened comment period on our proposed listing for *Chorizanthe parryi* var. *fernandina* that was published in the **Federal Register** on September 15, 2016 (81 FR 63454). We will consider information and recommendations from all interested parties. We intend that any final action resulting from the proposal be as accurate as possible and based on the best available scientific and commercial data.

In consideration of the scientific disagreements about certain data, we are particularly interested in new information and comments regarding:

- (1) How Argentine ant invasion may affect the pollination ecology of *C. parryi* var. *fernandina*; and
- (2) The efficacy of seed introduction for long-term establishment into suitable, unoccupied habitat of *Chorizanthe* or related taxa.

If you previously submitted comments or information on the September 15, 2016, proposed rule (81 FR 63454), please do not resubmit them. We have incorporated previously submitted comments into the public record, and we will fully consider them in the preparation of our final determination. Our final determination concerning the proposed listing will take into consideration all written comments and any additional information we receive.

You may submit your comments and materials concerning the proposed rule

by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via <http://www.regulations.gov>, your entire submission—including any personal identifying information—will be posted on the Web site. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy submissions on <http://www.regulations.gov>.

Comments and materials we receive, as well as supporting documentation we used in preparing the proposed rule, will be available for public inspection on <http://www.regulations.gov>, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**). You may obtain copies of the proposed rule at <http://www.regulations.gov> at Docket No. FWS-R8-ES-2016-0078. Copies of the proposed rule are also available at <http://www.fws.gov/cno/es/>.

#### Authority

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

Dated: June 23, 2017.

**Gregory Sheehan,**

*Acting Director, U.S. Fish and Wildlife Service.*

[FR Doc. 2017-15126 Filed 7-18-17; 8:45 am]

**BILLING CODE 4333-15-P**

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 150309236-7563-01]

RIN 0648-BE65

#### Fisheries of the Northeastern United States; Mid-Atlantic Fishery Management Council; Omnibus Acceptable Biological Catch Framework Adjustment

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This action proposes regulations to implement an Omnibus Framework Adjustment to the Mid-Atlantic Fishery Management Council acceptable biological catch setting process. This proposed rule is necessary to provide the public with an opportunity to review and comment on the measures recommended by the Mid-Atlantic Council to the National Marine Fisheries Service for implementation. The intended effect of these measures would help bring stability to quotas while accounting for year-to-year changes in stock size projections, and allow the Mid-Atlantic Council's Fishery Management Plans to automatically incorporate the best available scientific information when calculating acceptable biological catches. This action also proposes to revise regulatory language to clarify the Mid-Atlantic Council's acceptable biological catch control rule assessment level designations.

**DATES:** Comments must be received on or before August 18, 2017.

**ADDRESSES:** You may submit comments, identified by NOAA-NMFS-2017-0056, by either of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0056](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0056), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to John Bullard, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://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 publically accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

Copies of the Environmental Assessment and other supporting documents are available from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 N. State Street, Dover, DE 19901. The draft Omnibus Framework Adjustment, as

submitted by the Council, is also available via the internet at <http://www.greateratlantic.fisheries.noaa.gov/>.

**FOR FURTHER INFORMATION CONTACT:** Reid Lichwell, Fishery Management Specialist, (978) 281-9112.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Mid-Atlantic Fishery Management Council (Council) is required to set annual catch limits (ACLs) that do not exceed the acceptable biological catch (ABC) recommendation of its Scientific and Statistical Committee (SSC) to prevent overfishing. ABCs represent an upper limit for the Council to use when setting catch and landing limits. The 2011 ACL Omnibus Amendment implementing rule (76 FR 60606; September 29, 2011), enacted the Council's risk policy that provides guidance to the SSC on how much overfishing risk the Council will accept when the SSC develops ABC recommendations. The policy also outlines risk tolerance for ensuring stocks under rebuilding plans achieve fishing mortality objectives.

The Council's risk policy for setting ABCs states that for a typical species whose stock size is equal to or greater than a biomass target associated with maximum sustainable yield ( $B_{MSY}$ ), the acceptable probability of overfishing is 40 percent, *i.e.*, if the fishery catches the ABC then there is a 60-percent probability of not overfishing. If a species is deemed to have an atypical life history, the Council requires at least a 35-percent probability of overfishing (*i.e.*, a 65-percent chance of not overfishing), to create a larger buffer when biomass is at or above  $B_{MSY}$ . The SSC determines whether a stock is typical or atypical each time an ABC is recommended. When an overfishing probability is available and considered reliable by the SSC, the applicable tolerance for overfishing risk, as informed by the Council's risk policy, would be selected to derive the ABC recommendation.

For both typical and atypical species, the Council has specified that as stock size biomass or (B) falls below the target ( $B_{MSY}$ ), then the probability of overfishing decreases, until the probability of overfishing hits zero when the stock is at 10 percent of the target ( $B_{MSY}$ ). For a stock under a rebuilding plan, the probability of not exceeding the fishing mortality rate (F) within the specified timeframe must be at least 50 percent, unless this probability threshold is modified through a stock rebuilding plan.

The fishery management plans (FMPs) managed by the Council all have