

of fewer than 15 animals) of red wolves would be maintained in the NC NEP management area and actively managed under the RWAMWP.

- Specify that the primary role of the NC NEP would be to provide a source of red wolves that are raised in, and adapted to, natural conditions for the purpose of facilitating future reintroductions.
- Not prohibit take of red wolves on private lands and non-Federal public lands outside of the NC NEP management area.

Withdrawal of Proposed Rule

During the two comment periods on the June 28, 2018, proposed rule, we received more than 16,000 public comments. Of those, more than 99 percent of the comments opposed the proposed rule and recommended greater conservation efforts for red wolves in the NC NEP. In general, commenters were concerned about the reduction in the size of the NEP area and lack of take prohibitions on private and non-Federal lands outside the NC NEP management area; many commenters asserted that the proposed rule did not further the conservation of the red wolf. Additionally, many commenters recommended that the rule include measures for improving working relationships with private landowners and other stakeholders, and foster increased tolerance of red wolves on private lands.

After fully considering the recent court decisions involving the NC NEP discussed above under *Legal Actions* and concerns raised in the comments we received in response to the June 28, 2018, proposed rule, we are withdrawing the June 28, 2018, proposed rule. We will manage the NC NEP under the existing regulations at 50 CFR 17.84(c), as informed by relevant court orders, which include authority to release captive red wolves and conduct adaptive management. The NC NEP will continue to encompass the five counties of the Albemarle Peninsula in North Carolina (Beaufort, Dare, Hyde, Tyrrell, and Washington Counties). Furthermore, the Service currently has a permit from the North Carolina Wildlife Resources Commission (which regulates take of coyotes) authorizing the Service to conduct coyote sterilization on Federal lands and non-Federal lands with the written consent of the landowner within the five-county NC NEP.

Authorized take will be limited to protection of oneself or others from potential harm, protection of livestock or pets in immediate danger, and unintentional take. Otherwise, take

prohibitions under section 9 of the Act will be enforced. While we remain concerned that the existing regulations at 50 CFR 17.84(c) may not provide some private landowners and stakeholders with the management flexibility sufficient to improve tolerance of red wolves, we continue to work with stakeholders to identify ways to foster more effective coexistence between people and wolves. For example, the Service has implemented a new project under its Partners for Fish and Wildlife Program, Prey for the Pack, which is intended to improve these relationships and create a more supportive environment for conservation of red wolves. Through this program, the Service works with willing private landowners within the NC NEP to provide funding and technical assistance to restore and enhance habitat on private lands to benefit red wolf prey species (e.g., white-tailed deer, rabbits) in exchange for landowner willingness to tolerate red wolf use of their property and to provide the Service access to conduct red wolf management activities. We will continue to work with our partners and stakeholders to establish the support necessary for red wolf conservation.

Authors

The primary authors of this rule are the staff members of the Service's South Atlantic-Gulf Interior Region.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Martha Williams,

Principal Deputy Director, Exercising the Delegated Authority of the Director, U.S. Fish and Wildlife Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

RIN 0648-BK66

Pacific Island Fisheries; Amendment 6 to the Fishery Ecosystem Plan for the Mariana Archipelago; Rebuilding Plan for Guam Bottomfish

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

ACTION: Notice of availability of fishery ecosystem plan amendment; request for comments.

SUMMARY: NMFS announces that the Western Pacific Fishery Management Council (Council) proposes to amend the Fishery Ecosystem Plan for the Mariana Archipelago (FEP). If approved, Amendment 6 would establish a rebuilding plan for the Guam bottomfish stock complex. The Council recommended Amendment 6 to rebuild the Guam bottomfish stock, which is overfished.

DATES: NMFS must receive comments on Amendment 6 by January 14, 2022.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2021-0104, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov> and enter NOAA-NMFS-2021-0104 in the Search box, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

Instructions: NMFS may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. All comments received are a part of the public record, and NMFS will generally post them for public viewing on 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).

Amendment 6 includes a draft environmental assessment (EA) that analyzes the potential impacts of the proposed action and alternatives considered. Copies of Amendment 6, including the draft EA and Regulatory Impact Review (RIR), and other supporting documents are available at www.regulations.gov or the Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226, www.wpcouncil.org.

FOR FURTHER INFORMATION CONTACT: Kate Taylor, Sustainable Fisheries, NMFS PIR, 808-725-5182.

SUPPLEMENTARY INFORMATION: NMFS and the Council manage the Guam

bottomfish fishery under the FEP and implementing regulations. The Guam fishery harvests 11 species of emperors, snappers, groupers, and jacks. There are more than 300 participants in the fishery. Most (73.6 percent) of the bottomfish habitat is in territorial waters, with the rest in Federal waters around offshore banks to the northeast and southwest of Guam. Fishing is mostly from vessels less than 25 ft (7.6 m) in length close to shore, targeting shallow-water species for recreational, subsistence, and small-scale commercial purposes. A few larger vessels make trips to offshore banks to harvest deepwater species primarily for commercial purposes.

Since 2001, the fishery landed between 11,711 (5,312 kg) and 54,062 lb (24,522 kg) annually. The most recent 3 year average (2018–2020) Guam bottomfish catch (from both Federal and territorial waters) was 27,306 lb (12,386 kg), and the fishery landed 18,933 lb (8,588 kg) in 2020. Although bottomfish have accounted for only 10–15 percent of Guam's boat-based fish harvest, bottomfish hold fundamental dietary and cultural importance for the people of Guam. Federal waters around Guam remain important for the harvest of

deepwater snappers at offshore banks to provide locally sourced bottomfish.

On February 10, 2020, NMFS notified the Council that the Guam bottomfish stock complex was overfished, but not subject to overfishing (85 FR 26940, May 6, 2020). Consistent with Section 304(e) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and implementing regulations at 50 CFR 600.310(j), the Council must prepare, and NMFS must implement a rebuilding plan within two years of the notification. If approved, Amendment 6 would implement a rebuilding plan for the Guam bottomfish stock complex that consists of an annual catch limit (ACL) and two accountability measures (AM). We would set the ACL 31,000 lb (14,061 kg) starting in 2022, and catches from both territorial and Federal waters around Guam would count toward the ACL. The fishing year is the calendar year.

As an in-season AM, if NMFS projects that the fishery will reach the ACL in any year, then we would close the fishery in Federal waters for the remainder of that year. As an additional AM, if subsequent analyses indicate that the fishery exceeded the ACL during a year, we would close the fishery in

Federal waters until NMFS and the Territory of Guam implement a coordinated management regime to ensure that the catch in both Federal and territorial waters is maintained at levels that allow the stock to rebuild. The rebuilding plan would remain in place until NMFS determines that the stock complex is rebuilt, which is expected to take eight years. NMFS and the Council would review the rebuilding plan every two years and amend it, as necessary.

NMFS must receive comments on Amendment 6 by January 14, 2022 for consideration in the decision to approve, partially approve, or disapprove the amendment. Concurrent with NMFS's review of the amendment under the Magnuson-Stevens Act procedures, NMFS expects to publish in the **Federal Register** and request public comment on a proposed rule to implement the draft measures described in Amendment 6.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: November 9, 2021.

Ngagne Jafnar Gueye,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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