

your competitors are and the nature of the competition. You must also explain with specificity how disclosure of *each category* of information that you object to disclosing on this basis would provide your competitors with valuable insights into your operation, give competitors pricing advantages over you, or unfairly give advantage to competitors in future business negotiations, or any other information that sufficiently explains the substantial competitive injury that would likely result from disclosure. *National Parks II*, 547 F.2d at 684; *Center for Public Integrity v. Dep't of Energy*, 191 F. Supp. 2d 187, 194 (D.D.C. 2002); *Judicial Watch, Inc. v. Export-Import Bank*, 108 F. Supp. 2d 19, 29 (D.D.C. 2000). Additionally, as noted above, you must also certify that any information you object to disclosing is confidential, you have not disclosed the information to the public, and the information is not routinely available to the public from other sources. See 43 CFR 2.30–2.31.

As a final matter, please be aware that the FOIA requires that “any reasonably segregable portion of a record” must be released after appropriate application of the FOIA’s nine exemptions. See 5 U.S.C. 552(b) (discussion after exemptions). In addition, please note that, where a record contains both exempt and nonexempt material, the bureau will generally separate and release the nonexempt information when responding to a FOIA request. 43 CFR 2.25. You should be mindful of this segregability requirement in formulating any objections you may have to the disclosure of the information sought by HSI.

### III. Submission of Objections

Should you wish to object to disclosure of any of the requested records (or portions thereof), the Department must receive from you all of the information requested above by no later than the date specified above in **DATES**.

If you do not submit any objections to the disclosure of the information (or portions thereof) to HSI on or before the date specified above in **DATES**, the Department will presume that you do not object to such disclosure and may release the information without redaction. Please note that the Department, not you, is responsible for deciding whether the information should be released or withheld. If we decide to release records over your objections, we will inform you at least 10 business days in advance of the intended release.

Please note that any comments you submit to the Department objecting to

the disclosure of the documents may be subject to disclosure under the FOIA if the Department receives a FOIA request for them. In the event your comments contain commercial or financial information and a requester asks for the comments under the FOIA, the Department will notify you and give you an opportunity to comment on the disclosure of such information.

Dated: October 27, 2016.

**Stephen Guestin,**

*Acting Director, U.S. Fish and Wildlife Service.*

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**BILLING CODE 4333–15–P**

## DEPARTMENT OF THE INTERIOR

[FWS–R4–FHC–2016–N176;  
FVHC98220410150–XXX–FF04G01000]

### Deepwater Horizon Oil Spill; Louisiana Trustee Implementation Group Draft Restoration Plan #1: Restoration of Wetlands, Coastal, and Nearshore Habitats; Habitat Projects on Federally Managed Lands; and Birds

**AGENCY:** Department of the Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** In accordance with the Oil Pollution Act of 1990 (OPA), the National Environmental Policy Act (NEPA), the Consent Decree, and the Final Programmatic Damage Assessment Restoration Plan and Final Programmatic Environmental Impact Statement (Final PDARP/PEIS), the Federal and State natural resource trustee agencies for the Louisiana Trustee Implementation Group (Trustees) have prepared a Draft Restoration Plan #1: Restoration of Wetlands, Coastal, and Nearshore Habitats; Habitat Projects on Federally Managed Lands; and Birds (Draft Restoration Plan 1) describing and proposing engineering and design activities for restoration projects intended to continue the process of restoring natural resources and services injured or lost as a result of the *Deepwater Horizon* oil spill, which occurred on or about April 20, 2010, in the Gulf of Mexico.

**DATES:** *Comments Due Date:* We will consider public comments received on or before November 28, 2016.

*Public Meeting:* If requested, the Trustees will schedule a public meeting to facilitate public review and comment process on the draft document.

**ADDRESSES:** *Obtaining Documents:* You may download the Louisiana Trustee Implementation Group Draft Restoration

Plan 1: Restoration of Wetlands, Coastal, and Nearshore Habitats, Habitat Projects on Federally Managed Lands, and Birds draft restoration plan at any of the following sites:

- <http://www.gulfspillrestoration.noaa.gov>
- <http://www.doi.gov/deepwaterhorizon>
- <http://www.la-dwh.com>

Alternatively, you may request a CD of the Draft Restoration Plan 1 (see **FOR FURTHER INFORMATION CONTACT**). You may also view the document at any of the public facilities listed at <http://www.gulfspillrestoration.noaa.gov>.

**Submitting Comments:** You may submit comments on the draft document by one of following methods:

- *Via the Web:* <http://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>.
- *Via U.S. Mail:* U.S. Fish and Wildlife Service, P.O. Box 49567, Atlanta, GA 30345.
- Louisiana Coastal Protection & Restoration Authority, ATTN: Liz Williams, P.O. Box 44027, Baton Rouge, LA 70804.

**FOR FURTHER INFORMATION CONTACT:** Liz Williams at [LATIC@la.gov](mailto:LATIC@la.gov).

### SUPPLEMENTARY INFORMATION:

#### Introduction

On or about April 20, 2010, the mobile offshore drilling unit *Deepwater Horizon*, which was being used to drill a well for BP Exploration and Production, Inc. (BP), in the Macondo prospect (Mississippi Canyon 252–MC252), experienced a significant explosion, fire, and subsequent sinking in the Gulf of Mexico, resulting in an unprecedented volume of oil and other discharges from the rig and from the wellhead on the seabed. The *Deepwater Horizon* oil spill is the largest oil spill in U.S. history, discharging millions of barrels of oil over a period of 87 days. In addition, well over 1 million gallons of dispersants were applied to the waters of the spill area in an attempt to disperse the spilled oil. An undetermined amount of natural gas was also released into the environment as a result of the spill.

The *Deepwater Horizon* State and Federal natural resource trustees (Trustees) conducted the natural resource damage assessment (NRDA) for the *Deepwater Horizon* oil spill under the Oil Pollution Act 1990 (OPA; 33 U.S.C. 2701 *et seq.*). Pursuant to OPA, Federal and State agencies act as trustees on behalf of the public to assess natural resource injuries and losses and to determine the actions required to compensate the public for those injuries and losses. OPA further instructs the

designated trustees to develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured natural resources under their trusteeship, including the loss of use and services from those resources from the time of injury until the time of restoration to baseline (the resource quality and conditions that would exist if the spill had not occurred) is complete. The Trustees are:

- U.S. Department of the Interior (DOI), as represented by the National Park Service, U.S. Fish and Wildlife Service, and Bureau of Land Management;
- National Oceanic and Atmospheric Administration (NOAA), on behalf of the U.S. Department of Commerce;
- U.S. Department of Agriculture (USDA);
- U.S. Environmental Protection Agency (USEPA);
- State of Louisiana Coastal Protection and Restoration Authority (CPRA), Oil Spill Coordinator's Office (LOSCO), Department of Environmental Quality (LDEQ), Department of Wildlife and Fisheries (LDFW), and Department of Natural Resources (LDNR);
- State of Mississippi Department of Environmental Quality;
- State of Alabama Department of Conservation and Natural Resources and Geological Survey of Alabama;
- State of Florida Department of Environmental Protection and Fish and Wildlife Conservation Commission; and
- For the State of Texas: Texas Parks and Wildlife Department, Texas General Land Office, and Texas Commission on Environmental Quality.

Upon completion of the NRDA, the Trustees reached and finalized a settlement of their natural resource damage claims with BP in a Consent Decree approved by the United States District Court for the Eastern District of Louisiana. Pursuant to that Consent Decree, restoration projects in Louisiana are now chosen and managed by the Louisiana Trustee Implementation Group (TIG). The Louisiana TIG is composed of the following Trustees:

- U.S. Department of the Interior (DOI), as represented by the National Park Service, U.S. Fish and Wildlife Service, and Bureau of Land Management;
- National Oceanic and Atmospheric Administration (NOAA), on behalf of the U.S. Department of Commerce;
- U.S. Department of Agriculture (USDA);
- U.S. Environmental Protection Agency (USEPA);
- Louisiana Coastal Protection and Restoration Authority (CPRA);

- Louisiana Department of Natural Resources (LDNR);
- Louisiana Department of Environmental Quality (LDEQ);
- Louisiana Oil Spill Coordinator's Office (LOSCO); and,
- Louisiana Department of Wildlife and Fisheries (LDWF)

#### **Overview of the Louisiana TIG Draft Restoration Plan 1: Restoration of Wetlands, Coastal, and Nearshore Habitats, Habitat Projects on Federally Managed Lands, and Birds (Draft Restoration Plan 1)**

The Draft Restoration Plan 1 is being released in accordance with the Oil Pollution Act (OPA), the Natural Resources Damage Assessment (NRDA) regulations found in the Code of Federal Regulations (CFR) at 15 CFR 990, the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), the Consent Decree, and the Final PDARP/PEIS.

The total estimated cost for the proposed engineering and design activities for the six proposed restoration projects is \$22,300,000. Details on the proposed engineering and design activities for the restoration projects are provided in the draft restoration plan.

#### **Next Steps**

As described above, the Trustees will consider holding public meetings to facilitate the public review and comment process, if requested. After the public comment period ends, the Trustees will consider and address the comments received before issuing a final restoration plan.

Consistent with the PDARP/PEIS, in this Draft Restoration Plan 1 the Louisiana TIG is proposing a preliminary phase of restoration planning to perform engineering and design evaluation for restoration projects to develop information needed to fully consider the implementation phase which will be proposed in a subsequent restoration plan. Although information gathered may inform future projects, the outcome of the preliminary phases does not commit the Trustees to future actions.

#### **Invitation to Comment**

The Trustees seek public review and comment on the proposed projects and supporting analysis included in the Draft Restoration Plan 1. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time.

#### **Administrative Record**

The documents comprising the Administrative Record for this Draft Restoration Plan can be viewed electronically at <http://www.doi.gov/deepwaterhorizon>.

#### **Authority**

The authority of this action is the Oil Pollution Act of 1990 (33 U.S.C. 2701 *et seq.*) and the implementing Natural Resource Damage Assessment regulations found at 15 CFR part 990.

**Kevin D. Reynolds,**

*Department of the Interior Deepwater Horizon Case Manager.*

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### **DEPARTMENT OF THE INTERIOR**

#### **National Park Service**

**[NPS-NERO-CACO-22210; PPNECACOS0, PPMPSD1Z.YM0000]**

#### **Notice of December 12, 2016, Meeting for Cape Cod National Seashore Advisory Commission**

**AGENCY:** National Park Service, Interior.

**ACTION:** Meeting notice.

**SUMMARY:** This notice sets forth the date of the 305th meeting of the Cape Cod National Seashore Advisory Commission.

**DATES:** The public meeting of the Cape Cod National Seashore Advisory Commission will be held on Monday, December 12, 2016, at 1:00 p.m. (Eastern).

**ADDRESSES:** The Commission members will meet in the meeting room at park headquarters, 99 Marconi Site Road, Wellfleet, Massachusetts 02667.

The 305th meeting of the Cape Cod National Seashore Advisory Commission will take place on Monday, December 12, 2016, at 1:00 p.m., in the conference room at park headquarters, 99 Marconi Station Road, in Wellfleet, Massachusetts, to discuss the following:

1. Adoption of Agenda
2. Approval of Minutes of Previous Meeting  
(September 19, 2016)
3. Reports of Officers
4. Reports of Subcommittees  
Update of Pilgrim Nuclear Plant  
Emergency Planning Subcommittee  
Nickerson Fellowship
5. Superintendent's Report  
National Park Service Centennial  
Storm Damage/Erosion Update  
Shorebird Management Plan/  
Environmental Assessment—