DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
50 CFR Part 17
[Docket No. FWS–R6–ES–2017–0025; FXES11130900000 167 FF09E42000]
RIN 1018–BC04
Endangered and Threatened Wildlife and Plants; Reinstatement of Removal of Federal Protections for Gray Wolves in Wyoming
AGENCY: Fish and Wildlife Service, Interior.
ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are issuing this final rule to comply with a court order that reinstates the removal of Federal protections for the gray wolf (Canis lupus) in Wyoming under the Endangered Species Act of 1973, as amended. Pursuant to the United States Court of Appeals for the District of Columbia Circuit order dated March 3, 2017, and mandate dated April 25, 2017, this rule again removes gray wolves in Wyoming from the List of Endangered and Threatened Wildlife. The issuance of the mandate reverses the U.S. District Court’s vacatur of our 2012 final rule for gray wolves in Wyoming. The issuance of the mandate makes the delisting go into effect. To the extent that a regulatory change is required to effectuate the delisting, we are doing so now. Therefore, this rule amends the List of Endangered and Threatened Wildlife by removing gray wolves in Wyoming.

Administrative Procedure
This rulemaking is necessary to comply with the March 3, 2017, court order and April 25, 2017, mandate. Therefore, under these circumstances, the Director has determined, pursuant to 5 U.S.C. 553(b)(3)(B), that prior notice and opportunity for public comment are impractical and unnecessary. The Director has further determined, pursuant to 5 U.S.C. 553(d)(3), that the court order and mandate constitute good cause to make this rule effective upon publication.

Effects of the Rule
Per the March 3, 2017, court order and April 25, 2017, mandate, the protections of the ESA are removed for gray wolves in Wyoming. Additionally, the regulations under section 10(j) of the ESA at 50 CFR 17.84(i) and (n) designating Wyoming as a nonessential experimental population area are also removed.

List of Subjects in 50 CFR Part 17
Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Regulation Promulgation
To comply with the court order and mandate discussed above, we amend part 17, subchapter B of chapter I, title 50 of the CFR, as set forth below:

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

§ 17.11 [Amended]
2. Amend § 17.11(h) by removing the entry for “Wolf, gray [Northern Rocky Mountain DPS]” under MAMMALS from the List of Endangered and Threatened Wildlife.
SUMMARY: This action sets the initial possession and trip limits for Northeast multispecies common pool vessels for the 2017 fishing year. The regulations authorize the Regional Administrator to implement trip limits for common pool vessels in order to prevent exceeding the pertinent common pool quotas. This action is intended to optimize the harvest of Northeast regulated multispecies. 

DATES: The possession and trip limit implementation is effective at 0001 hours on May 1, 2017, through April 30, 2018.

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

SUPPLEMENTARY INFORMATION: The regulations at § 648.86(o) authorize the Regional Administrator (RA) to implement possession and trip limits for common pool vessels in order to prevent the overharvest of common pool quotas. Effective May 1, 2017, this action sets the initial possession and trip limits for the 2017 fishing year, as summarized in Tables 1 and 2 below. These possession and trip limits were developed after considering any changes to the common pool quota, preliminary 2017 sector rosters, and 2016 catch rates. These adjustments are intended to facilitate optimized harvest of the common pool quotas and prevent early trimester closures.

The initial 2017 possession and trip limits are the same as the initial 2016 limits, with the exception of four stocks (Georges Bank (GB) cod, Gulf of Maine (GOM) haddock, Southern New England/Mid-Atlantic (SNE/MA) yellowtail flounder, and witch flounder). The initial possession and trip limit for GB cod outside the Eastern U.S./Canada area and witch flounder are reduced relative to initial 2016 possession and trip limits to prevent early stock area closures in Trimester 1 as occurred in 2016. For GOM haddock and SNE/MA yellowtail flounder, the initial 2017 limits are higher than the initial 2016 limits to allow additional opportunities given that quota utilization was low for these stocks in 2016.

The action sets the trip limit of GOM cod to 25 lb (11 kg) per DAS, up to 100 lb (45 kg) per trip for vessels fishing on a groundfish DAS. This action sets the trip limit of GOM cod to 25 lb (11 kg) per DAS, up to 100 lb (45 kg) per trip for vessels fishing on a groundfish DAS. This action sets the trip limit of GOM cod to 25 lb (11 kg) per DAS, up to 100 lb (45 kg) per trip for vessels fishing on a groundfish DAS. This action sets the trip limit of GOM cod to 25 lb (11 kg) per DAS, up to 100 lb (45 kg) per trip for vessels fishing on a groundfish DAS. This action sets the trip limit of GOM cod to 25 lb (11 kg) per DAS, up to 100 lb (45 kg) per trip for vessels fishing on a groundfish DAS.