

**FOR FURTHER INFORMATION CONTACT:**

Adrienne Y. Denysyk, Media Bureau, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MB Docket No. 16-362, adopted October 27, 2016. The FM Table of Allotment does not contain vacant Channel 224A at Mullins, Texas because the channel was removed from the FM Table because it was auctioned in Auction 93, and considered an authorized station. See 79 FR 64125, published October 28, 2014. Channel 224A at Mullins, Texas is no longer considered an authorized station but instead a vacant allotment because the construction permit for Station DKFON was cancelled on January 8, 2016. See File No. BNPH-20120523ABP. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. The full text is also available online at <http://apps.fcc.gov/ecfs/>. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

**List of Subjects in 47 CFR Part 73**

Radio, Radio broadcasting.

Federal Communications Commission.

**Nazifa Sawez,**

*Assistant Chief, Audio Division, Media Bureau.*

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

**PART 73—RADIO BROADCAST SERVICES**

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336 and 339.

**§ 73.202 [Amended]**

■ 2. In § 73.202(b) amend the table under Texas by adding Mullin, Channel 277A to read as follows:

**§ 73.202 Table of Allotments.**

(b) <i>Table of FM Allotments.</i>					
Texas					
	*	*	*	*	*
Mullin .....					277A
	*	*	*	*	*
* * * * *					
[FR Doc. 2016-27221 Filed 11-10-16; 8:45 am]					
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**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Parts 28 and 29**

[Docket No. FWS-HQ-NWRS-2012-0086; FXRS12610900000-167-FF09R24000]

**RIN 1018-AX36**

**Management of Non-Federal Oil and Gas Rights**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; availability of record of decision.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), make available the final record of decision (ROD) on revising regulations governing non-Federal oil and gas activities on National Wildlife Refuge System lands in order to improve our ability to protect refuge resources, visitors, and the general public's health and safety from potential impacts associated with non-Federal oil and gas operations located within refuges. The Service has selected Alternative B, implementation of the final rule, Management of Non-Federal Oil and Gas Rights, which revises current Service regulations, as its final decision. This decision is described and analyzed in the final environmental impact statement and summarized in the ROD.

**ADDRESSES:** Copies of the ROD are available for public review at <http://www.fws.gov/refuges/oil-and-gas/rulemaking.html> and at <http://www.regulations.gov> under Docket No. FWS-HQ-NWRS-2012-0086.

[www.fws.gov/refuges/oil-and-gas/rulemaking.html](http://www.fws.gov/refuges/oil-and-gas/rulemaking.html) and at <http://www.regulations.gov> under Docket No. FWS-HQ-NWRS-2012-0086.

**FOR FURTHER INFORMATION CONTACT:**

Scott Covington, U.S. Fish and Wildlife Service, Division of Natural Resources and Planning, MS: NWRS, 5275 Leesburg Pike, Falls Church, Virginia 22041; telephone 703-358-2427. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339. Further contact information can be found on the Refuge's Energy Program Web site at <http://www.fws.gov/refuges/oil-and-gas/rulemaking.html>.

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

With this document, we announce the availability of the record of decision (ROD) for the final environmental impact statement (EIS) analyzing revisions to the Service's regulations governing non-Federal oil and gas development on lands of the National Wildlife Refuge System (NWRS). Non-Federal oil and gas development refers to oil and gas activities associated with any private, State, or tribally owned mineral interest where the surface estate is administered by the Service as part of the Refuge System.

On February 24, 2014, we issued an advance notice of proposed rulemaking (79 FR 10080) to assist us in developing a proposed rule and announced our intent to prepare an EIS; the comment period for this document closed April 25, 2014. In response to requests we received, on June 9, 2014, we reopened the comment period until July 9, 2014 (79 FR 32903). During the two comment periods, we received almost 80,000 responses, mostly form letters, of which greater than 99 percent were in support of revising the existing regulations. We reviewed and considered substantive comments as we drafted the proposed rule. On December 11, 2015, we published a proposed rule and draft EIS (80 FR 77200). In response to the proposed rule and draft EIS, we received almost 40,000 responses, mostly form letters. All comments we received were carefully considered and, where appropriate, incorporated into the final rule and EIS. On August 22, 2016, we announced the availability of a final EIS, which evaluated the impacts of three alternatives (81 FR 56575):

The FEIS evaluates the impacts of the following three alternatives:

Alternative A, the no-action alternative, retains the current level of regulation and oversight of oil and gas activities by the Service.

Alternative B, the Service's selected alternative to implement, establishes a uniform process for when and how an operator must obtain an "operations permit" and ensures that all new operations on the NWRS are conducted under a suite of performance-based standards for avoiding or minimizing impacts to refuge resources or visitor uses. Alternative B also ensures that all operators on the NWRS successfully reclaim their area of operations once operations end. Under Alternative B, operations in Alaska would continue to be governed by title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh–410hh–5, 16 U.S.C. 3101 *et seq.*, 43 U.S.C. 1601 *et seq.*), and the Department's implementing regulations and standards found at 43 CFR part 36.

Alternative C includes all the proposed changes in Alternative B, with these additions: Service jurisdiction would expand to regulate non-Federal oil and gas operations that occur on private surface within the boundary of a refuge (*i.e.*, inholdings) and to operations on non-Federal surface locations that use directional drilling to access non-Federal oil and gas underneath the surface of a refuge; and performance-based standards and the permitting process would expand to actively regulate downhole operations such as well cementing, well casing, and well integrity testing.

#### Decision

The Service has determined that Alternative B, the agency-preferred alternative, best meets the agency's purpose and needs for revising regulations governing non-Federal oil and gas activities on the NWRS, because it most appropriately balances protection for refuge resources and uses with the administrative and cost burden imposed on both the regulated community and the Service. Therefore, it is the Service's decision to implement Alternative B, and make final the rule defined by that alternative for managing non-Federal oil and gas activities on the NWRS. This decision is based on the information contained in the final EIS. The ROD was prepared pursuant to the requirements of the Council on Environmental Quality regulations for implementing NEPA at 40 CFR parts 1500–1508 and the Department of the Interior's implementing regulations.

#### Authority

We issue this document under the authority of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*) and the Department of the Interior regulations that implement NEPA (part

46 of title 43 of the Code of Federal Regulations) and the National Wildlife Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act (16 U.S.C. 668dd *et seq.*).

Dated: October 5, 2016

**Michael J. Bean,**

*Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2016–27215 Filed 11–10–16; 8:45 am]

**BILLING CODE 4333–15–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

**RIN 0648–BD22**

#### Atlantic Highly Migratory Species; Atlantic Shark Management Measures; Draft Amendment 5b

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

**ACTION:** Notice of change of public hearing location.

**SUMMARY:** On October 18, 2016, NMFS published a proposed rule for Amendment 5b to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) based on the results of the 2016 stock assessment update for Atlantic dusky sharks. Based on the assessment update, NMFS determined that the stock remains overfished and is experiencing overfishing. As described in the proposed rule, NMFS proposed management measures that would reduce fishing mortality on dusky sharks and rebuild the dusky shark population, consistent with legal requirements. The proposed rule included times and locations of several public hearings. This notice announces that we are changing the location of the Florida public hearing.

**DATES:** NMFS will hold six public hearings on Draft Amendment 5b as announced in the October 18, 2016 proposed rule, except the November 21, 2016 meeting location has changed from Melbourne, Florida, to Satellite Beach, Florida. Written comments on the October 18, 2016 proposed rule for Amendment 5b will be accepted until December 22, 2016. See **SUPPLEMENTARY INFORMATION** for the revised Florida meeting location. See **SUPPLEMENTARY INFORMATION** in the Amendment 5b proposed rule (October 18, 2016, 81 FR

71672) for the other public hearings, conference calls, and an HMS Advisory Panel meeting dates, times, and locations.

**ADDRESSES:** NMFS will hold a public hearing on the proposed rule for Amendment 5b to the 2006 Consolidated HMS FMP (October 18, 2016, 81 FR 71672) in Satellite Beach, FL. For specific location, date and time see the **SUPPLEMENTARY INFORMATION** section of this document.

Copies of the supporting documents—including the draft environmental impact statement (DEIS), Regulatory Impact Review (RIR), Initial Regulatory Flexibility Analysis (IRFA), and the 2006 Consolidated Atlantic HMS FMP are available from the HMS Web site at <http://www.nmfs.noaa.gov/sfa/hms/> or by contacting Tobey Curtis at 978–281–9273.

**FOR FURTHER INFORMATION CONTACT:** Tobey Curtis at 978–281–9273 or Karyl Brewster-Geisz at 301–427–8503.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 18, 2016, NMFS published a proposed rule (81 FR 71672) for Draft Amendment 5b to the 2006 Consolidated HMS FMP based on the results of the 2016 stock assessment update for Atlantic dusky sharks. Based on this assessment, NMFS determined that the dusky shark stock remains overfished and is experiencing overfishing and in the Draft Amendment proposed management measures that would reduce fishing mortality on dusky sharks and rebuild the dusky shark population consistent with legal requirements. The comment period for the proposed rule closes December 22, 2016, and any comments received during the comment period will be considered in the development of Final Amendment 5b to the 2006 Consolidated HMS FMP.

##### Request for Comments

As announced in the proposed rule, NMFS will hold six public hearings (in New Jersey, Rhode Island, Louisiana, Texas, Florida, and North Carolina) to provide the opportunity for public comment on the proposed measures. NMFS will also hold one public conference call/webinar to provide individuals an opportunity to submit public comment if they are unable to attend a public hearing. Due to a scheduling conflict at the Melbourne Public Library, the location of the Florida public hearing announced in the proposed rule has changed. The public hearing will now be held in Satellite Beach, FL; the date and time have not