

Classification

This final rule has been determined to be not significant for the purposes of Executive Order 12866. This rule is not an Executive Order 13771 regulatory action because this rule is not significant under Executive Order 12866.

This final rule amends two paragraphs that contain existing collection-of-information requirements approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) under control number 0648–0387.

The NOAA Assistant Administrator for Fisheries (AA) finds that the need to immediately implement this regulatory correction 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) of the Administrative Procedure Act (APA), because prior notice and opportunity for public comment on this final rule is unnecessary and contrary to the public interest. Such procedures are unnecessary and contrary to the public interest, because the rules implementing revisions and updates to NMFS' Tuna Convention Act regulations have already been subject to notice and comment and not correcting the regulatory text would result in confusion and uncertainty for the affected entities.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

These measures are thus exempt from the procedures of the Regulatory Flexibility Act because prior notice and comment are not required under the APA.

List of Subjects in 50 CFR Part 300

Fish, Fisheries, Fishing, Fishing vessels, Reporting and recordkeeping requirements.

Dated: January 21, 2020.

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 300 is corrected by making the following correcting amendments:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

Subpart C—Eastern Pacific Tuna Fisheries

■ 1. The authority citation for part 300, subpart C, continues to read as follows:

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

- 2. In § 300.22, revise paragraphs (b)(4)(ii)(A) and (b)(4)(iii)(B) to read as follows:

§ 300.22 Recordkeeping and reporting requirements.

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- (b) * * *
- (4) * * *
- (ii) * * *

(A) To request a purse seine vessel of 400 st (362.8 mt) carrying capacity or less be listed on the Vessel Register and be categorized as active, the vessel owner or managing owner must submit to the HMS Branch written notification including, but not limited to, a vessel photograph, the vessel information as described under paragraph (b)(3) of this section, and the owner or managing owner's signature and business telephone and fax numbers. If a purse seine vessel of 400 st (362.8 mt) carrying capacity or less is required by the Agreement on the IDCP to carry an observer, the vessel owner or managing owner must also submit payment of the vessel assessment fee to the IATTC.

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- (iii) * * *

(B) To request a tuna purse seine vessel of 400 st (362.8 mt) carrying capacity or less be listed on the Vessel Register and categorized as inactive for the following calendar year, the vessel owner or managing owner must submit to the HMS Branch a written notification including, but not limited to, the vessel name and registration number and the vessel owner or managing owner's name, signature, business address, and business telephone and fax numbers. Payment of the vessel assessment fee is not required for vessels of 400 st (362.8 mt) carrying capacity or less to be categorized as inactive.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 200204-0043]

RIN 0648-XX032

Atlantic Surfclam and Ocean Quahog Fisheries; 2020 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit

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

ACTION: Final rule.

SUMMARY: NMFS announces that the quotas for the Atlantic surfclam and ocean quahog fisheries for 2020 will remain status quo. NMFS also suspends the minimum size limit for Atlantic surfclams for the 2020 fishing year. Regulations for these fisheries require NMFS to notify the public of the allowable harvest levels for Atlantic surfclams and ocean quahogs from the Exclusive Economic Zone if the previous year's quota specifications remain unchanged.

DATES: Effective January 1, 2020, through December 31, 2020.

FOR FURTHER INFORMATION CONTACT: Laura Hansen, Fishery Management Specialist, 978-281-9225.

SUPPLEMENTARY INFORMATION: The Atlantic Surfclam and Ocean Quahog Fishery Management Plan (FMP) requires that NMFS issue a notice in the **Federal Register** of the upcoming year's quota, even if the quota remains unchanged from the previous year. At its April 2019 meeting, the Mid-Atlantic Fishery Management Council approved changes to the overfishing limits (OFL) for the 2019 and 2020 fishing years. The OFL for the 2020 fishing year is 74,110 mt. The annual catch targets and commercial quota remain unchanged by the modification to the OFL. At its June 2019 meeting, the Council recommended no change to the quota specifications for Atlantic surfclams and ocean quahogs for the 2020 fishing year. We are announcing 2020 quota levels of 3.4 million bushels (bu) (181 million L) for Atlantic surfclams, 5.33 million bu (288 million L) for ocean quahogs, and 100,000 Maine bu (3.52 million L) for Maine ocean quahogs. These quotas were published as projected 2020 limits in the **Federal Register** on February 6, 2018 (83 FR 5212). This rule establishes

these quotas as unchanged from 2019 and final.

The regulations at 50 CFR 648.75(b)(3) allow the Regional Administrator, to annually suspend, the minimum size limit for Atlantic surfclams unless discard, catch, and biological sampling data indicate that 30 percent or more of the Atlantic surfclam resource have a shell length less than 4.75 inches (121 mm) and the overall reduced size is not attributable to harvest from beds where growth of the individual clams has been reduced because of density-dependent factors. At its June 2019 meeting, the Council recommended the Regional Administrator suspend the minimum size limit for Atlantic surfclams for the 2020 fishing year. Commercial surfclam data for 2019 indicated that 22 percent of the overall commercial landings were composed of surfclams that were less than the 4.75-in (121-mm) default minimum size.

Based on the information available, the Regional Administrator concurs with the Council's recommendation, and is suspending the minimum size limit for Atlantic surfclams in the upcoming fishing year (January 1 through December 31, 2020).

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the Assistant Administrator for Fisheries, NOAA, has determined that this rule is consistent with the Atlantic Surfclam and Ocean Quahog FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This action does not introduce any new reporting, recordkeeping, or other compliance requirements. This rule does not duplicate, overlap, or conflict with other Federal rules.

This rule is exempt from the requirements of E.O. 12866.

This rule is not expected to be an E.O. 13771 regulatory action because this rule is not significant under E.O. 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for this certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required and none was prepared.

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

Dated: February 4, 2020.

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 660

[Docket No. 180625576-8999-02]

RIN 0648-BJ43

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2019–2020 Biennial Specifications and Management Measures; Inseason Adjustments; Correction

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

ACTION: Final rule; correcting amendments.

SUMMARY: NMFS published a final rule on January 3, 2020 that made routine inseason adjustments to management measures in commercial groundfish fisheries. This action corrects publication errors in the trip limit tables for non-individual fishing quota (IFQ) species and limited entry fixed gear (LEFG) vessels that were implemented through the final rule.

DATES: Effective February 13, 2020.

FOR FURTHER INFORMATION CONTACT: Karen Palmigiano, NMFS West Coast Regional Office, telephone: 206-526-4491 or email: karen.palmigiano@noaa.gov.

SUPPLEMENTARY INFORMATION:

Electronic Access

This final rule is accessible via the internet at the Office of the Federal Register's website at <http://www.gpoaccess.gov/fr/index.html>. Background information and documents are available at the Pacific Fishery Management Council's (Council's) website at <http://www.pcouncil.org/>.

Background

NMFS published a final rule (85 FR 250; January 3, 2020), effective January 2, 2020, that made routine inseason adjustments to management measures in commercial groundfish fisheries. The final rule implemented recommendations made by the Pacific

Fishery Management Council (Council) at its November 14–20, 2019 meeting. These recommendations included adjustments to the trip limits for vessels in the limited entry fixed gear (LEFG) and open access (OA) fisheries that are targeting sablefish, lingcod, the Minor Slope rockfish complex and darkblotched rockfish, the Minor Nearshore Rockfish complex, deeper nearshore rockfish complex, and bocaccio for 2020, as well as adjustments to the Shorebased individual fishing quota (IFQ) Program fishery trip limits for big skate for 2020. After publication of the final rule, three publication errors were noted.

Need for Correction

Three corrections are needed so that the implementing regulations are accurate and implement the adjustments to management measures as intended by the Council and described in the preamble of the final rule (85 FR 250).

First, the implementing regulations on pages 257 and 258 of the final rule (85 FR 250; January 3, 2020) for Tables 1 (North) and (South) to part 660, subpart D, included formatting errors that inadvertently removed the label for the big skate trip limits leaving a trip limit in Line 10 of each table without a species label. This correction would update Line 10 of each of the tables to include the label of "Big Skate" for those trip limits.

Second, the implementing regulations on page 260, Table 2 (South) to part 660, subpart E, inadvertently omitted the Council's recommended decrease to the trip limit for LEFG vessels targeting sablefish between 40°10' North latitude (N lat.) and 36° N lat. from "1,700 pounds (lb) (771 kilograms [kg]) per week, not to exceed 5,100 lb (2,313 kg) per two months" to "1,300 lb (560 kg) per week, not to exceed 3,900 (1,769 kg) per two months." This correction would replace the current limit in Line 6 of Table 2 (South) with the new lower trip limit for LEFG vessels targeting sablefish between 40°10' N lat. and 36° N lat consistent with the Council's intent and as described in the preamble to the final rule.

Lastly, the implementing regulations on 260, Table 2 (South) to part 660, subpart E, included a formatting error in Line 39 that inadvertently removed the label for the Pacific cod trip limit leaving a trip limit in Line 39 without a species label. This action would update Line 39 of Table 2 (South) to include the label of "Pacific Cod" for the trip limits on Line 39.