

## Summary of Annexes

Annex I contains a total of 53 plant species. All plant species on Annex I are either: (1) Listed under the U.S. Endangered Species Act (ESA); (2) endemic to Florida and protected under Florida law; (3) occur only on Federal land and are fully protected where they occur; (4) are not native to the United States, and are listed in the Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) where primarily commercial trade would be prohibited; or (5) are not native to, nor believed to be commercially imported into the United States. 56 FR 12026, 12028 (March 21, 1991). There have been no additions to Annex I since the adoption of the SPAW Protocol.

Annex II currently contains 114 species and 3 groups of species, including all sea turtles and all marine mammals in the region. Most of these animal species are either: (1) Listed under the U.S. Endangered Species Act or the Marine Mammal Protection Act; (2) are not native to the United States and are listed in Appendix I of CITES; (3) are offered complete protection by domestic legislation in all range States (whereby the Lacey Act, among other things, prohibits commercial trade in specimens taken, possessed, transported or sold in violation of foreign law); or (4) are endemic to foreign countries and are not commercially imported into the United States. Six new species were added to Annex II by the SPAW Parties in December 2014. *Id.*

Annex III currently contains 43 species of plants and 32 species of animals in addition to species of corals, mangroves, and sea-grasses that occur in the region.

## Composition of the Annexes

The plant and animal species present on each Annex can be found here: <http://www.car-spaw-rac.org/?Annexes-of-the-SPAW-Protocol,83>.

## Species Recommended by SPAW STAC To Be Added to the SPAW Protocol Annexes

### ANNEX II

Species	Common name
<b>BIRDS</b>	
<i>Passerina ciris</i> .....	Painted bunting.
<b>FISH</b>	
<i>Pristis pectinata</i> .....	Smalltooth sawfish.

### ANNEX III

Species	Common name
<b>SNAILS</b>	
<i>Liguus fasciatus</i> .....	Florida tree snail.
<b>SHARKS AND RAYS</b>	
<i>Manta birostris</i> , <i>Manta alfredi</i> , <i>Manta sp. cf. birostris</i> .	Manta rays.
<i>Sphyrna lewini</i> , <i>Sphyrna mokarran</i> , <i>Sphyrna zygaena</i> .	Hammerheads.
<i>Carcharhinus longimanus</i> .	Oceanic whitetip shark.
<i>Rhincodon typus</i> .....	Whale shark.
<i>Epinephelus striatus</i> ..	Nassau grouper.

## Circumstances of SPAW STAC Recommendations

Article 11(4) of the SPAW Protocol details the requirements for amending the Annexes and states, in part, that a Party may submit a nomination of a species for inclusion in or deletion from the Annexes; that the Party shall submit supporting documentation; and that the SPAW STAC shall review the nomination. At the November 2016 meeting in Miami, Florida, the SPAW STAC reviewed the species proposed by Parties for listing under the SPAW Protocol and made recommendations to the ninth SPAW Conference of the Parties (COP9) meeting, expected to be held in March 2017. The STAC determined that the procedures for nominating species and the supporting documentation were satisfactory for positive recommendations to the COP regarding the species identified above.

## Species Under the Jurisdiction of the National Marine Fisheries Service

Ten of the twelve species that were recommended by the STAC to be added to the Annexes at the November 2016 meeting fall under the jurisdiction of the National Marine Fisheries Service (NMFS). The majority of the species under NMFS' jurisdiction have been recommended to be added to Annex III and include manta rays (*Manta birostris*, *M. alfredi*, and *M. cf. birostris*), hammerhead sharks (*Sphyrna lewini*, *S. mokarran*, and *S. zygaena*), the oceanic whitetip shark (*Carcharhinus longimanus*), the whale shark (*Rhincodon typus*), and the Nassau grouper (*Epinephelus striatus*). The Nassau grouper is listed as a threatened species under the ESA. One species of fish, the smalltooth sawfish (*Pristis pectinata*), has been recommended to be added to Annex II. The smalltooth

sawfish is currently listed as endangered under the ESA, and was originally listed under the ESA in 2003.

## Species Under the Jurisdiction of the U.S. Fish and Wildlife Service

Two of the twelve species that were recommended by the STAC to be added to the Annexes at the November 2016 Miami meeting fall under the jurisdiction of the U.S. Fish and Wildlife Service (FWS). One bird species, the Painted bunting (*Passerina ciris*) has been recommended to be added to Annex II. One snail species, the Florida tree snail (*Liguus fasciatus*), has been recommended to be added to Annex III.

Both the Painted bunting and the Florida tree snail are terrestrial species. As explained earlier in this Notice, the United States has not designated any terrestrial area under the SPAW Protocol and the obligations under the SPAW Protocol do not apply in the United States with respect to terrestrial species. Accordingly, no obligations under the SPAW Protocol would apply to these two terrestrial species if they are added to the SPAW Annexes.

## Comments Solicited

The Department of State, U.S. Fish and Wildlife Service, and National Marine Fisheries Service solicit comments and information that will inform the United States' consideration of the potential listing of these twelve species in the SPAW Annexes.

Dated: January 9, 2017.

Donna S. Wieting,

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XF159

### Mid-Atlantic Fishery Management Council (MAFMC); Public Meetings

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

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

**SUMMARY:** The Mid-Atlantic Fishery Management Council (Council) will hold public meetings of the Council and its Committees.

**DATES:** The meeting will be held on Tuesday, February 14 through Thursday, February 16, 2017. For

agenda details, see **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** The meetings will be held at: Hilton Garden Inn Kitty Hawk, 5353 N. Virginia Dare Trail, Kitty Hawk, NC 27949, telephone: (252) 261-1290.

*Council address:* Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331 or on their Web site at [www.mafmc.org](http://www.mafmc.org).

**FOR FURTHER INFORMATION CONTACT:** Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

**SUPPLEMENTARY INFORMATION:** The following items are on the agenda, though agenda items may be addressed out of order (changes will be noted on the Council's Web site when possible).

## Agenda

*Tuesday, February 14, 2017*

### *River Herring/Shad Committee Meeting*

Discuss criteria to assess progress in river herring/shad conservation  
*Mackerel, Squid, and Butterfish Meeting as a Committee of the Whole*  
Review and approve public hearing document Squid Amendment

### *Law Enforcement Report*

*Presentation on National Marine Sanctuary Nomination Process*

*Wednesday, February 15, 2017*

### *Meeting with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Boards*

*62nd Northeast Regional Stock Assessment Workshop (62nd SAW)*  
Overview of black sea bass benchmark stock assessment findings and peer review panelist findings

### *Black Sea Bass 2017-2019*

*Specifications*  
Overview and staff recommendation, SSC recommendation, review Monitoring Committee and Advisory Panel recommendations, and adopt recommendations for 2017-2019

### *Black Sea Bass Research Update*

### *Black Sea Bass Recreational*

*Specifications*  
Review Monitoring Committee and Advisory Panel recommendations, adopt recommendations for 2017 management measures, review Recreational Working Group recommendations and regional/state proposals (possible Board action)

### *Black Sea Bass Commercial AM Framework*

Review background, issues, and draft alternatives

*Summer Flounder Amendment*  
Update on progress and timeline

*Thursday, February 16, 2017*

### *Business Session*

The day will conclude with brief reports from the National Marine Fisheries Service's GARFO and the Northeast Fisheries Science Center, NOAA's Office of General Counsel, the ASMFC, the New England and South Atlantic Fishery Council's liaisons and the Regional Planning Body Report. The Council will also receive the Council's Executive Director's Report, the Science Report, Committee Reports, and discuss any continuing and/or new business.

Although other non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subjects of formal action during this meeting. Council 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 that 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 M. Jan Saunders, (302) 526-5251, at least 5 days prior to the meeting date.

Dated: January 10, 2017.

**Jeffrey N. Lonergan,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket Number: NOAA-HQ-2016-0145]

**RIN 0648-XF137**

### National Environmental Policy Act Implementing Procedures and Executive Order 12114 Categorical Exclusions

**AGENCY:** National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

**ACTION:** Notice of availability.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) publishes this notice to notify the public that NOAA has finalized revisions to the

agency's procedures for implementing the National Environmental Policy Act (NEPA) and related authorities, as contained in the Companion Manual to NOAA Administrative Order NAO 216-6A (Companion Manual). Included in the Companion Manual are NOAA's revised categorical exclusions (CE) and related extraordinary circumstances. This notice provides a summary of the public comments received and the agency's responses as well as a summary of changes from the draft to the final procedures. The final Companion Manual is available online at <http://www.nepa.noaa.gov>.

**DATES:** The revised procedures are effective January 13, 2017.

**FOR FURTHER INFORMATION CONTACT:** For information regarding NOAA's NEPA procedures, contact Katherine Renshaw, NOAA NEPA Coordinator, at [noaa.nepa@noaa.gov](mailto:noaa.nepa@noaa.gov) or 301-713-7380.

## SUPPLEMENTARY INFORMATION:

### I. Background

On April 22, 2016, NOAA issued NOAA Administrative Order 216-6A (NAO 216-6A), which updated NOAA's policy for compliance with NEPA, the CEQ NEPA regulations, and other related authorities, including Executive Order (EO) 12114, *Environmental Effects Abroad of Major Federal Actions*; EO 11988, *Floodplain Management*; and EO 11990, *Protection of Wetlands*. The NOAA Administrative Order authorized the development of a Companion Manual entitled *Policy and Procedures for Compliance with the National Environmental Policy Act and Related Authorities* ("Companion Manual"). On November 17, 2016, NOAA published a notice in the **Federal Register** inviting public comments for a 30-day period on the draft Companion Manual, which included NOAA's revised CEs. After careful consideration of the public comments received in response to that notice, and upon further internal review, NOAA has decided to finalize the Companion Manual and CEs with some minor revisions from the November 17, 2016 draft.

### II. Comments Received and NOAA's Responses

NOAA received comments from private citizens, nongovernmental organizations, states and state organizations. All substantive comments received and considered are available online at (<http://noaa.nepa.gov>), and on the [Regulations.gov](http://www.regulations.gov) Web site ([www.regulations.gov](http://www.regulations.gov)) at docket ID: [NOAA-HQ-2016-0145]. NOAA has considered all comments received, and