

Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

On January 30, 2012 (76 FR 82058, December 29, 2011), NMFS implemented a commercial quota of 1,102,896 lb (500,265 kg) for Gulf migratory group king mackerel in the Florida east coast subzone (50 CFR 622.384(b)(1)(i)(A)). From November 1 through March 31, the Florida east coast subzone encompasses an area of the EEZ south of a line extending due east of the boundary between Flagler and Volusia Counties, FL, and north of a line extending due east of the boundary between Miami-Dade and Monroe Counties, FL. From November 1 through the end of February, king mackerel in or from the subzone may be possessed on board or landed from a permitted vessel in amounts not exceeding 50 fish per day (50 CFR 622.385(a)(2)(i)(A)).

However, beginning on March 1, if less than 70 percent of the Florida east coast subzone king mackerel commercial quota has been harvested by that date, king mackerel in or from that subzone may be possessed on board or landed from a permitted vessel in amounts not exceeding 75 fish per day (50 CFR 622.385(a)(2)(i)(B)(2)).

NMFS has determined that less than 70 percent of the quota for Gulf migratory group king mackerel in the Florida east coast subzone will be harvested by March 1, 2015. Accordingly, a 75-fish trip limit applies to vessels fishing for king mackerel in or from the EEZ in the Florida east coast subzone effective 12:01 a.m., local time, March 1, 2015. The 75-fish trip limit will remain in effect until the subzone closes or until the end of the current fishing year (March 31, 2015) for this subzone.

Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of Gulf migratory group king mackerel and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.385(a)(2)(i)(B)(2) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available. The Assistant Administrator for Fisheries,

NOAA (AA), finds that the need to immediately implement this commercial trip limit increase constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B), because prior notice and opportunity for public comment on this temporary rule is unnecessary and contrary to the public interest. Such procedures are unnecessary, because the rule establishing the trip limits has already been subject to notice and comment, and all that remains is to notify the public of the trip limit increase. They are contrary to the public interest, because prior notice and opportunity for public comment would require time, thus delaying fishermen's ability to catch more king mackerel than the present trip limit allows and preventing fishermen from reaping the socioeconomic benefits associated with this increased trip limit.

As this action allows fishermen to increase their harvest of king mackerel from 50 fish to 75 fish per day in or from the EEZ of the Florida east coast subzone, the AA finds it relieves a restriction and may go into effect without a 30-day delay in effectiveness, pursuant to 5 U.S.C. 553(d)(1).

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

Dated: February 26, 2015.

Jennifer M. Wallace,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 141002822-5169-03]

RIN 0648-BE56

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2014; Interim Gulf of Maine Cod Management Measures; Correction

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

ACTION: Temporary rule, correcting amendment.

SUMMARY: This document makes corrections to the Gulf of Maine cod

interim regulations published in the **Federal Register** on November 13, 2014. This document corrects regulatory text by including the exemption from certain seasonal interim closure areas for vessels fishing for whiting in the Small Mesh Area 1 and 2 Exempted Areas with a raised footrope trawl. These two exempted areas, which overlap with certain seasonal closure areas, were inadvertently overlooked in the interim rule. This action does not make any substantive changes to the interim rule regulations.

DATES: Effective February 26, 2015, until May 12, 2015.

FOR FURTHER INFORMATION CONTACT: William Whitmore, Fishery Policy Analyst, phone: 978-281-9182.

SUPPLEMENTARY INFORMATION:

Background

On November 13, 2014, we published interim management measures (79 FR 67362) to increase protection for Gulf of Maine (GOM) cod in response to a recently updated stock assessment that concluded the stock is severely depleted. The management measures included seasonal interim closure areas where fishing for groundfish is prohibited. The regulations implemented through the GOM cod interim rule allowed vessels fishing with exempted gear or fishing in exempted fisheries to continue to fish within the seasonal interim closure areas; however, the rule mistakenly did not include the Small Mesh Area 1 and 2 Exemption Areas.

An exempted fishery is implemented after it is determined that a specific fishery utilizes a certain gear type, and/or fishes in specific areas or times that result in a groundfish bycatch that is less than 5 percent and doesn't jeopardize fishing mortality objectives. Vessels fishing in the Small Mesh Areas must use raised footrope trawl nets that result in minimal groundfish bycatch. Vessels fishing in these areas may not fish for, possess, or land any groundfish. They are allowed to fish for and possess only whiting, red hake, and a limited number of other species.

Additional information on exempted fisheries can be found online at www.greateratlantic.fisheries.noaa.gov/regs/info.html.

Correction

We recently recognized that the GOM cod interim rule regulations inadvertently omitted two small mesh exemption areas utilized by groundfish vessels. Groundfish vessels are allowed to fish with small mesh nets using raised footrope trawls in the Small Mesh

Area 1 and 2 Exempted Areas, as described at 50 CFR 648.80(a)(9). Because these areas were omitted from the regulatory text, groundfish vessels would be unable to fish in the portions of the Small Mesh 1 and 2 Exemption Areas that overlap with the GOM cod seasonal interim closure areas. This correction adds the Small Mesh Area 1 and 2 Exempted Areas to the list of exempted fishery areas that are exempt from the GOM cod seasonal interim closure areas. As a result, vessels can now fish with small mesh nets with raised footrope trawls in the Small Mesh Area 2 Exemption Area in March and April, and, if the interim rule were to be extended another six months, in the Small Mesh Area 1 Exemption Area July 15 through November 15. This correction is consistent with the original intent of the GOM cod interim rule.

Classification

The Assistant Administrator (AA) for Fisheries, NOAA, finds that pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be contrary to the public interest. This temporary rule adds the Small Mesh Area 1 and 2 Exempted Areas to the list of exempted fisheries that are exempt from the GOM cod seasonal interim closure areas. These two areas were inadvertently left out of the GOM cod interim action and adding these areas does not substantively change the regulations. Providing notice and comment on these changes is contrary to the public interest because any additional delay would cause economic harm to fishery participants by denying them opportunities to fish in the specified areas, which would have been permitted but for the previous inadvertent omission. Moreover, this action reduces a regulatory restriction and provides fishermen with greater fishing opportunities while maintaining the goals and objectives of the GOM cod interim rule and the groundfish fishery management plan.

The Assistant Administrator also finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness and makes this rule effective immediately upon filing for public inspection. In addition to the reasons stated above, an area within Small Mesh Area 2 will close on March 1, 2015. Vessels fishing with raised footrope trawls would then be prohibited from fishing in that area unnecessarily. Waiving the 30-day delay avoids this unnecessary closure and allows fishery participants to fish in Small Mesh Area 2 without

interruption, as was originally intended when the interim management measures were published.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: February 24, 2015.

Samuel D. Rauch III,

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

Therefore, NOAA amends 50 CFR part 648 as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

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

■ 2. Section 648.81 is amended by:

■ A. Suspending from February 26, 2015, until May 12, 2015, paragraph (o)(2)(iv), and

■ B. Temporarily adding from February 26, 2015, until May 12, 2015, paragraph (o)(2)(vi).

The addition reads as follows:

§ 648.81 NE multispecies closed area and measures to protect EFH.

* * * * *

(o) * * *

(2) * * *

(vi) That are fishing in the Raised Footrope Trawl Exempted Whiting Fishery, as specified in § 648.80(a)(15), or the Small Mesh Area 1 and 2 Exemption Areas as specified in § 648.80(a)(9).

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 131021878-4158-02]

RIN 0648-XD803

Fisheries of the Exclusive Economic Zone off Alaska; Pacific Cod in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod, except for the

Community Development Quota program (CDQ), in the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the non-CDQ allocation of the 2015 Pacific cod total allowable catch (TAC) in the Aleutian Islands subarea of the BSAI.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 27, 2015, through 2400 hrs, A.l.t., December 31, 2015.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 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 non-CDQ allocation of the 2015 Pacific cod TAC in the Aleutian Islands subarea of the BSAI is 8,414 metric tons (mt) as established by the final 2014 and 2015 harvest specifications for groundfish in the BSAI (79 FR 12108, March 4, 2014) and inseason adjustment (80 FR 188, January 5, 2015). In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS, has determined that the non-CDQ allocation of the 2015 Pacific cod TAC in the Aleutian Islands subarea of the BSAI will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 6,414 mt, and is setting aside the remaining 2,000 mt as incidental catch in directed fishing for other species. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod in the Aleutian Islands subarea of the BSAI.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5