

From 2005–2016, NMFS issued three permits authorizing the retention of releasable marine mammals (rehabilitated animals cleared for release back to the wild) for public display purposes under section 104 of the MMPA and NMFS' implementing regulations at 50 CFR part 216. A permit was required for placement of releasable stranded animals (as opposed to non-releasable animals, which NMFS places in accordance with an administrative process rather than a permit) because NMFS views retention of a releasable marine mammal as the functional equivalent of a take from the wild (*i.e.*, the animal would have otherwise been released and would presumably have contributed to the wild population). These three permits were based upon NMFS' interpretation of the regulations at 50 CFR 216.27(b)(4), which state the NMFS OPR Director may require use of a rehabilitated marine mammal for public display purposes in lieu of animals taken from the wild. The three previous permit applicants were not required to request an actual "take" of animals from the wild, as the placement of a releasable animal was considered in lieu of such take.

However, NMFS received numerous public comments on the three issued permits asserting that permits to retain releasable marine mammals are in direct contradiction to the purpose of Title IV and section 109(h) of the MMPA, which mandate the rescue and rehabilitation of stranded marine mammals with the goal of releasing the animals to the wild when feasible. Commenters specifically expressed concerns that the process for assessing the actual impact of a take from the wild was largely circumvented.

After evaluation and reconsideration of this permit process and as a result of public comments on the three permits issued, NMFS has developed a new draft Procedural Directive to clarify its interpretation of MMPA regulations and procedures for authorizing releasable rehabilitated marine mammals to be retained for purposes of public display.

In the Procedural Directive, NMFS is proposing to no longer issue permits for the specific purpose of obtaining releasable marine mammals from the National Stranding Network for public display. Instead, would-be applicants must apply for a permit to take (collect) from the wild pursuant to the MMPA. In the event NMFS decides to grant such a permit, the NMFS OPR Director may then, at his or her discretion, require that a releasable rehabilitated marine mammal be substituted for capturing an animal from the wild, in accordance with 50 CFR 216.27.

NMFS believes this approach is more consistent with the statutory provisions governing rehabilitation and release of stranded marine mammals (MMPA section 109(h) and MMPA Title IV), which are separate and distinct from the provisions governing issuance of permits for the take of animals from the wild for purposes of public display (MMPA section 104).

Dated: November 6, 2017.

**Donna S. Wieting,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648–XF772**

**Marine Fisheries Advisory Committee Meeting**

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

**ACTION:** Notice of open public meeting.

**SUMMARY:** This notice sets forth the proposed schedule and agenda of a forthcoming meeting of the Marine Fisheries Advisory Committee (MAFAC). The members will discuss and provide advice on issues outlined under **SUPPLEMENTARY INFORMATION** below.

**DATES:** The meeting will be held November 28 and 29, 2017, from 8:30 a.m. to 5 p.m., and November 30, from 8:30 a.m. to 3 p.m.

**ADDRESSES:** The meeting will be held at the Sheraton Silver Spring Hotel, 8777 Georgia Ave., Silver Spring, MD 20910; 301–589–0800.

**FOR FURTHER INFORMATION CONTACT:** Heidi Lovett, MAFAC Assistant Director; 301–427–8034; email: [Heidi.Lovett@noaa.gov](mailto:Heidi.Lovett@noaa.gov).

**SUPPLEMENTARY INFORMATION:** As required by section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, notice is hereby given of a meeting of MAFAC. The MAFAC was established by the Secretary of Commerce (Secretary), and, since 1971, advises the Secretary on all living marine resource matters that are the responsibility of the Department of Commerce. The complete charter and summaries of prior meetings are located online at <http://www.nmfs.noaa.gov/ocs/mafac/>.

**Matters To Be Considered**

This meeting time and agenda are subject to change.

The meeting is convened to hear presentations and updates and to discuss policies and guidance on the following topics: The importance of timely data for fisheries resiliency; Columbia Basin Partnership Task Force efforts on the conservation and restoration of salmon and steelhead; aquaculture; citizen science; NMFS communications, outreach, and FishWatch; and the budget outlook for FY2018. MAFAC will discuss various administrative and organizational matters, and meetings of subcommittees and working groups will be convened.

**Special Accommodations**

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Heidi Lovett; 301–427–8034 by November 15, 2017.

Dated: November 9, 2017.

**Jennifer Lukens,**

*Director for the Office of Policy, National Marine Fisheries Service.*

[FR Doc. 2017–24720 Filed 11–14–17; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648–XF773**

**Meeting of the Columbia Basin Partnership Task Force of the Marine Fisheries Advisory Committee**

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

**ACTION:** Notice of open public meeting.

**SUMMARY:** This notice sets forth the proposed schedule and agenda of a forthcoming meeting of the Marine Fisheries Advisory Committee's (MAFAC's) Columbia Basin Partnership Task Force (CBP Task Force). The CBP Task Force will discuss the issues outlined in the **SUPPLEMENTARY INFORMATION** below.

**DATES:** The meeting will be held December 5, 2017, from 8 a.m. to 5 p.m. and on December 6, 2017, from 8 a.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at the Davenport Grand Hotel, 333 Spokane Falls Blvd., Spokane, WA 99201; 509–458–3330.

**FOR FURTHER INFORMATION CONTACT:**

Katherine Cheney; NMFS West Coast Region; 503–231–6730; email: [Katherine.Cheney@noaa.gov](mailto:Katherine.Cheney@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given of a meeting of MAFAC's CBP Task Force. The MAFAC was established by the Secretary of Commerce (Secretary) and, since 1971, advises the Secretary on all living marine resource matters that are the responsibility of the Department of Commerce. The complete MAFAC charter and summaries of prior MAFAC meetings are located online at <http://www.nmfs.noaa.gov/ocs/mafac/>. The CBP Task Force reports to MAFAC and is being convened to discuss and develop recommendations for long-term goals to meet Columbia Basin salmon recovery, conservation needs, and harvest opportunities. These goals will be developed in the context of habitat capacity and other factors that affect salmon mortality. More information is available at the CBP Task Force Web page: [http://www.westcoast.fisheries.noaa.gov/columbia\\_river/index.html](http://www.westcoast.fisheries.noaa.gov/columbia_river/index.html).

**Matters To Be Considered**

The meeting time and agenda are subject to change. Updated information will be available on the CBP Task Force Web page above. Meeting topics include progress reports on applying the analytical framework to example species as prototypes and updates on quantitative goal setting, guiding principles, and vision. The meeting is open to the public as observers, and public input will be accepted on December 6, 2017, from 3:30 to 4 p.m., limited to the time available.

**Special Accommodations**

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Katherine Cheney; 503–231–6730, by November 28, 2017.

Dated: November 9, 2017.

**Jennifer Lukens,**

*Director for the Office of Policy, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**RIN 0648–XF799**

**Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit**

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

**ACTION:** Notice; receipt of exempted fishing permit applications; request for comments.

**SUMMARY:** NMFS announces the receipt of two exempted fishing permit (EFP) applications. The first application was received from The Nature Conservancy (TNC) for an EFP to test commercial pot fishing gear for selective harvest of lingcod. The lingcod pot gear EFP is intended to provide for the selective harvest of lingcod with fixed gear inside the non-trawl rockfish conservation area (RCA), allowing harvest of lingcod within existing annual catch limits (ACLs) while keeping catch of co-occurring overfished species (*e.g.*, yelloweye rockfish) within rebuilding ACLs. The second application was received from the West Coast Seafood Processors Association, Environmental Defense Fund, Oregon Trawl Commission, and Midwater Trawlers Cooperative for an EFP to test if and how the removal of certain trawl gear, time, and area restrictions for the Shorebased Individual Fishing Quota (IFQ) Program may impact the nature and extent of bycatch of prohibited species. This EFP is intended to allow participating limited entry groundfish bottom trawl and midwater trawl vessels more flexibility in 2018 to target pelagic rockfish species, such as widow, chilipepper, and yellowtail rockfish. The NMFS West Coast Region's Assistant Regional Administrator for Sustainable Fisheries has made a preliminary determination that the subject EFP applications contain all the required information and warrant further consideration. Therefore, NMFS announces that the Assistant Regional Administrator for Sustainable Fisheries proposes to recommend that EFPs be issued.

**DATES:** Comments must be received no later than 5 p.m., local time on November 30, 2017.

**ADDRESSES:** You may submit comments, identified by 0648–XF799, by any one of the following methods:

- *Email:* [nmfs\\_gf\\_efp2018.wcr@noaa.gov](mailto:nmfs_gf_efp2018.wcr@noaa.gov).

- *Mail:* Barry Thom, Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115–0070, Attn: Karen Palmigiano.

*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 would 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 would be publicly accessible. NMFS would accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments would be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

Information relevant to this notice or the EFP applications are available for public review during business hours at the NMFS West Coast Regional Office at 7600 Sand Point Way NE., Seattle, WA 98115, or by requesting them via phone or the email address listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Karen Palmigiano at (206) 526–4491 or [karen.palmigiano@noaa.gov](mailto:karen.palmigiano@noaa.gov).

**SUPPLEMENTARY INFORMATION:** This action is authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP) and implementing regulations at 50 CFR 600.745, which states that EFPs may be used to authorize fishing activities that would otherwise be prohibited.

**Lingcod Pot Gear EFP**

At its June 2016 meeting, the Pacific Fishery Management Council (Council) received an EFP application from TNC for the use of pot gear to target lingcod within the non-trawl RCA offshore of Washington and Oregon. An initial opportunity for public comment was provided during this meeting. At that time, the Council recommended that NMFS consider issuing the EFP for a period of two years (*i.e.*, 2017 and 2018). The two-year duration was intended to coincide with the 2017–18 biennial harvest specifications and management measures process. However, due to unforeseen delays, NMFS was unable to issue this EFP for 2017, and is proposing to issue the EFP described below beginning in 2018. The EFP would expire no later than December 31, 2018.