

using an online (Internet) reporting system to meet landings reporting requirements “once available,” and public comment was supportive of this approach. See the Proposed Rule to consolidate the Fishery Management Plan (FMP) for Atlantic Tunas, Swordfish, and Sharks and the FMP for Atlantic Billfish (70 FR 48804 at 48821, 48830, August 19, 2005) and the Final Rule to implement the Final Consolidated HMS FMP (71 FR 58058, October 2, 2006). NMFS is not providing an opportunity for additional notice and comment on this final rule because such notice and comment would be impracticable and contrary to the public interest. NMFS was recently notified that the vendor who provides the software that has been used to process the faxed landings reports is ending support for that software, making its continued functionality and reliability uncertain. Failure of this system could result in severe delays in reporting necessary to meet NMFS’ international and domestic obligations and affect NMFS’ ability to monitor the fishery. Thus, it is in the public interest for the transition to the online (Internet) reporting system to occur quickly to ensure that landings data continue to be entered quickly and the fishery is accurately monitored so that quotas are not exceeded, the fishery is properly managed, and reports are timely submitted as required to comply with international and domestic requirements. Furthermore, the changes in this final rule will make it easier for bluefin tuna dealers to report landings data by providing a less burdensome online system in lieu of using paper landings reports and fax machines and will be more reliable. Therefore, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive the opportunity for public comment.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

Additionally, although there are no new collection-of-information requirements associated with this action that are subject to the Paperwork Reduction Act, existing collection-of-information requirements still apply under the following Control Number: (1) 0648–0040, the HMS Dealer Reporting Family of Forms. Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection-of-information subject to the requirements of the PRA, unless that collection-of-information displays a currently valid OMB control number. Because prior notice and opportunity for public

comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

List of Subjects in 50 CFR Part 635

Fisheries, Fishing, Fishing vessels, Foreign relations, Imports, Penalties, Reporting and recordkeeping requirements, Treaties.

Dated: June 23, 2016.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, 50 CFR part 635 is amended as follows:

PART 635—ATLANTIC HIGHLY MIGRATORY SPECIES

■ 1. The authority citation for part 635 continues to read as follows:

Authority: 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

■ 2. In § 635.5, revise paragraph (b)(2)(i)(A) to read as follows:

§ 635.5 Recordkeeping and reporting.

* * * * *

(b) * * *

(2) * * *

(i) * * *

(A) *Landing reports.* Each dealer with a valid Atlantic Tunas dealer permit issued under § 635.4 must submit the landing reports to NMFS for each bluefin received from a U.S. fishing vessel. Such reports must be submitted electronically via the Internet to a number or a web address designated by NMFS not later than 24 hours after receipt of the bluefin. Landing reports must include the name and permit number of the vessel that landed the bluefin and other information regarding the catch as instructed by NMFS. When purchasing bluefin tuna from eligible IBQ Program participants or Atlantic Tunas Purse Seine category participants, permitted Atlantic Tunas dealers must also enter landing reports into the electronic IBQ System established under § 635.15, not later than 24 hours after receipt of the bluefin. The vessel owner or operator must confirm that the IBQ System landing report information is accurate by entering a unique PIN when the dealer report is submitted. The dealer must inspect the vessel’s permit to verify that it is a commercial category, the required vessel name and permit number as listed on the permit are correctly recorded in the landing

report, and that the vessel permit has not expired.

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[FR Doc. 2016–15333 Filed 6–28–16; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 140902739–5224–02]

RIN 0648–XE697

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fishery; 2016 Longfin Squid Trimester II Quota Harvested

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

ACTION: Temporary rule; reduction of possession limit.

SUMMARY: NMFS is prohibiting—beginning June 27, 2016, and ending August 31, 2016—Federal longfin squid vessel permit holders from fishing for, catching, possessing, transferring, or landing more than 2,500 lb (907.2 kg) of longfin squid per trip and landing such squid more than once per calendar day. This prohibition is required by regulation because NMFS projects that 90 percent of the 2016 annual Trimester II seasonal catch limit will have been caught by the effective date. In addition, based on this determination, other restrictions regarding catch of longfin squid by federally permitted *Illex* squid vessels and buying longfin squid by federally permit dealers go into place. This action is intended to prevent over harvest of longfin squid during Trimester II.

DATES: Effective 0001 hr local time, June 27, 2016, through August 31, 2016.

FOR FURTHER INFORMATION CONTACT: Daniel Luers, Fishery Management Specialist, (978) 282–8457.

SUPPLEMENTARY INFORMATION: The reader can find regulations governing the longfin squid fishery at 50 CFR part 648. The regulations require specifications for maximum sustainable yield, initial optimum yield, allowable biological catch (ABC), domestic annual harvest (DAH), domestic annual processing, joint venture processing, and total allowable levels of foreign fishing for the species managed under the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan (FMP). The

procedures for setting the annual initial specifications are described in § 648.22.

The 2016 longfin squid Trimester II quota was increased from 7,976,325 lb (3,618 mt) to 12,619,260 lb (5,724 mt) to account for the underage in the 2016 Trimester I catch. Trimester III quota for longfin squid will be available for harvest on September 1, 2016.

The regulations at § 648.24(a)(1) require that when the NMFS Administrator of the Greater Atlantic Region (Regional Administrator) projects longfin squid catch will reach 90 percent of the Trimester II quota designated in the Atlantic Mackerel, Squid, and Butterfish FMP, NMFS must prohibit Federal longfin squid vessel permit holders from fishing for, catching, possessing, transferring, or landing more than 2,500 lb (907.2 kg) of longfin squid per trip and landing such squid more than once per calendar day for the remainder of the prohibition period. This type of prohibition effectively closes the directed squid fishery. The Regional Administrator monitors the longfin squid fishery catch in each trimester based on dealer reports, state data, and other available information. Upon the projection that 90 percent of a Trimester seasonal quota has been reached, NMFS must provide at least 72 hours of advance notice to the public that this determination has been made. NMFS also publishes in the **Federal Register** the date that the catch is projected to reach 90 percent of the quota, and the prohibitions on catch and landings for the remainder of Trimester II. In addition, upon this determination, a vessel possessing a Federal Longfin Squid/Butterfish Moratorium permit that possesses 10,000 lb (4.54 mt) or more of *Illex* squid, fishing in the *Illex* Squid Exemption Area, as defined in Table 1 below and at § 648.23(a)(5), may possess up to 15,000 lb (6.80 mt) of longfin squid. If these vessels do not possess 10,000 lb (4.54 mt) of *Illex* squid, they are restricted to 2,500 lb (907.2 kg) of longfin squid. Once landward of the coordinates defining the *Illex* Squid Exemption Area, such vessels must stow all fishing gear, and render it not available for immediate use as defined in § 648.2, in order to possess more than 2,500 lb (907.2 kg) of longfin squid. Also, federally permitted dealers may not receive longfin squid from federally permitted longfin squid vessels that harvest more than 2,500 lb (907.2 kg) of longfin squid through 2400 hr local time, August 31, 2016, unless it is from a trip landed by a vessel that entered port before 0001 hr on June 27, 2016, except that they may purchase up to 15,000 lb (6.80 mt) of longfin squid from permitted vessels on declared *Illex*

squid trips fishing in the *Illex* Squid Exemption Area.

The Regional Administrator has determined, based on dealer reports and other available information, that the longfin squid fleet will catch 90 percent of the total longfin squid Trimester II quota for the 2016 seasonal period from May 1, 2016 through August 31, 2016, by June 27, 2016. Therefore, effective 0001 hr local time, June 27, 2016, federally permitted vessels may not fish for, catch, possess, transfer, or land more than 2,500 lb (907.2 kg) of longfin squid per trip and land such squid more than once per calendar day. In addition, vessels that have entered port before 0001 hr on June 27, 2016, may offload and sell more than 2,500 lb (907.2 kg) of longfin squid from that trip. Vessels possessing a Federal Longfin Squid/Butterfish Moratorium permit on directed *Illex* squid fishing trips (*i.e.*, possess over 10,000 lb (4.54 mt) of *Illex*) that are fishing in the *Illex* Squid Exemption Area, as defined in Table 1 below and at § 648.23(a)(5), may possess only up to 15,000 lb (6.80 mt) of longfin squid. Once landward of the coordinates defining the *Illex* Squid Exemption Area, such vessels must stow all fishing gear, and render it not available for immediate use as defined in § 648.2, in order to possess more than 2,500 lb (907.2 kg) of longfin squid. Also, federally permitted dealers may not receive longfin squid from federally permitted longfin squid vessels that harvest more than 2,500 lb (907.2 kg) of longfin squid through 2400 hr local time, August 31, 2016, unless it is from a trip landed by a vessel that entered port before 0001 hr on June 27, 2016, except that they may purchase up to 15,000 lb (6.80 mt) of longfin squid from permitted vessels on declared *Illex* squid trips fishing in the *Illex* Squid Exemption Area.

TABLE 1—*Illex* SQUID EXEMPTION AREA COORDINATES

North latitude	West longitude
43°58.0'	67°22.0'
43°50.0'	68°35.0'
43°30.0'	69°40.0'
43°20.0'	70°00.0'
42°45.0'	70°10.0'
42°13.0'	69°55.0'
41°00.0'	69°00.0'
41°45.0'	68°15.0'
42°10.0'	67°10.0'
41°18.6'	66°24.8'
40°55.5'	66°38.0'
40°45.5'	68°00.0'
40°37.0'	68°00.0'
40°30.0'	69°00.0'
40°22.7'	69°00.0'
40°18.7'	69°40.0'

TABLE 1—*Illex* SQUID EXEMPTION AREA COORDINATES—Continued

North latitude	West longitude
40°21.0'	71°03.0'
39°41.0'	72°32.0'
38°47.0'	73°11.0'
38°04.0'	74°06.0'
37°08.0'	74°46.0'
36°00.0'	74°52.0'
35°45.0'	74°53.0'
35°28.0'	74°52.0'

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

NMFS finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest and impracticable. The longfin squid Trimester II fishery opened for the 2016 fishing year on May 1, 2016. Data and other information indicating the longfin squid fleet will have landed at least 90 percent of the 2016 Trimester II quota have only recently become available. Landings data is updated on a weekly basis, and NMFS monitors catch data on a daily basis as catch increases toward the limit. Further, high-volume catch and landings in this fishery increases total catch relative to the quota quickly. The regulations at § 648.24(a)(1) require such action to ensure that longfin squid vessels do not exceed the 2016 Trimester II quota. If implementation of this action is delayed to solicit prior public comment, the quota for this Trimester II may be exceeded, thereby undermining the conservation objectives of the FMP. If quotas are exceeded, the excess must also be deducted from a future Trimester and would reduce future fishing opportunities. Also, the public had prior notice and full opportunity to comment on this process when these provisions were put in place. Based on these considerations, NMFS further finds, pursuant to 5 U.S.C 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reasons stated above.

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

Dated: June 24, 2016.

Emily H. Menashes,

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

[FR Doc. 2016–15379 Filed 6–24–16; 4:15 pm]

BILLING CODE 3510–22–P