were identified as necessary program components. To develop these five program components the Council created the Citizen Science Advisory Panel Pool and appointed members of the advisory panel to serve on Action Teams (sub-panels) to specifically address each of the five program areas—Volunteers, Data Management, Projects/Topics Management, Finance, and Communication/Outreach/ Education.

The Council will hold three webinar meetings for members of the Citizen Science Advisory Panel Action Teams. The webinar meetings are being held to provide an introduction to the Council’s Citizen Science program and the process and operation of the Action Teams. The three webinar meetings will cover the same agenda items and are being scheduled to address the availability of Action Team members.

Items to be addressed during these meetings:
1. The Council’s Citizen Science Program development
2. Operation and structure of the Action Teams
3. Terms of Reference for each Action Team
4. Schedule of Action Team webinar meetings

Special Accommodations
These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see ADDRESS) 3 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

Supplementary Information:

Background
A series of recent Executive Orders aimed at eliminating, improving, and streamlining current regulations and associated regulatory processes in a variety of areas have been issued. On January 24, 2017, President Trump issued Executive Order (E.O.) 13766, “Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects” (82 FR 8657, January 30, 2017). This E.O. requires infrastructure decisions to be accomplished with maximum efficiency and effectiveness, while also respecting property rights and protecting public safety. Additionally, the E.O. makes it a policy of the executive branch to “streamline and expedite, in a manner consistent with law, environmental reviews and approvals for all infrastructure projects.”

On January 30, 2017, President Trump issued E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” (82 FR 9339, February 3, 2017). E.O. 13771 provides that “it is essential to manage the costs associated with the governmental imposition of private expenditures required to comply with Federal regulations.” Toward that end, E.O. 13771 directs that “for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.”

On February 4, 2017, President Trump issued E.O. 13777, “Enforcing the Regulatory Reform Agenda,” which established a federal policy “to alleviate unnecessary regulatory burdens placed on the American people” (82 FR 12285, March 1, 2017). Among other issues, E.O. 13777 directs Federal agencies to establish a Regulatory Reform Task Force (Task Force), which will “evaluate existing regulations and make recommendations to the agency head regarding their repeal, replacement, or modification, consistent with applicable law.” Further, the E.O. directs each Task Force to identify regulations that meet the following criteria: Eliminate jobs, or inhibit job creation; are outdated, unnecessary, or ineffective; impose costs that exceed benefits; create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies; are inconsistent with the requirements of section 515 of the Treasury and General Government Appropriations Act, 2001; and/or derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified. Section 3(e) of
E.O. 13777 directs the Task Force to “seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations,” on regulations that meet any of the criteria mentioned above. Through this notice, NMFS and NOS solicit such input from the public to inform NOAA and the Department of Commerce Task Force’s evaluation of existing regulations.

On March 28, 2017, President Trump issued E.O. 13783, entitled “Promoting Energy Independence and Economic Growth” (82 FR 16093, March 31, 2017). Among other things, E.O. 13783 requires the heads of agencies to review all existing regulations, orders, guidance documents, policies, and any other similar agency actions (collectively, agency actions) that potentially burden the development or use of domestically produced energy resources, with particular attention to oil, natural gas, coal, and nuclear energy resources. Such review does not include agency actions that are mandated by law, necessary for the public interest, and consistent with the policy set forth elsewhere in that Executive Order.

Lastly, on April 28, 2017, President Trump issued E.O. 13795, “Implementing an America-First Offshore Energy Strategy” (82 FR 20815, April 28, 2017). Among the requirements of E.O. 13795 is section 10, which calls for a review of NMFS’ Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing as follows: “The Secretary of Commerce shall review NOAA’s Technical Memorandum NMFS–OPR–55 of July 2016 (Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing) for consistency with the policy set forth in Section 2 of this order and, after consultation with the appropriate Federal agencies, take all steps permitted by law to rescind or revise that guidance, if appropriate.” In response, NMFS published a notice in the Federal Register requesting comments relating to the review of the Technical Guidance under section 10 of E.O. 13795 (82 FR 24950, May 31, 2017). Therefore, the public does not need to provide comments on this topic in response to this particular notice.

In addition to the executive orders cited above, NMFS and NOS invite comment from the public, including entities significantly affected by Federal regulations, as well as State, local, and tribal governments, small businesses, consumers, non-governmental organizations, and trade associations. Since the regulations and processes NMFS and NOS follow under each of the topics identified in the Executive Orders are similar, we are issuing a single request for comment to ensure the public has the opportunity to comment in a coordinated fashion and do not have to respond to multiple requests for comment.

In addition to the executive orders cited, NMFS and NOS invite comment related to the application of Federal Regulations to marine aquaculture. Currently, the permitting for marine aquaculture is a complicated, multi-agency, multi-step process, and NMFS and NOS seek comment on improvements that can be made by the Department of Commerce within legislative mandates, including suggestions of agency processes. Information about the role of NMFS, NOS, and other federal agencies in the regulation of marine aquaculture is available online at http://www.nmfs.noaa.gov/aquaculture/policy/24_regulating_aquaculture.html.

**List of Processes and Regulations for Commenters**

NMFS and NOS specifically request comments on existing processes and regulations under the agencies’ statutory mandates. NMFS and NOS are broadly seeking comments on any existing Agency regulation the public thinks meet the criteria described in this background section. A brief description of each statute is provided below and examples of regulations the public may choose to comment on are provided in some cases. Additionally, NMFS and NOS request comments on existing processes and regulations for marine aquaculture.

**Existing Processes and Regulations Under the Agencies’ Statutory Mandates**


   - The Marine Mammal Protection Act (MMPA) generally prohibits the “take” of marine mammals by U.S. citizens or by any person or vessel in waters under U.S. jurisdiction, with certain exceptions.
   - Authorizations under Section 101(a)(5) for the take of marine mammals incidental to certain activities. Sections 101(a)(5)(A) & (D) of the MMPA allow for the authorization of take of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, provided certain findings are made and appropriate mitigation, monitoring, and reporting requirements are set forth. NMFS has issued regulations implementing standards and procedures for the 101(a)(5) process.


   - The Endangered Species Act of 1973 (ESA) provides for the conservation of species that are endangered or threatened throughout all or a significant portion of their range, and the conservation of the ecosystems on which they depend.
   - Section 7(a)(1) coordination with other Federal agencies to help conserve listed species and the habitats on which they depend. Federal agencies, under section 7(a)(1) of the Endangered Species Act (ESA), must utilize their authorities to carry out programs to conserve threatened and endangered species. NOAA Fisheries assists these agencies with the development of these conservation programs for marine species.
   - Section 7(a)(2) consultations (both formal and informal) with Federal agencies on Federal activities which may affect a listed species. For example, NMFS has endeavored to improve this consultation process by increasing the use of programmatic consultations for projects of a similar nature.

   c. Magnuson-Stevens Fishery Conservation and Management Act
private activities, “likely to destroy, cause the loss of, or injure a sanctuary resource.” For example, the Office of National Marine Sanctuaries (ONMS) has worked to integrate the consultation process under the NMSA with other consultation processes under ESA and MPA, when applicable, for a more efficient and coherent approach to consultation under the NOAA umbrella.

- Program implementation regulations (15 CFR part 922). ONMS regulations prohibit specific kinds of activities, describe and define the boundaries of the designated national marine sanctuaries and set up a system of permits to allow the conduct of certain types of activities.
- Coastal Zone Management Act (CZMA), 16 U.S.C. 1451 et seq.
- Program implementation regulations (15 CFR parts 923 or 930). The CZMA addresses the nation’s coastal issues through a voluntary partnership between the federal government and coastal and Great Lakes states and territories to provide the basis for protecting, restoring, and developing our nation’s diverse coastal communities, resources, and economies. Currently 34 coastal states participate in the Act and NOAA’s CZMA regulations give states the flexibility to design unique programs that best address their coastal challenges and regulations.

**Marine Aquaculture**

- Application of the existing NMFS and NOS processes and regulations listed above to marine aquaculture, including interagency processes and coordination with other federal agencies and states; and
- Regulation of offshore marine aquaculture in federal waters under the Magnuson-Stevens Act.

**Considerations for Commenters**

To maximize the usefulness of comments, NMFS and NOS encourage commenters to provide the following information:

- **Specific reference.** A specific reference to the process or regulation that imposes the burden that the comment discusses. This should be a citation to the Code of Federal Regulations, a guidance document number, or other relevant agency document(s). A specific reference will assist NMFS and/or NOS with identifying the requirement, the original source of the requirement, and relevant documentation that may describe the history and effects of the requirement.
- **Description of burden.** A description of the burden that the identified process or regulation imposes on businesses, States, tribes, or other affected entities. A comment that describes how the process or regulation impedes efficiency is more useful than a comment that merely asserts that it is burdensome. Comments that reflect experience with the requirement and provide data describing that experience are more credible than comments that are not tied to direct experience. Verifiable, quantifiable data describing burdens are more useful than anecdotal descriptions.

**Current Review Processes**

Processes associated with the Magnuson-Stevens Act (Act) currently provide opportunities for public review. The Act created eight regional Fishery Management Councils (Councils) responsible for the fisheries that require conservation and management in their region. The Councils are designed to be a stakeholder-driven management body and thus, most of the voting members of a Council are active in or have unique knowledge of the fisheries in their geographic region. Through these Councils, stakeholders provide direct and substantive input into the development and regular modification of fishery management plans and regulations. Councils balance both conservation and management needs for a fishery with the operational needs of fishing businesses. NMFS and the Councils work together to revise or remove regulations identified by stakeholders that are outdated, ineffective, insufficient, or excessively burdensome to the relevant fishery. Therefore, any public comments received on Council regulations will be forwarded to the appropriate Council for consideration.

Additionally, NMFS is reviewing regulations, as required, under section 610 of the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 et seq., which had, or will have, a significant impact on a substantial number of small entities, such as small businesses, small organizations, and small governmental jurisdictions. Per section 610(c) of the RFA, NMFS published a notice in the [Federal Register listing the regulations currently under review](https://www.federalregister.gov/a/28419) (82 FR 28419, June 7, 2017). Public comments received
DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XF522
Mid-Atlantic Fishery Management Council (MAFMC); Meeting
AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.
ACTION: Notice; public meeting.
SUMMARY: The Mid-Atlantic Fishery Management Council’s (MAFMC’s) Summer Flounder, Scup, and Black Sea Bass Monitoring Committee (MC) will hold a public meeting.
DATES: The meeting will be held on Monday, July 24, 2017, from 1 p.m. to 5 p.m. For agenda details, see SUPPLEMENTARY INFORMATION.
ADDRESS: The meeting will be held via webinar with a telephone-only connection option. Details on webinar registration and telephone-only connection details will be available at: http://www.mafmc.org.
Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; 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 Summer Flounder, Scup, and Black Sea Bass Monitoring Committee will meet from 1 p.m. to 5 p.m. to review and discuss previously implemented 2018 commercial and recreational Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs) for these three species and the Monitoring Committee may also recommend potential 2019 ACLs and ACTs for scup. The Monitoring Committee may consider recommending changes to the implemented 2018 ACLs and ACTs and other management measures as necessary. Meeting materials will be posted to http://www.mafmc.org/ prior to the meeting.

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XF250
Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seattle Multimodal Construction Project in Washington State
AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.
ACTION: Notice; issuance of an incidental harassment authorization.
SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that we have issued an incidental harassment authorization (IHA) to Washington State Department of Transportation (WSDOT) to take small numbers of marine mammals, by harassment, incidental to Seattle Multimodal Construction Project in Washington State.
DATES: This authorization is effective from August 1, 2017, through July 31, 2018.
FOR FURTHER INFORMATION CONTACT: Shane Guan, Office of Protected Resources, NMFS, (301) 477–8410. Electronic copies of the application and supporting documents, as well as the issued IHA, may be obtained online at: www.nmfs.noaa.gov/pr/permits/incidental/construction.htm. In case of problems accessing these documents, please call the contact listed above.
SUPPLEMENTARY INFORMATION:
Background
Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 et seq.) direct the Secretary of Commerce to allow, upon request by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified area, the incidental, but not intentional, taking of small numbers of marine mammals, provided that certain findings are made and the necessary prescriptions are established.

The incidental taking of small numbers of marine mammals shall be allowed if NMFS (through authority delegated by the Secretary) finds that the total taking by the specified activity during the specified time period will (i) have a negligible impact on the species or stock(s) and (ii) not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). Further, the permissible methods of taking, as well as the other means of effecting the least practicable adverse impact on the species or stock and its habitat (i.e., mitigation) must be prescribed. Last, requirements pertaining to the monitoring and reporting of such taking must be set forth.

Where there is the potential for serious injury or death, the allowance of incidental taking requires promulgation of regulations under MMPA section 101(a)(5)(A). Subsequently, a Letter (or Letters) of Authorization may be issued as governed by the prescriptions established in such regulations, provided that the level of taking will be consistent with the findings made for the total taking allowable under the specific regulations. Under MMPA section 101(a)(5)(D), NMFS may authorize incidental taking by harassment only (i.e., no serious injury...