

Issued under the authority of delegation in 49 CFR 1.87 on: March 15, 2017.

Daphne Y. Jefferson,
Deputy Administrator.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 571 and 585

[Docket No. NHTSA-2016-0125]

RIN 2126-AK93

Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule; delay of effective date.

SUMMARY: In accordance with the Presidential directive as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” this action temporarily delays until May 22, 2017, the effective date of the final rule titled “Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles,” initially scheduled to become effective on February 13, 2017.

DATES: As of March 21, 2017, the effective date of the final rule published on December 14, 2016 (81 FR 90416), delayed on February 6, 2017 (82 FR 9368), is further delayed until May 22, 2017. The compliance date is September 1, 2018, with full phase in by September 1, 2019.

FOR FURTHER INFORMATION CONTACT: For legal issues, contact Tom Healy, Office of Chief Counsel, at (202) 366-2992. For non-legal issues, contact Mike Pyne, Office of Rulemaking, at (202) 366-4171.

SUPPLEMENTARY INFORMATION: NHTSA bases this action on the Presidential directive expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review” (the January 20, 2107 memorandum). That memorandum directed the heads of Executive Departments and Agencies to temporarily postpone for 60 days from the date of the memorandum the effective dates of certain regulations that had been published in the **Federal**

Register, but had not yet taken effect. Because the original effective date of the final rule published on December 14, 2016, fell within that 60-day window, the effective date of the rule was extended to March 21, 2017, in a final rule published on February 6, 2017 (82 FR 9368). Consistent with the memorandum of the Assistant to the President and Chief of Staff, and as stated in the February 6, 2017, final rule delaying the effective date, the Agency further delays the effective date of this regulation until May 22, 2017.

The Agency’s implementation of this action without opportunity for public comment is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and 553(d)(3), in that seeking public comment is impracticable, unnecessary and contrary to the public interest. The delay in the effective date until May 22, 2017, is necessary to provide the opportunity for further review and consideration of this new regulation, consistent with the January 20, 2017 memorandum. Given the imminence of the effective date of the “Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles” final rule, seeking prior public comment on this temporary delay would be impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30116; delegation of authority at 49 CFR 1.95.

Issued on: March 16, 2017.

Jack Danielson,

Acting Deputy Administrator.

[FR Doc. 2017-05543 Filed 3-20-17; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 1206013412-2517-02]

RIN 0648-XF166

Reef Fish Fishery of the Gulf of Mexico; 2017 Recreational Accountability Measures and Closure for Gulf of Mexico Greater Amberjack

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

ACTION: Temporary rule; recreational quota reduction and closure.

SUMMARY: NMFS implements accountability measures (AMs) for the greater amberjack recreational sector in the exclusive economic zone (EEZ) of the Gulf of Mexico (Gulf) for the 2017 fishing year through this temporary rule. NMFS has determined that the 2016 recreational annual catch limit (ACL) for Gulf greater amberjack was exceeded; therefore, NMFS reduces the greater amberjack recreational ACL and annual catch target (ACT) in 2017. NMFS has also determined that the reduced recreational ACT for Gulf greater amberjack will be reached by March 24, 2017. Therefore, the greater amberjack recreational season in the Gulf EEZ will close on March 24, 2017. This closure is necessary to protect the Gulf greater amberjack resource.

DATES: This rule is effective from 12:01 a.m., local time, March 24, 2017, until 12:01 a.m., local time, on January 1, 2018.

FOR FURTHER INFORMATION CONTACT:

Kelli O’Donnell, NMFS Southeast Regional Office, telephone: 727-824-5305, email: kelli.odonnell@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS manages the Gulf reef fish fishery, which includes greater amberjack, under the Fishery Management Plan for the Reef Fish Resources of the Gulf (FMP). The Gulf of Mexico Fishery Management Council (Council) prepared the FMP and NMFS implements the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All greater amberjack weights discussed in this temporary rule are in round weight.

The 2017 recreational ACL for Gulf greater amberjack specified in 50 CFR 622.41(a)(2)(iii) is 1,255,600 lb (569,531 kg) and the recreational ACT specified in 50 CFR 622.39(a)(2)(ii) is 1,092,372 lb (495,492 kg). However, NMFS has determined that in 2016, the recreational harvest of greater amberjack exceeded the 2016 recreational ACL by 756,631 lb (343,202 kg). Under 50 CFR 622.41(a)(2)(ii), NMFS is required to reduce the recreational ACT and the recreational ACL for greater amberjack in the year following an overage of the recreational ACL, by the amount of any recreational overage in the prior fishing year. Therefore, NMFS reduces the recreational ACL for greater amberjack in 2017 to 498,969 lb (226,329 kg) and the recreational ACT to 335,741 lb (152,290 kg).

Under 50 CFR 622.41(a)(2)(i), NMFS is required to close the recreational sector for greater amberjack when the recreational ACT is reached, or is

projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS has determined the 2017 recreational ACT will be reached by March 24, 2017. Accordingly, NMFS is closing recreational harvest of greater amberjack for the rest of the 2017 fishing year effective at 12:01 a.m., local time, March 24, 2017, until 12:01 a.m., local time, January 1, 2018, the start of the next fishing year.

During the recreational closure, the bag and possession limits for greater amberjack in or from the Gulf EEZ are zero. The prohibition on possession in the Gulf on board a vessel for which a valid Federal charter vessel/headboat permit for Gulf reef fish has been issued applies regardless of whether greater amberjack were harvested in state or Federal waters.

Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of Gulf greater amberjack and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.41(a)(2)(i) and (ii) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available. The Assistant Administrator for NOAA Fisheries (AA) finds that the need to immediately implement this action to close the recreational sector for greater amberjack constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment on this temporary rule pursuant to the authority set forth in 5 U.S.C. 553(b)(B), because such procedures are unnecessary and

contrary to the public interest. Such procedures are unnecessary because the rule establishing the closure provisions was subject to notice and comment, and all that remains is to notify the public of the closure. Such procedures are contrary to the public interest because of the need to immediately implement this action to protect greater amberjack. Prior notice and opportunity for public comment would require time and would potentially allow the recreational sector to exceed the recreational ACL.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: March 17, 2017.

Jennifer M. Wallace,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 151211999-6343-02]

RIN 0648-XF256

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Increase for the Common Pool Fishery

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

ACTION: Temporary rule; inseason adjustment.

SUMMARY: This action increases the possession and trip limit for Gulf of Maine cod and haddock for Northeast multispecies common pool vessels for the remainder of the 2016 fishing year.

The most recent catch data indicate that the common pool is not expected to fully harvest its annual quota for these stocks at the current trip limits. Increasing the possession and trip limits is intended to provide the common pool fishery with additional fishing opportunities through the end of the fishing year.

DATES: The possession and trip limit increase is effective March 16, 2017, through April 30, 2017.

FOR FURTHER INFORMATION CONTACT: Spencer Talmage, Fishery Management Specialist, 978-281-9232.

SUPPLEMENTARY INFORMATION: The regulations at § 648.86(o) authorize the Regional Administrator to adjust the possession and trip limits for common pool vessels in order to help prevent the overharvest or underharvest of the common pool quotas.

Based on information reported through February 18, 2017, the common pool fishery has caught approximately 42 and 25 percent of its annual quotas for Gulf of Maine (GOM) cod and GOM haddock, respectively. At the current rate of fishing, the common pool fishery is not projected to fully harvest its annual quota for either stock by the end of the 2016 fishing year. A moderate increase in the possession and trip limits for both stocks will provide additional opportunities with little risk of exceeding the common pool sub-ACL of either stock.

To allow the common pool fishery to catch more of its quota for this GOM cod and haddock, effective March 16, 2017, the possession and trip limit of GOM cod and GOM haddock are increased, as summarized in Table 1 below. Common pool groundfish vessels that have declared their trip through the vessel monitoring system (VMS) or interactive voice response system, and crossed the VMS demarcation line prior to March 16, 2017, may land at the new possession and trip limits for that trip.

TABLE 1—NEW POSSESSION/TRIP LIMITS

Stock	Permit type	Current possession/trip limits	New possession/trip limits
GOM cod	Day-At-Sea (DAS)	25 lb (11.34 kg) per DAS, up to 100 lb (45.36 kg) per trip.	100 lb (45.36 kg) per trip.
	Handgear A	25 lb (11.34 kg) per trip	100 lb (45.36 kg) per trip.
	Handgear B	25 lb (11.34 kg) per trip	unchanged.
	Small Vessel Category	25 lb (11.34 kg) per trip, within combined 300 lb trip limit for GOM cod, haddock, and yellowtail flounder.	unchanged.
GOM haddock	200 lb (90.72 kg) per DAS, up to 600 lb (272.16 kg) per trip.	500 lb (226.80 kg) per DAS, up to 1,000 lb (453.59 kg) per trip.