conservation and management of highly migratory fish resources in the EPO.

The IATTC adopted Resolution C–13–01, which establishes an annual catch limit of bigeye tuna for large U.S. longline vessels. For calendar years 2014, 2015, and 2016, the catch of bigeye tuna by longline gear in the IATTC Convention Area by fishing vessels of the United States that are over 24 meters in overall length is limited to 500 metric tons per year. With the approval of the DOS, NMFS implemented this catch limit by notice-and-comment rulemaking under the Act (79 FR 19487, April 9, 2014, and codified at 50 CFR 300.25).

NMFS monitored the retained catches of bigeye tuna using logbook data submitted by vessel captains and other available information from the longline fisheries in the IATTC Convention Area, and determined that the 2014 catch limit is expected to be reached on October 31, 2014. In accordance with 50 CFR 300.25(b), this **Federal Register** notice announces that the U.S. longline fishery for bigeye tuna in the IATTC Convention Area will be closed for vessels over 24 meters in overall length starting on October 31, 2014, through the end of the 2014 calendar year. The 2015 fishing year is scheduled to open on January 1, 2015. The bigeye tuna catch limit for longline vessels over 24 meters in overall length for 2015 will be 500 metric tons.

During the closure, a U.S. fishing vessel over 24 meters in overall length may not be used to retain on board, transship, or land bigeye tuna captured by longline gear in the IATTC Convention Area, except as follows:

- Any bigeye tuna already on board a fishing vessel upon the effective date of the prohibitions may be retained on board, transshipped, and/or landed, to the extent authorized by applicable laws and regulations, provided that they are landed within 14 days after the prohibitions become effective, that is, by November 14, 2014.
- In the case of a vessel that has declared to NMFS that the current trip type is shallow-set longlining, the 14-day limit is waived, but the number of bigeye tuna retained on board, transshipped, or landed must not exceed the number on board the vessel upon the effective date of the prohibitions, as recorded by the NMFS observer on board the vessel.
- Bigeye tuna caught by longline gear used on a vessel of the United States over 24 meters in the IATTC Convention Area may not be transshipped to a fishing vessel unless that fishing vessel is operated in compliance with a valid permit issued under 50 CFR 660.707 or 665.801 (the rule implementing Resolution C–13–1 incorrectly cited § 665.21, which has been re-codified as § 665.801).
- A fishing vessel of the United States over 24 meters, other than a vessel for which a declaration has been made to NMFS that the current trip is shallow-setting, may not be used to fish in the Pacific Ocean using longline gear both inside and outside the IATTC Convention Area during the same fishing trip, with the exception of a fishing trip during which the prohibitions were put into effect.
- If a vessel over 24 meters that is not on a declared shallow-set trip is used to fish in the Pacific Ocean using longline gear outside the IATTC Convention Area and the vessel enters the IATTC Convention Area at any time during the same fishing trip, the longline gear on the fishing vessel must be stowed in a manner so as not to be readily available for fishing. Specifically, the hooks, branch lines, and floats must be stowed and not available for immediate use, and any power-operated mainline hauler on deck must be covered in such a manner that it is not readily available for use.

Classification

There is good cause to waive prior notice and opportunity for public comment pursuant to 5 U.S.C. 553(b)(B). This action is based on the best available information and is necessary for the conservation and management of bigeye tuna. Compliance with the notice and comment requirement would be impracticable and contrary to the public interest because NMFS would be unable to ensure that the 2014 bigeye tuna catch limit applicable to large longline vessels is not exceeded. The annual catch limit is an important mechanism to ensure that the United States complies with its international obligations in preventing overfishing and managing the fishery at optimum yield. Moreover, NMFS previously solicited public comments on the rule that established the catch limit (79 FR 19487, April 9, 2014), including a provision for issuing a notice to close the fishery, if necessary, to prevent exceeding the catch limit. For the same reasons, there is good cause to establish an effective date less than 30 days after date of publication of this notice.

This action is required by § 300.25(b) and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 951–962 *et seq.*

Dated: October 15, 2014.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–25293 Filed 10–21–14; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 140624530–4848–01]

RIN 0648–XD354

Revisions to Framework Adjustment 51 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2014

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

ACTION: Temporary final rule; adjustment to specifications.

SUMMARY: Based on the final Northeast multispecies sector rosters, we are adjusting the fishing year 2014 specification of annual catch limits for commercial groundfish vessels, as well as sector annual catch entitlements for groundfish stocks by adding carried over catch from fishing year 2013 and reducing quotas for some stocks by the amount of overages exceeding their limits in fishing year 2013, among other adjustments. This revision to fishing year 2014 catch levels is necessary to account for changes in the number of participants electing to fish in sectors.

DATES: Effective October 23, 2014, through April 30, 2015.

FOR FURTHER INFORMATION CONTACT: Allison Murphy, Sector Policy Analyst, (978) 281–9122.

SUPPLEMENTARY INFORMATION: The New England Fishery Management Council developed Amendment 16 to the Northeast (NE) Multispecies Fishery Management Plan (FMP), in part, to establish a process for setting groundfish annual catch limits (also referred to as ACLs or catch limits) and accountability measures. The Council has a biennial review process to develop catch limits and revise management measures. Framework Adjustment 51 and concurrent emergency actions set annual catch limits for nine groundfish stocks and three jointly managed U.S./Canada stocks for fishing years 2014–

2015. Recently, we partially approved Framework 51, which became effective on May 1, 2014 (79 FR 22421; April 22, 2014), and also approved fishing year 2014 sector operations plans and allocations (79 FR 23278; April 28, 2014; ''sector rule''). A sector receives an allocation of each stock, or annual catch entitlement (referred to as ACE, or allocation), based on its members' catch histories. State-operated permit banks also receive an allocation that can be transferred to qualifying sector vessels (for more information, see the final rule implementing Amendment 17 (77 FR 16942; March 23, 2012)). The sum of all sector and state-operated permit bank allocations is referred to as the sector sub-ACL in the FMP. Whatever groundfish allocation remains after sectors and state-operated permit banks receive their allocations is then allocated to vessels not enrolled in a sector (referred to as the common pool). This allocation is also referred to as the common pool sub-ACL. This rule adjusts the both the sector and common pool fishing year 2014 sub-ACLs based on final sector membership, which was established as of May 1, 2014.

Permitted vessels that wish to fish in a sector must enroll by December 1 of each year, with the fishing year beginning the following May 1 and lasting through April 30 of the next year. However, due to a delay in distributing each vessel's potential contribution to a sector's quota for fishing year 2014, we extended the deadline to join a sector until March 6, 2014. Because of this extended deadline, and the fact that vessels had until April 30, 2014, to drop out of a sector and fish in the common pool, fishing year 2013 membership was used to estimate sector ACEs in the Framework 51 final rule. The fishing year 2014 sector final rule, which published later than the Framework 51 final rule, used March 6, 2014, rosters to estimate sector ACEs.

The final number of permits enrolled in a sector or state-operated permit bank for fishing year 2014 is 845, which is 4 less than the March 6, 2013, roster. All sector allocations assume that each NE multispecies vessel enrolled in a sector has a valid permit for fishing year 2014. Tables 1, 2, and 3 (below) explain the revised fishing year 2014 allocations as a percentage and absolute amount (in metric tons and pounds).

Table 4 compares the preliminary allocations based on fishing year 2013 membership published in the Framework 51 proposed and final rules, with the revised allocations based on the final sector and state-operated permit bank rosters as of May 1, 2014. The table shows that changes in sector allocations due to updated rosters range from a decrease of 0.86 percent of Southern New England/Mid-Atlantic (SNE/MA) yellowtail flounder, to an increase of 0.40 percent of Georges Bank (GB) yellowtail flounder. Common pool allocation adjustments range between a 2.94-percent decrease in GB cod, to a 15.79-percent increase in redfish. The changes in the common-pool allocations are greater because the common pool has a significantly lower allocation for all stocks.

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Table 1. Final Percentage (%) of ACE for Each Sector by Stock for Fishing Year 2014[1]

Sector Name	MRI Count	GB Cod	GOM Cod	GB Haddock	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	110	27.72	2.51	5.76	1.84	0.01	0.31	2.90	0.98	2.13	0.03	12.87	1.67	2.74	5.70	7.38
MCCS	46	0.21	4.60	0.04	2.55	0.00	0.67	1.05	7.56	5.06	0.01	1.96	0.19	2.50	4.40	3.80
M PB	11	0.13	1.15	0.04	1.12	0.01	0.03	0.32	1.16	0.73	0.00	0.42	0.02	0.82	1.65	1.69
NCCS	27	0.17	0.85	0.12	0.36	0.84	0.73	0.63	0.16	0.22	0.07	0.93	0.30	0.43	0.81	0.51
NEFS 1	3	0.00	0.03	0.00	0.00	0.00	0.00	0.04	0.01	0.01	0.00	0.05	0.00	0.00	0.00	0.00
NEFS 2	81	5.78	18.24	10.69	16.36	1.91	1.42	19.31	7.87	12.80	3.22	18.43	3.27	14.74	5.94	11.26
NEFS 3	78	1.26	14.42	0.15	9.28	0.01	0.36	8.86	4.06	2.84	0.03	9.49	0.77	1.34	4.75	6.81
NEFS 4	50	4.14	9.59	5.32	8.35	2.16	2.38	5.47	9.29	8.50	0.69	6.24	1.29	6.64	8.06	6.14
NEFS 5	29	0.78	0.01	1.05	0.29	1.61	22.53	0.48	0.49	0.67	0.52	0.07	12.01	0.08	0.12	0.11
NEFS 6	22	2.87	2.95	2.92	3.85	2.70	5.31	3.74	3.88	5.20	1.51	4.55	1.94	5.31	3.91	3.29
NEFS 7	22	4.66	0.39	4.62	0.47	10.08	4.11	2.35	3.53	3.24	12.97	0.75	5.15	0.59	0.82	0.71
NEFS 8	20	6.14	0.46	6.00	0.20	11.26	6.05	6.40	1.72	2.57	15.55	3.16	10.13	0.55	0.51	0.61
NEFS 9	60	14.24	1.73	11.61	4.80	26.79	8.01	10.41	8.27	8.28	39.51	2.43	18.67	5.83	4.15	4.23
NEFS 10	43	0.73	5.21	0.25	2.53	0.02	0.55	12.67	1.70	2.39	0.01	17.84	0.73	0.55	0.89	1.39
NEFS 11	56	0.41	13.62	0.04	3.21	0.00	0.02	2.59	2.10	2.07	0.00	2.25	0.02	1.99	4.83	9.44
NEFS 13	53	7.92	0.95	15.96	0.99	24.73	18.78	5.03	5.14	6.20	7.26	2.34	10.98	3.98	1.74	2.27
NH PB	4	0.00	1.14	0.00	0.03	0.00	0.00	0.02	0.03	0.01	0.00	0.06	0.00	0.02	0.08	0.11
SHS 1	117	20.65	19.66	34.34	42.71	14.10	8.41	13.22	39.51	34.45	17.31	10.38	19.55	51.30	50.77	39.56
SHS 3	13	0.29	0.15	0.40	0.07	2.21	2.27	1.13	0.66	0.61	0.46	1.32	1.12	0.18	0.16	0.07
Sector Total	845	98.11	97.67	99.31	99.01	98.45	81.92	96.61	98.13	97.97	99.14	95.54	87.82	99.58	99.30	99.36
Common Pool	528	1.89	2.33	0.69	0.99	1.55	18.08	3.39	1.87	2.03	0.86	4.46	12.18	0.42	0.70	0.64

-Georges Bank Cod Fixed Gear Sector (FGS), Maine Coast Community Sector (MCCS), Maine Permit Bank (M PB), Northeast Coastal Communities Sector (NCCS) , Northeast Fishery Sectors (NEFS), New Hampshire Permit Bank (NH PB), and Sustainable Harvest Sector (SHS)

[1]All ACE values for sectors outlined in Table 1 assume that each sector permit is valid for fishing year 2014.

Table 2. Final ACE for Each Sector by Stock for Fishing Year 2014 (mt)[1,2]

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	41	449	21	577	413	4	0	2	14	14	13	1	92	20	290	244	976
MCCS	0	3	38	4	3	6	0	4	5	104	31	0	14	2	264	188	502
M PB	0	2	10	4	3	2	0	0	2	16	4	0	3	0	87	71	223
NCCS	0	3	7	12	9	1	2	4	3	2	1	2	7	4	46	35	67
NEFS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 2	9	94	151	1070	766	36	5	8	92	109	78	109	132	40	1558	254	1489
NEFS 3	2	20	120	15	10	20	0	2	42	56	17	1	68	9	142	203	901
NEFS 4	6	67	80	532	381	18	6	13	26	128	52	24	45	16	702	345	812
NEFS 5	1	13	0	105	76	1	4	127	2	7	4	17	0	145	8	5	14
NEFS 6	4	46	25	293	210	8	7	30	18	54	32	51	33	23	561	167	435
NEFS 7	7	76	3	462	331	1	26	23	11	49	20	439	5	62	62	35	94
NEFS 8	9	100	4	600	430	0	29	34	31	24	16	526	23	123	58	22	80
NEFS 9	21	231	14	1161	832	11	68	45	50	114	50	1337	17	226	616	178	559
NEFS 10	1	12	43	25	18	6	0	3	61	24	15	0	127	9	58	38	184
NEFS 11	1	7	113	4	3	7	0	0	12	29	13	0	16	0	210	207	1248
NEFS 13	12	128	8	1596	1144	2	63	106	24	71	38	246	17	133	421	74	300
NH PB	0	0	9	0	0	0	0	0	0	0	0	0	0	0	2	3	15
SHS 1	31	335	163	3435	2461	94	36	47	63	546	210	586	74	237	5419	2172	5231
SHS 3	0	5	1	40	29	0	6	13	5	9	4	16	9	14	19	7	10
Sector Total	145	1590	811	9935	7117	218	251	462	463	1356	598	3356	683	1063	10521	4248	13139
Common Pool	3	31	19	69	50	2	4	102	16	26	12	29	32	147	44	30	85

[1]All ACE values for sectors outlined in Table 2 assume that each sector permit is valid for fishing year 2014.

[2]These values do not include any potential ACE carryover or deductions from fishing year 2013 sector ACE underages or overages.

Table 3. Final ACE for Each Sector by Stock for Fishing Year 2014 (1,000 lb)[1,2]

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	90	991	46	1271	911	9	0	4	31	30	29	2	203	45	638	538	2151
MCCS	1	8	84	9	6	12	0	8	11	230	68	1	31	5	583	415	1107
M PB	0	5	21	10	7	5	0	0	3	35	10	0	7	0	191	156	492
NCCS	1	6	16	27	19	2	5	9	7	5	3	5	15	8	101	77	148
NEFS 1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0
NEFS 2	19	207	334	2358	1689	79	11	18	204	240	172	240	290	87	3434	560	3282
NEFS 3	4	45	264	32	23	45	0	4	94	124	38	2	150	21	313	448	1985
NEFS 4	14	148	176	1173	840	41	12	30	58	283	114	52	98	34	1547	760	1790
NEFS 5	3	28	0	233	167	1	9	280	5	15	9	38	1	320	18	11	31
NEFS 6	9	102	54	645	462	19	15	66	40	118	70	113	72	52	1237	369	960
NEFS 7	15	167	7	1018	729	2	57	51	25	107	44	968	12	137	136	77	207
NEFS 8	20	220	8	1323	948	1	63	75	68	52	35	1160	50	270	128	48	177
NEFS 9	46	509	32	2560	1834	23	150	100	110	252	111	2948	38	498	1358	392	1232
NEFS 10	2	26	95	55	40	12	0	7	134	52	32	1	281	20	127	84	405
NEFS 11	1	15	249	8	6	16	0	0	27	64	28	0	35	1	462	456	2751
NEFS 13	26	283	17	3519	2521	5	139	233	53	157	83	542	37	293	927	164	662
NH PB	0	0	21	0	0	0	0	0	0	1	0	0	1	0	5	8	32
SHS 1	67	738	360	7573	5426	207	79	105	140	1204	463	1292	163	522	11948	4788	11533
SHS 3	1	10	3	89	63	0	12	28	12	20	8	34	21	30	42	15	22
Sector Total	320	3506	1787	21903	15691	480	552	1019	1020	2990	1317	7399	1505	2343	23195	9366	28966
Common Pool	6	67	43	152	109	5	9	225	36	57	27	64	70	325	97	66	188

[1] All ACE values for sectors outlined in Table 3 assume that each sector permit is valid for fishing year 2014.

[2] These values do not include any potential ACE carryover or deductions from fishing year 2013 sector ACE underages or overages.

Table 4. Comparison of Allocations Between the Framework 51 Final Rule and May 1, 2014, Sector Rosters (mt)[1]

	GB Cod	GOM Cod	GB Haddock	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Total Commercial Allocation	1769	1316	17171	307	254.5	564	479	1382	610	3385	715	1210	10565	4278	13224
FY 2014 Common Pool Allocation based on FY 2013 sector membership	34	19	122	2	4	98	16	25	12	26	32	138	38	29	86
Adjusted FY 2014 Common Pool Allocation	33	19	119	2	4	102	16	26	12	29	32	147	44	30	85
% Change	-2.94%	0.00%	-2.46%	0.00%	0.00%	4.08%	0.00%	4.00%	0.00%	11.54%	0.00%	6.52%	15.79%	3.45%	-1.16%
FY 2014 Sector Allocation based on FY 2013 sector membership	1735	811	17049	218	250	466	463	1357	598	3359	683	1072	10527	4249	13138
Adjusted FY 2014 Sector Allocation	1736	811	17052	218	251	462	463	1356	598	3356	683	1063	10521	4248	13139
% Change	0.06%	0.00%	0.02%	0.00%	0.40%	-0.86%	0.00%	-0.07%	0.00%	-0.09%	0.00%	-0.84%	-0.06%	-0.02%	0.01%

[1] All values for sectors outlined in Table 4 assume that each sector permit is valid for fishing year 2014.

We have completed fishing year 2013 data reconciliation with sectors and allowed a 2-week window for any sector with an overage to trade fishing year 2013 ACE to balance the overage. We have since determined final fishing year 2013 sector catch and the amount of quota that sectors may carry from fishing year 2013 into fishing year 2014. A recent emergency rule (79 FR 36433; June 27, 2014) described changes to carryover and catch accounting in response to litigation by Conservation Law Foundation (*Conservation Law Foundation* v. *Pritzker, et al.* (Case No. 1:13–CV–0821–JEB)). The Court invalidated the previous carryover measures because those measures failed to prevent total potential catches of certain stocks (ACEs plus carryover) from exceeding their annual biological catch (ABC). This rule ensures that catch does not exceed the ABC for any stock. Because of this, the maximum carryover for certain stocks may be lower than what a sector expects. Table 5 includes the maximum amount of quota that sectors may carry over from fishing year 2013 into fishing year 2014. Table 6 includes the *de minimis* amount of quota that sectors may carry over from fishing year 2013 into fishing year 2014.

Table 5. Maximum Carryover ACE from Fishing Year 2013 to Fishing Year 2014 (lbs)

Sector	GB Cod West	GOM Cod	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE Winter Flounder	Redfish	White Hake	Pollock
FGS	57,920	4,440	116,954	757	0	284	1,575	993	0	64	3,275	2,646	34,596	29,651	119,733
MCCS	441	8,390	800	1,051	0	618	601	12,735	2,439	16	1,721	311	31,603	22,932	61,513
NCCS	359	1,368	2,461	143	0	677	349	70	0	160	792	481	5,443	4,106	6,855
NEFS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 2	12,937	33,635	242,197	6,831	0	1,406	11,076	13,654	0	7,684	16,203	5,959	202,643	33,004	197,867
NEFS 3	2,621	26,311	2,957	3,974	0	333	4,887	6,843	4	62	8,175	1,236	16,933	24,674	109,487
NEFS 4	8,644	10,160	107,880	3,443	0	2,118	3,127	15,662	0	1,617	5,471	1,402	83,903	42,043	99,696
NEFS 5	1,642	23	21,378	120	0	21,456	277	834	88	1,210	59	19,890	971	616	1,704
NEFS 6	5,985	5,331	59,313	1,580	0	4,824	2,037	6,536	0	3,393	3,832	3,045	67,082	20,421	53,455
NEFS 7	10,889	717	100,537	194	0	4,266	1,633	6,053	574	34,608	732	10,201	7,399	4,307	11,772
NEFS 8	12,849	899	115,071	88	0	5,454	3,659	2,782	357	34,078	2,936	15,080	6,760	2,624	9,698
NEFS 9	29,765	1,050	235,454	1,977	0	7,428	5,955	13,944	0	92,027	2,136	29,933	65,011	21,673	68,635
NEFS 10	1,523	9,617	5,101	1,045	0	0	7,332	2,967	0	33	23,661	1,208	6,926	4,758	22,606
NEFS 11	739	15,551	724	227	0	16	1,203	1,997	0	2	1,696	29	11,833	12,236	104,884
NEFS 12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 13	16,633	1,315	326,360	407	0	17,666	2,876	8,700	115	17,377	2,053	17,743	50,293	9,076	36,864
SHS 1	41,165	35,655	671,390	17,390	0	7,691	7,341	66,247	0	38,010	9,008	29,676	631,940	263,115	628,695
SHS 3	918	839	13,061	76	0	2,924	1,190	918	0	1,147	2,024	2,255	2,434	804	954
Sector Total	205,030	155,300	2,021,639	39,303	0	77,162	55,116	160,937	3,577	231,485	83,776	141,096	1,225,770	496,040	1,534,417

Table 6. *De Minimis* Carryover ACE from Fishing Year 2013 to Fishing Year 2014 (lbs)

Sector	GB Cod West	GOM Cod	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE Winter Flounder	Redfish	White Hake	Pollock
FGS	10,810	459	21,818	89	0	38	307	298	0	21	2,028	445	6,384	5,376	21,511
MCCS	82	841	149	124	0	83	111	2,302	681	5	309	52	5,826	4,146	11,070
NCCS	68	156	460	17	0	91	66	48	0	51	146	80	1,006	767	1,479
NEFS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 2	2,255	3,338	40,477	793	0	177	2,039	2,397	0	2,401	2,904	871	34,338	5,603	32,821
NEFS 3	492	2,638	553	450	0	45	936	1,236	4	20	1,496	206	3,128	4,479	19,853
NEFS 4	1,614	1,755	20,126	405	0	295	577	2,832	0	518	983	345	15,468	7,599	17,899
NEFS 5	304	2	3,991	14	0	2,802	51	151	88	385	10	3,203	179	114	306
NEFS 6	1,118	540	11,069	187	0	660	395	1,183	0	1,127	717	518	12,367	3,689	9,601
NEFS 7	1,819	71	17,476	23	0	511	248	1,075	436	9,681	118	1,375	1,364	775	2,069
NEFS 8	2,395	84	22,708	10	0	752	676	523	346	11,602	498	2,702	1,280	484	1,769
NEFS 9	5,555	317	43,932	233	0	996	1,100	2,521	0	29,482	384	4,979	13,582	3,917	12,322
NEFS 10	284	953	952	123	0	0	1,338	519	0	10	2,810	196	1,271	843	4,047
NEFS 11	159	2,493	144	156	0	2	273	640	0	2	354	6	4,624	4,559	27,510
NEFS 12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 13	3,087	173	60,409	48	0	2,335	531	1,566	115	5,418	369	2,930	9,272	1,640	6,616
SHS 1	8,055	3,598	129,987	2,072	0	1,045	1,396	12,039	0	12,919	1,635	5,215	119,479	47,883	115,330
SHS 3	112	27	1,519	3	0	282	119	202	0	344	207	299	422	147	216
Sector Total	38,210	17,447	375,770	4,746	0	10,114	10,162	29,533	1,669	73,985	14,969	23,422	229,989	92,020	284,420

We have determined that 9 sectors have exceeded their fishing year 2013 allocation of witch flounder, requiring reductions to those sectors' fishing year 2014 allocations. Because of the Court decision discussed above, we were required to reduce the amount of witch flounder carryover available for sectors to use in fishing year 2013. Some sectors inadvertently exceeded their fishing year 2013 witch flounder ACE and were unable to transfer a sufficient amount of quota to cover the overage. Reducing ACE by the overage amount is necessary to address the requirement to apply a pound-for-pound reduction in ACE in the year following an overage. Table 6 includes a summary of the sectors with fishing year 2013 witch flounder overages, the initial fishing year 2014 witch flounder ACE included in Table 3, and adjusted fishing year 2014 witch flounder ACE, accounting for the overage.

Table 7. Fishing Year 2014 Witch Flounder Overage Adjustments

Sector	Fishing Year 2013 Overage (lbs)	Initial Fishing Year 2014 Common Pool sub-ACL (1,000 lbs)	Adjusted Fishing Year 2014 Common Pool sub-ACL (1,000 lbs)
NEFS 2	3,450	172	169
NEFS 4	14,513	114	100
NEFS 6	2,391	70	68
NEFS 9*	6	111	111
NEFS 10	5,340	32	27
NEFS 11	2,696	28	25
SHS 1	48,898	463	414
SHS 3	415	8	8

*When rerunning final FY 2013 data, additional data corrections were captured, resulting in an unanticipated overage.

Summarizing all the information provided above, Tables 8 and 9 display the total amount of ACE available to sectors in fishing year 2014, including reductions for overages, and adding maximum carryover.

Table 8. Total ACE Available to Sectors in Fishing Year 2014 with Maximum Carryover (mt)

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	41	476	23	577	466	4	0	2	15	14	13	1	93	21	305	257	1,030
MCCS	0	4	42	4	3	6	0	4	5	110	32	0	15	2	279	198	530
M PB	0	2	10	4	3	2	0	0	2	16	4	0	3	0	87	71	223
NCCS	0	3	8	12	10	1	2	4	3	2	1	2	7	4	48	37	70
NEFS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 2	9	100	167	1,070	876	39	5	9	97	115	77	112	139	42	1,649	269	1,578
NEFS 3	2	22	132	15	12	22	0	2	45	59	17	1	72	10	150	214	950
NEFS 4	6	71	84	532	430	20	6	14	28	136	45	24	47	16	740	364	857
NEFS 5	1	13	0	105	85	1	4	137	2	7	4	18	0	154	9	5	15
NEFS 6	4	49	27	293	236	9	7	32	19	57	31	53	34	25	591	177	460
NEFS 7	7	81	4	462	376	1	26	25	12	52	20	455	6	67	65	37	99
NEFS 8	9	105	4	600	482	0	29	37	32	25	16	542	24	129	61	23	85
NEFS 9	21	244	15	1,161	939	11	68	49	53	121	50	1,379	18	239	646	188	590
NEFS 10	1	13	48	25	20	6	0	3	64	25	12	0	138	9	61	40	194
NEFS 11	1	7	120	4	3	7	0	0	13	30	11	0	17	0	215	212	1,295
NEFS 13	12	136	8	1,596	1,292	2	63	114	25	75	38	254	18	141	443	78	317
NH PB	0	0	9	0	0	0	0	0	0	0	0	0	0	0	2	3	15
SHS 1	31	353	179	3,435	2,766	102	36	51	67	576	188	603	78	250	5,706	2,291	5,516
SHS 3	0	5	2	40	35	0	6	14	6	10	4	16	10	15	20	7	10
Sector Total	145	1,683	881	9,935	8,034	236	251	497	488	1,429	564	3,461	721	1,127	11,077	4,473	13,835

Table 9. Total ACE Available to Sectors in Fishing Year 2014 with Maximum Carryover (1,000 lb)

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	90	1,049	50	1,271	1,028	10	0	4	32	31	29	2	206	47	673	567	2,271
MCCS	1	8	93	9	7	13	0	9	12	243	70	1	33	5	614	438	1,169
M PB	0	5	21	10	7	5	0	0	3	35	10	0	7	0	191	156	492
NCCS	1	7	17	27	22	2	5	10	7	5	3	5	15	8	106	81	155
NEFS 1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0
NEFS 2	19	220	367	2,358	1,932	86	11	19	215	253	169	248	307	93	3,636	593	3,480
NEFS 3	4	48	290	32	26	49	0	5	98	130	38	2	158	22	330	473	2,095
NEFS 4	14	157	186	1,173	948	44	12	32	61	299	100	53	104	36	1,631	802	1,890
NEFS 5	3	30	0	233	188	2	9	302	5	16	9	40	1	340	19	12	32
NEFS 6	9	108	59	645	521	20	15	71	42	125	68	116	76	55	1,304	389	1,014
NEFS 7	15	178	8	1,018	830	2	57	55	26	114	44	1,003	13	148	144	82	219
NEFS 8	20	232	9	1,323	1,063	1	63	81	71	55	35	1,194	53	285	135	51	187
NEFS 9	46	539	33	2,560	2,069	25	150	107	116	266	111	3,040	41	528	1,423	413	1,301
NEFS 10	2	28	105	55	45	13	0	7	141	55	27	1	305	21	134	89	427
NEFS 11	1	15	265	8	7	16	0	0	29	66	25	0	37	1	474	468	2,856
NEFS 13	26	300	19	3,519	2,848	5	139	251	56	165	83	559	39	311	977	173	698
NH PB	0	0	21	0	0	0	0	0	0	1	0	0	1	0	5	8	32
SHS 1	67	779	395	7,573	6,097	225	79	112	147	1,270	414	1,330	172	551	12,580	5,051	12,162
SHS 3	1	11	4	89	76	0	12	31	13	21	8	36	23	32	45	15	23
Sector Total	320	3711	1942	21903	17713	520	552	1096	1075	3151	1243	7630	1589	2484	24421	9862	30501

Framework 51 also specifies incidental catch limits (or incidental total allowable catches, ''TACs'') applicable to the common pool and NE multispecies Special Management Programs for fishing year 2013–2015, including the B day-at-sea (DAS) Program. Special Management Programs are designed to allow fishing for healthy stocks that can support additional fishing effort without undermining the other goals of the FMP. Incidental catch limits are specified to limit catch of certain stocks of concern for common pool vessels fishing in the Special Management Programs. Because these incidental catch limits are based on the changed common-pool allocation, they also must be revised. Final incidental catch limits are included in Tables 10–13 below.

TABLE 10—FISHING YEAR 2014 COMMON POOL INCIDENTAL CATCH TACS

Stock	Percentage of common pool sub-ACL	Incidental catch TAC (mt)
GB cod	2	0.6
GOM cod	1	0.2
GB yellowtail flounder	2	0.08
CC/GOM yellowtail flounder	1	0.2
American Plaice	5	1.3
Witch Flounder	5	0.6
SNE/MA winter flounder	1	1.5

TABLE 11—DISTRIBUTION OF COMMON POOL INCIDENTAL CATCH TACS TO EACH SPECIAL MANAGEMENT PROGRAM

Stock	Regular B DAS program (%)	Closed area I hook gear haddock SAP (%)	Eastern U.S./CA haddock SAP (%)
GB cod	50	16	34
GOM cod	100	NA	NA
GB yellowtail flounder	50	NA	50
CC/GOM yellowtail flounder	100	NA	NA
American Plaice	100	NA	NA
Witch Flounder	100	NA	NA
SNE/MA winter flounder	100	NA	NA

TABLE 12—FISHING YEAR 2014 COMMON POOL INCIDENTAL CATCH TACS FOR EACH SPECIAL MANAGEMENT PROGRAM (mt)

Stock	Regular B DAS program	Closed area I hook gear haddock SAP	Eastern U.S./Canada haddock SAP
GB cod	0.3	0.1	0.2
GOM cod	0.2	n/a	n/a
GB yellowtail flounder	0.04	n/a	0.04
CC/GOM yellowtail flounder	0.2	n/a	n/a
American Plaice	1.3	n/a	n/a
Witch Flounder	0.6	n/a	n/a
SNE/MA winter flounder	1.5	n/a	n/a

TABLE 13—FISHING YEAR 2014 COMMON POOL REGULAR B DAS PROGRAM QUARTERLY INCIDENTAL CATCH TACS (mt)

	1st Quarter (13%)	2nd Quarter (29%)	3rd Quarter (29%)	4th Quarter (29%)
GB cod	0.04	0.09	0.09	0.09
GOM cod	0.02	0.06	0.06	0.06
GB yellowtail flounder	0.005	0.011	0.011	0.011
CC/GOM yellowtail flounder	0.02	0.05	0.05	0.05
American Plaice	0.17	0.37	0.37	0.37
Witch Flounder	0.08	0.18	0.18	0.18
SNE/MA winter flounder	0.19	0.43	0.43	0.43

Similar to the accountability measures for sectors when a quota overage occurs, if the common pool sub-ACL for any stock is exceeded, we are required to reduce the common pool sub-ACL by the amount of the overage in the next fishing year. We are reducing the fishing year 2014 GB cod and GOM haddock common pool sub-ACLs due to fishing year 2013 overages. The fishing year 2013 common pool sub-ACL for GB cod was exceeded by 8 percent (2.3 mt) and the GOM haddock common pool sub-ACL was exceeded by 118 percent (1.2 mt). Therefore, we are reducing the

fishing year 2014 GB cod and GOM haddock common pool sub-ACLs due to the fishing year 2013 overages. Table 14 provides the common pool overage adjustments for these stocks. Table 15 provides the updated trimester Total Allowable Catches (TACs) for GB cod and GOM haddock based on the final FY 2014 common pool sub-ACLs.

TABLE 14—FISHING YEAR 2014 COMMON POOL OVERAGE ADJUSTMENT (mt)

Stock	Fishing year 2013 overage	Initial fishing year 2014 common pool sub-ACL	Adjusted fishing year 2014 common pool sub-ACL
GB Cod	2.3	34	31.7
GOM Haddock	1.2	2	0.8

TABLE 15—FISHING YEAR 2014 COMMON POOL TRIMESTER TACS (mt)

Stock	Trimester 1 TAC	Trimester 2 TAC	Trimester 3 TAC
GB Cod	8.0	11.9	12.2
GOM Haddock	0.22	0.21	0.38

We are reducing the fishing year 2014 GB haddock sub-ACL for the herring mid-water trawl fishery due to a fishing year 2013 overage. The herring mid-water trawl fishery is allocated 1 percent of the U.S. ABC for each stock of GOM and GB haddock. If the herring mid-water trawl fishery exceeds its GOM or GB haddock sub-ACL, we are required to reduce the respective sub-ACL by the amount of the overage in the following fishing year. In fishing year 2013, the mid-water trawl fishery exceeded its GB haddock sub-ACL by 16.98 mt. Therefore, this rule reduces the fishing year 2014 GB haddock sub-ACL by the 16.98 mt overage for the herring mid-water trawl fishery. Table 16 provides the herring mid-water trawl adjustments for GB haddock that this rule implements.

TABLE 16—FISHING YEAR 2014 HERRING MID-WATER TRAWL OVERAGE ADJUSTMENT (mt)

Stock	Fishing year 2013 overage	Initial fishing year 2014 herring mid-water trawl sub-ACL	Adjusted fishing year 2014 herring mid-water trawl sub-ACL
GB Haddock	16.98	179	162.02

Finally, Table 17 provides the U.S. ABCs for the three transboundary Georges Bank stocks that we jointly manage with Canada. The U.S./Canada quotas, and the corresponding ACLs/sub-ACLs were included in the Framework 51 final rule; however, because the U.S. ABCs for GB cod, haddock, and yellowtail flounder were mis-specified, the corrected levels are being included here in this rule.

TABLE 17—U.S. ACCEPTABLE BIOLOGICAL CATCHES FOR TRANSBOUNDARY STOCKS

Stock	U.S. ABC (mt)
GB Cod	1,960
GB Haddock	19,229
GB Yellowtail Flounder	328

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule is consistent with the NE Multispecies FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This final rule is exempt from the procedures of E.O. 12866 because this action contains no implementing regulations.

Pursuant to 5 U.S.C. 553(b)(3)(B), we find good cause to waive prior public notice and opportunity for public comment on the catch limit and allocation adjustments because allowing time for notice and comment is impracticable and contrary to the public interest. We also find good cause to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(3), so that this final rule may become effective upon filing.

Notice and comment are impracticable and contrary to the public interest because a delay would potentially impair achievement of the management plan's objectives of preventing overfishing and achieving optimum yield by vessels staying within ACLs or allocations. The proposed and final rules for fishing year 2014 sector operations plans and contracts explained the need and likelihood for adjustments of sector and common pool allocations based on final sector rosters. No comments were received on the potential for these adjustments, which provide an accurate accounting of a sector's or common pool's allocation at this time. Prior notice of the need to distribute carryover catch was also provided. Allowing for prior notice and public comment on the herring mid-water trawl overage adjustment is impracticable because this is a non-discretionary action required by provisions of Framework 46 to the NE Multispecies FMP, which was subject to public comment. The proposed rule to implement Framework 46 requested public comment on these measures including the specific accountability measure implemented by this rule, with the understanding that possession limit trigger adjustments would be required if an ACL overage occurred. If this rule is not effective immediately, the sector and common pool vessels will be operating under incorrect information on the catch limits for each stock for sectors and the common pool. This could cause negative economic impacts

to the both sectors and the common pool, depending on the size of the allocation, the degree of change in the allocation, and the catch rate of a particular stock. Further, these adjustments are based purely on objective sector enrollment data and are not subject to our discretion, so there would be no benefit to allowing time for prior notice and comment.

Waiving the 30-day delay in effectiveness allows harvesting in a manner that prevents catch limits of species from being exceeded in fisheries that are important to coastal communities. Until the final stock allocations are made, the affected fishing entities will not know how many fish of a particular stock they can catch without going over their ultimate limits. Fishermen may make both short- and long-term business decisions based on the catch limits in a given sector or the common pool. Any delays in adjusting these limits may cause the affected fishing entities to slow down, or speed up, their fishing activities during the interim period before this rule becomes effective. Both of these reactions could negatively affect the fishery and the businesses and communities that depend on them. The fishing industry and the communities it supports could be affected by potentially reducing harvests and delaying profits. Lastly, the catch limit and allocation adjustments are not controversial and the need for them was clearly explained in the proposed and final rules for fishing year 2014 sector operations plans and contracts. As a result, the NE multispecies permit holders are expecting these adjustments and awaiting their implementation. Therefore, it is important to implement adjusted catch limits and allocations as soon as possible. For these reasons, we are waiving the public comment period and the 30-day delay in effectiveness for this rule, pursuant to 5 U.S.C. 553(b)(3)(B) and (d), respectively.

Because advanced notice and the opportunity for public comment are not required under the Administrative Procedure Act, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, do not apply to this rule. Therefore, no final regulatory flexibility analysis is required and none has been prepared.

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

Dated: October 20, 2014.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 131021878–4158–02]

RIN 0648–XD565

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Halibut Prohibited Species Catch Allowances in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is reallocating projected unused amounts of the 2014 halibut prohibited species catch (PSC) allowance from the Bering Sea and Aleutian Islands trawl (BSAI) limited access sector to the Amendment 80 cooperatives in the BSAI management area. This action is necessary to allow the Amendment 80 cooperatives to fully harvest their 2014 groundfish allocations.

DATES: Effective October 21, 2014, through 2400 hrs, Alaska local time (A.l.t.), December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7269.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Administrator, Alaska Region, NMFS, has determined that 80 metric tons of halibut PSC allowance from the BSAI trawl limited access sector will not be needed to support BSAI trawl limited access fisheries. Therefore, in accordance with § 679.91(f)(4), NMFS is reallocating this halibut PSC allowance from the BSAI trawl limited access sector to the Amendment 80 cooperatives in the BSAI.

In accordance with § 679.91(f)(1), NMFS will reissue cooperative quota permits for the reallocated halibut PSC allowances following the procedures set forth in § 679.91(f)(4).

In accordance with § 679.91(f)(4)(i), NMFS will reallocate 95 percent of the halibut PSC reallocated from the BSAI trawl limited access sector to the Amendment 80 cooperatives, which is 76 metric tons.

The 2014 harvest specifications for halibut PSC allowances included in the final 2014 and 2015 harvest specifications in the BSAI (79 FR 12108, March 4, 2014 and 79 FR 35958, June 25, 2014) are revised as follows in Tables 10, 12, and 14:

TABLE 10—FINAL 2014 AND 2015 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species and area [1]	Total non-trawl PSC	Non-trawl PSC remaining after CDQ PSQ [2]	Total trawl PSC	Trawl PSC remaining after CDQ PSQ [2]	CDQ PSQ reserve [2]	Amendment 80 sector [3]	BSAI trawl limited access fishery
2014 Halibut mortality (mt) BSAI	900	832	3,675	3,349	393	2,401	795
2015 Halibut mortality (mt) BSAI	900	832	3,675	3,349	393	2,325	875
Herring (mt) BSAI	n/a	n/a	2,172	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1	n/a	n/a	97,000	86,621	10,379	43,293	26,489
C. *opilio* (animals) COBLZ	n/a	n/a	11,185,892	9,989,002	1,196,890	4,909,594	3,210,465
C. *bairdi* crab (animals) Zone 1	n/a	n/a	980,000	875,140	104,860	368,521	411,228