

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648–XF497

**Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting**

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

**ACTION:** Notice of scoping meetings, request for comments.

**SUMMARY:** The Mid-Atlantic Fishery Management Council's Surfclam and Ocean Quahog Committee will hold four public meetings related to the Excessive Shares Amendment.

**DATES:** Written comments will be accepted until July 21, 2017. Four scoping meetings will be held during this comment period. For dates, times, and locations, see **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** Written comments may be sent by any of the following methods:

- Email to the following address: [jmontanez@mafmcc.org](mailto:jmontanez@mafmcc.org); Include "SCOQ Excessive Shares Amendment Scoping Comments" in the subject line.

- Mail or hand deliver to Dr. Christopher Moore, Executive Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, Delaware 19901. Mark outside of the envelope "SCOQ Excessive Shares Amendment Scoping Comments."

- FAX to (302) 674–5399; Include "SCOQ Excessive Shares Amendment Scoping Comments" in the subject line.

- A Web form for submitting comments is available on the Council's Web site: <http://www.mafmc.org/comments/scoq-excessive-shares-amendment-scoping>. The scoping guide will be posted to the Council's Web site by June 19, 2017. The scoping guide may be obtained from the Council office at the previously provided address, or by request to the Council by phone (302) 674–2331, or via the Internet at <http://www.mafmc.org>.

- Comments may also be provided verbally at any of the four scoping meetings. See **SUPPLEMENTARY INFORMATION** for dates, times, and locations.

**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 <http://www.mafmc.org>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Christopher Moore, Executive Director,

Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

**SUPPLEMENTARY INFORMATION:** The Mid-Atlantic Fishery Management Council is developing this Amendment to the Surfclam and Ocean Quahog (SCOQ) Fishery Management Plan (FMP; called Excessive Shares Amendment) to (1) implement measures that specifically define what constitutes an excessive share in the SCOQ Individual Fishing Quota (ITQ) program, (2) review and if necessary revise goals and objectives in the FMP. During the scoping comment period, which will include scoping meetings, the public may provide comments on the range of issues and information that should be considered, including comments related to the excessive shares issue in the SCOQ ITQ fisheries and goals and objectives of the FMP, as well as any other issues that might be of concern regarding to the management of the SCOQ ITQ fishery. Additional information and background documents about the amendment can be found at: <http://www.mafmc.org/actions/scoq-excessive-shares-amendment>.

**Scoping Meetings**

The dates and locations of the scoping meetings are as follows:

- Monday, July 10, 2017, 6:30 p.m., Hilton Garden Inn Providence Airport, 1 Thurber Street, Warwick, RI 02886, telephone: (401) 734–9600.

- Tuesday, July 11, 2017, 6:30 p.m., Internet Webinar, Connection information to be available at <http://www.mafmc.org>. This meeting will be conducted via webinar accessible via the internet from the Council's Web site, <http://www.mafmc.org>. Members of the public may also attend in-person at the Council office address (see **ADDRESSES**) for this webinar meeting, if they contact the Council by July 7, 2017.

- Wednesday, July 12, 2017, 6:30 p.m., The Grand Hotel, 1045 Beach Avenue, Cape May, NJ 08204, telephone: (609) 884–5611.

- Monday, July 17, 2017, 6 p.m., Ocean Pines Branch Library, 1107 Cathell Road, Berlin, MD 21811, telephone: (410) 208–4014.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526–5251, at least 5 days prior to the meeting date.

Dated: June 20, 2017.

**Tracey L. Thompson,**

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

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**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

RIN 0648–XF448

**Notice of Availability of the Final Programmatic Environmental Impact Statement and Restoration Plan To Compensate for Injuries to Natural Resources in Portland Harbor, Oregon**

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

**ACTION:** Notice of availability of a Final Programmatic Environmental Impact Statement and Restoration Plan.

**SUMMARY:** In this notice, NMFS announces the availability of the Programmatic Environmental Impact Statement and Restoration Plan to Compensate for Injuries to Natural Resources in Portland Harbor, Oregon.

The National Environmental Policy Act (NEPA) of 1960, requires an assessment of any Federal action that may impact the environment, which, in this case, is the selection of a Restoration Plan. The purpose of the PEIS/RP is to evaluate, in compliance with the National Environmental Policy Act (NEPA), the potential direct, indirect, and cumulative impacts of implementing the alternative programmatic approaches to restoration in the Portland Harbor area.

**ADDRESSES:** Obtaining documents: You may download the PEIS/RP at [https://www.fws.gov/oregonfwo/Contaminants/PortlandHarbor/Documents/201706\\_FINAL\\_PEIS.pdf](https://www.fws.gov/oregonfwo/Contaminants/PortlandHarbor/Documents/201706_FINAL_PEIS.pdf). Or you may request a CD of the document from Megan Callahan Grant, NOAA Restoration Center, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232.

**FOR FURTHER INFORMATION CONTACT:** Megan Callahan Grant at (503) 231–2213 or email at [megan.callahan-grant@noaa.gov](mailto:megan.callahan-grant@noaa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

NOAA, the Department of the Interior (U.S. Fish and Wildlife Service), the Oregon Department of Fish and Wildlife, the Nez Perce Tribe, the Confederated Tribes of the Warm

Springs Indian Reservation of Oregon, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Siletz Indians, and the Confederated Tribes of the Grand Ronde Community of Oregon are collectively referred to as the Trustee Council for this case. The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 *et seq.*; the Oil Pollution Act (OPA) of 1990, 33 U.S.C. 2701 *et seq.*; the Clean Water Act (CWA), 33 U.S.C. 1251; the National Oil and Hazardous Substances Pollution Contingency Plan (National Contingency Plan [NCP]), 40 CFR 300, Subpart G; Executive Orders 12580 and 12777; and other applicable Federal and state laws and regulations provide a legal framework for addressing injuries to the nation's natural resources resulting from releases of hazardous substances and discharges of oil.

In January of 2007, the Portland Harbor Trustee Council released a Pre-Assessment Screen (PAS) for the Portland Harbor Superfund site. The PAS concluded that natural resources in the area have been affected or potentially affected from releases or discharges of contaminants. Based on the conclusions of the PAS, the Portland Harbor Trustee Council determined that proceeding past the pre-assessment phase to a full natural resource damage assessment was warranted.

Exposed living natural resources include, but are not limited to: (1) Aquatic-dependent mammals such as mink and river otter, and species they depend on as prey items; (2) migratory birds, including osprey, bald eagle, mergansers and other waterfowl, great blue heron, spotted sandpiper and other shorebirds, cliff swallow, belted kingfisher, and other species; (3) threatened and endangered species; (4) anadromous and resident fish, including salmon and steelhead; (5) reptiles and amphibians; (6) aquatic invertebrates; (7) wapato and other aquatic plants.

Exposed habitat types and water natural resources include wetland and upland habitats, groundwater, and surface water. The services that are provided by these potentially affected natural resources include, but are not limited to: (1) Habitat for trust resources, including food, shelter, breeding, foraging, and rearing areas, and other factors essential for survival; (2) consumptive commercial resource use such as commercial fishing; (3) consumptive recreational resource use such as hunting and fishing; (4) non-consumptive uses such as wildlife viewing, photography, and other outdoor recreation activities; (5) primary

and secondary contact activities such as swimming and boating; (6) cultural, spiritual, and religious use; (7) option and existence values; (8) traditional foods.

An Assessment Plan was completed in June of 2010. Based on this plan, scientific literature and studies being conducted by the Trustee Council seek to document injuries from hazardous substances found in Portland Harbor. The objective of these studies is to demonstrate (1) how the contamination has harmed the organisms that inhabit the riverine sediments, (2) how the contamination has harmed the fish and wildlife that come into contact with the contaminated sediments or that eat contaminated prey items, and (3) how the harm to the natural resources has impacted the people that use these resources. Concurrent with the damage assessment, the Trustee Council is conducting restoration planning.

By identifying criteria and guidance to be used in selecting feasible restoration projects, the Restoration Plan provides a framework to maximize the benefits of restoration projects to the affected resources and services in the defined areas of the Lower Willamette River. The Trustee Council analyzed three alternatives including: (1) (Preferred) integrated habitat restoration actions that will benefit multiple species and services (those species listed above as potentially affected by releases of hazardous substances, such as salmon and resident fish, mammals such as mink and river otter, and aquatic-dependent birds such as osprey and bald eagle); (2) species-specific restoration actions (for example, augmenting a species population through artificial production); and (3) a no-action alternative (no action takes place and the public is not compensated). Two additional alternatives for restoration were considered but not moved forward for detailed study because they did not meet the purpose and need for the project. The first was an alternative without any defined geographic boundary, and the second was an alternative including a requirement that all restoration would occur within the defined geographic area called the Superfund Study Area.

The Draft Portland Harbor Programmatic EIS and Restoration Plan was released for public comment on July 9, 2012. The comment period ended October 8, 2012, and a public Open House meeting was held on July 17, 2012.

Comments were received from 21 parties, resulting in 193 individual comments. The Final PEIS includes

responses to these comments as Appendix F.

The Trustee Council has opened an Administrative Record (Record). The Record includes documents that the Trustees relied upon during the development of the Final Restoration Plan and Final PEIS. The Record is on file at the offices of Parametrix, a contractor to NOAA. The Record is also available at: <http://www.fws.gov/oregonfwo/contaminants/PortlandHarbor/default.asp>.

### Next Steps

In accordance with NEPA, a Federal agency must prepare a concise public Record of Decision (ROD) at the time the agency makes a decision in cases involving an EIS (40 CFR 1505.2). The Trustees will issue a ROD pursuant to NEPA regulations at 40 CFR 1505.2. Accordingly, the ROD for the Final RP/PEIS will provide and explain the Trustees' decisions regarding the selection of a preferred alternative. The Trustees will issue the ROD no earlier than 30 days after the Environmental Protection Agency publishes a notice in the **Federal Register** announcing the availability of the Final RP/PEIS (40 CFR 1506.10).

Dated: June 15, 2017.

**Carrie D. Selberg,**

*Deputy Director, Office of Habitat Conservation, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Meeting of the Ocean Exploration Advisory Board (OEAB)

**AGENCY:** Office of Ocean Exploration and Research (OER) National Oceanic and Atmospheric Administration (NOAA) Department of Commerce (DOC).

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Ocean Exploration Advisory Board (OEAB). OEAB members will discuss and provide advice on Federal ocean exploration programs, with a particular emphasis on National Oceanic and Atmospheric Administration (NOAA) Office of Ocean Exploration and Research (OER) activities; the use of ocean exploration data by decision makers, including those in the not-for-