

not consider hand-delivered comments that we do not receive, or mailed comments that are not postmarked, by the date specified in **DATES**.

We will post all comments in their entirety—including your personal identifying information—on <http://www.regulations.gov>. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comments and materials we receive, as well as supporting documentation we used in preparing this 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, Division of Migratory Bird Management, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

We will consider, but possibly may not respond in detail to, each comment. As in the past, we will summarize all comments we receive during the comment period and respond to them after the closing date in the preamble of a final rule.

Required Determinations

Based on our most current data, we are affirming our required determinations made in the May 30 rule; for descriptions of our actions to ensure compliance with the following statutes and Executive Orders, see our May 30, 2017, final rule (82 FR 24786):

- National Environmental Policy Act (NEPA) Consideration;
- Endangered Species Act Consideration;
- Regulatory Flexibility Act;
- Small Business Regulatory Enforcement Fairness Act;
- Paperwork Reduction Act of 1995;
- Unfunded Mandates Reform Act;
- Executive Orders 12630, 12866, 12988, 13132, 13175, 13211, 13563, and 13771.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

The rules that eventually will be promulgated for the 2017-18 hunting season are authorized under 16 U.S.C. 703-712 and 16 U.S.C. 742 a-j.

Dated: August 9, 2017.

Todd D. Willens,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2017-17722 Filed 8-21-17; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

RIN 0648-XF599

Notification of Receipt of a Petition To Ban Imports of All Fish and Fish Products From Mexico That Do Not Satisfy the Marine Mammal Protection Act Provisions

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

ACTION: Receipt of petition to ban imports through emergency rulemaking; request for information and comments.

SUMMARY: NMFS announces receipt of a petition for emergency rulemaking under the Administrative Procedure Act. Natural Resources Defense Council, the Center for Biological Diversity, and Animal Welfare Institute petitioned the U.S. Department of Commerce and other relevant Departments to initiate emergency rulemaking under the Marine Mammal Protection Act (“MMPA”), to ban importation of commercial fish or products from fish that have been caught with commercial fishing technology that results in incidental mortality or serious injury of vaquita in excess of United States standards.

DATES: Written comments must be received by 5 p.m. Eastern Time on September 21, 2017.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2017-0097, by either of the following methods:

1. *Electronic Submissions:* Submit all electronic comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/ #!docketDetail;D=NOAA-NMFS-2017-0097, click the “Comment Now!” icon, complete the required fields and enter or attach your comments.

2. *Mail:* Submit written comments to: Director, Office of International Affairs and Seafood Inspection, Attn: MMPA Petition, NMFS, F/IS, 1315 East-West Highway, Silver Spring, MD 20910.

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. All comments received are a part of the public record and will generally be posted for public viewing on <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 publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe portable document file (PDF) formats only. The complete text of the petition is available via the internet at the following web address: <http://www.nmfs.noaa.gov/ia/>. In addition, copies of this petition may be obtained by contacting NMFS at the above address.

FOR FURTHER INFORMATION CONTACT:

Nina Young, NMFS F/IS at Nina.Young@noaa.gov or 301-427-8383.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(2) of the Marine Mammal Protection Act (MMPA), 16 U.S.C. 1371(a)(2), states that: “The Secretary of the Treasury shall ban the importation of commercial fish or products from fish which have been caught with commercial fishing technology which results in the incidental kill or incidental serious injury of ocean mammals in excess of United States standards.” In August 2016, NMFS published a final rule (81 FR 54390; August 15, 2016) implementing the fish and fish product import provisions in section 101(a)(2) of the MMPA. This rule established conditions for evaluating a harvesting nation’s regulatory programs to address incidental and intentional mortality and serious injury of marine mammals in fisheries operated by nations that export fish and fish products to the United States. In that rule, NMFS stated that it may consider emergency rulemaking to ban imports of fish and fish products from an export or exempt fishery having or likely to have an immediate and significant adverse impact on a marine mammal stock.

Information in the Petition

NMFS received the petition on May 18, 2017. The petition alleges that the Secretaries of Commerce and other relevant Federal Departments are required to carry out non-discretionary

duties under section 101(a)(2) of the MMPA (16 U.S.C. 1371(a)(2)), to “ban the importation of commercial fish or products from fish” sourced in a manner that “results in the incidental kill or incidental serious injury” of vaquita “in excess of United States standards.” The petition requested that the relevant Secretary ban all fish and fish products originating from the vaquita’s range in the northern Gulf of California that were obtained using any kind of gillnet—the fishing gear solely responsible for the current decline of the vaquita.

As support for the need for this action, the petition cites reports from the Comité Internacional para la Recuperación de la Vaquita (CIRVA) documenting a 95 percent decline in the vaquita population over the last two decades. The petitioners also assert that for the vaquita, gillnet bycatch has driven the species from a population of more than 700 in 1990 to currently fewer than 30 vaquita.

The petitioners maintain that any fishery using gillnets in the Upper Gulf of California violates U.S. standards under the MMPA. The petitioners provide a list of more than 30 fish species potentially harvested by gillnets including corvina and Pacific sierra, which are currently exempt from the Mexican regulations banning the use of gillnets.

On June 30, 2017, Mexico adopted a permanent ban on the use of gillnets throughout the range of vaquita, with the exception of gillnet fisheries for corvina and Pacific sierra. The regulations also prohibit night fishing, establish sites for disembarkation, and require the use of vessel monitoring systems http://diariooficial.gob.mx/DOFmobile/nota_detalle.php?codigo=5488674&fecha=30/06/2017.

NMFS will consider public comments in evaluating the request by the petitioners for an import ban. In addition to general comments on the petition, NMFS specifically requests comments on:

- The adequacy of existing measures regulating commercial fishing throughout the range of the vaquita;
- Whether such measures can be considered comparable in effectiveness to the U.S. regulatory program;
- Whether the apparent decline in the vaquita population attributed to interaction with commercial fishing meets the standard of “immediate and significant adverse impact on a marine mammal stock” within the MMPA; and
- Which specific fisheries are, or may be, directly associated with potential mortality of vaquita and therefore fall

within the scope of the petition for emergency action.

Dated: August 16, 2017.

John Henderschedt,

Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service.

[FR Doc. 2017–17717 Filed 8–21–17; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

RIN 0648–BG82

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Amendment 17B

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

ACTION: Notice of availability; request for comments.

SUMMARY: The Gulf of Mexico (Gulf) Fishery Management Council (Council) has submitted Amendment 17B to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico U.S. Waters (FMP), for review, approval, and implementation by NMFS. Amendment 17B includes actions to define the aggregate maximum sustainable yield (MSY) and aggregate optimum yield (OY) for the Gulf shrimp fishery, determine a minimum number of Federal commercial vessel moratorium permits in the fishery, would allow for the creation of a Federal Gulf shrimp reserve pool permit when certain conditions are met, and would allow for non-federally permitted shrimping vessels to transit through the Gulf exclusive economic zone (EEZ) with shrimp on board the vessel. The purpose of Amendment 17B is to protect federally managed Gulf shrimp stocks while maintaining catch efficiency, economic efficiency, and stability in the fishery.

DATES: Written comments must be received on or before October 23, 2017.

ADDRESSES: You may submit comments on Amendment 17B, identified by “NOAA–NMFS–2017–0040” by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2017-](http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2017-0040)

0040, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

• *Mail:* Submit written comments to Frank Helies, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

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 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).

Electronic copies of Amendment 17B, which includes an environmental assessment, a Regulatory Flexibility Act analysis, and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/shrimp/2017/am17b/index.html.

FOR FURTHER INFORMATION CONTACT: Frank Helies, telephone: 727–824–5305, or email: Frank.Helies@noaa.gov.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each regional fishery management council to submit any FMP or amendment to NMFS for review and approval, partial approval, or disapproval. The Magnuson-Stevens Act also requires that NMFS, upon receiving a plan or amendment, publish an announcement in the **Federal Register** notifying the public that the plan or amendment is available for review and comment.

The FMP being revised by Amendment 17B was prepared by the Council and implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Act.

Background

From 2003 to 2006, the Gulf shrimp fishery experienced significant economic losses, primarily as a result of high fuel costs and reduced prices caused by competition with imports. These economic losses contributed to a reduction in the number of vessels in the fishery, and consequently, a reduction of commercial effort. During that time, commercial vessels in the Gulf shrimp fishery were required to