DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

[Docket No. 201023–0279]

RIN 0648–BK06

Modification of Deadlines Under the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act

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

ACTION: Interim final rule; request for comments.

SUMMARY: NMFS issues this interim final rule to revise the regulations implementing the import provisions of the Marine Mammal Protection Act (MMPA). This interim final rule extends, by one year, the five-year exemption period to end December 31, 2022, and changes the deadline for comparability finding applications from March 1 of the year of expiration of a comparability finding to November 30 of the year prior to the expiration of a comparability finding, moving the comparability finding application deadline to November 30, 2021.

DATES: This interim final rule is effective November 3, 2020. Written comments must be received by 5 p.m. Eastern Time on December 3, 2020.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2020–0127, by the following methods:

(1) Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal at http://www.regulations.gov. Go to the URL http://www.regulations.gov/#/d/NOAA-NMFS-2020-0127, and click the “Comment Now!” icon, complete the required fields and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on 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 will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Anyone who is unable to comment through http://www.regulations.gov may contact the FOR FURTHER INFORMATION CONTACT below to discuss potential alternatives for submitting comments.

FOR FURTHER INFORMATION CONTACT: Nina Young, Office of International Affairs and Seafood Inspection, NMFS at Nina.Young@noaa.gov or 301–427–8383.

SUPPLEMENTARY INFORMATION:

Background

In August 2016, NMFS published a final rule (81 FR 54390; August 15, 2016) implementing the fish and fish product import provisions (section 101(a)(2)) of the MMPA (hereafter referred to as the MMPA Import Provisions), which prohibit the import of fish or fish products from commercial fishing operations that resulted in the incidental mortality or serious injury of marine mammals in excess of United States standards. Specifically, this rule established conditions for evaluating a harvesting nation’s regulatory programs to allow the import of fish or fish products into the United States if the harvesting nation’s program meets or exceeds United States standards. Specifically, this rule established conditions for evaluating a harvesting nation’s regulatory programs to allow the import of fish or fish products into the United States if the harvesting nation’s program meets or exceeds United States standards. Specifically, this rule established conditions for evaluating a harvesting nation’s regulatory programs to allow the import of fish or fish products into the United States if the harvesting nation’s program meets or exceeds United States standards.

Exemption Period

Under the MMPA Import Provisions, NMFS established an initial five-year exemption period similar to the Interim Exemption for domestic fisheries that occurred in 1988 prior to implementation of the framework for addressing marine mammal bycatch in U.S. commercial fisheries. Currently, the exemption period expires December 31, 2021. This interim final rule would extend the exemption period one year to end December 31, 2022. During the exemption period, the prohibitions of the MMPA Import Provisions do not apply to imports from the harvesting nation. NMFS established the five-year