

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 130919816-4205-02]

RIN 0648-XD501

Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2014 Sub-Annual Catch Limit (ACL) Harvested for Management Area 3

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

ACTION: Temporary rule; directed fishery closure.

SUMMARY: NMFS is closing the directed herring fishery in management Area 3, because it projects that 92 percent of the 2014 catch limit for that area will have been caught by the effective date. This action is necessary to comply with the regulations implementing the Atlantic Herring Fishery Management Plan and is intended to prevent excess harvest in Area 3.

DATES: Effective 0001 hr local time, September 23, 2014, through December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Carly Bari, Fishery Management Specialist, (978) 281-9224.

SUPPLEMENTARY INFORMATION: The reader can find regulations governing the herring fishery at 50 CFR part 648. The regulations require annual specification of the overfishing limit, acceptable biological catch, annual catch limit (ACL), optimum yield, domestic harvest and processing, U.S. at-sea processing, border transfer, and sub-ACLs for each management area. The 2014 Domestic Annual Harvest is 107,800 metric tons (mt); the 2014 sub-ACL allocated to Area 3 is 42,000 mt, and 1,260 mt of the Area 3 sub-ACL is set aside for research (78 FR 61828, October 4, 2013). The 2014 Area 3 sub-ACL was reduced to 40,675 mt to account for a 1,325 mt overage in 2012 (79 FR 15253, March 19, 2014).

The regulations at § 648.201 require that when the NMFS Administrator of the Greater Atlantic Region (Regional Administrator) projects herring catch will reach 92 percent of the sub-ACL allocated in any of the four management areas designated in the Atlantic Herring Fishery Management Plan (FMP), NMFS will prohibit herring vessel permit holders from fishing for, catching, possessing, transferring, or landing more than 2,000 lb (907.2 kg) of herring per

trip or calendar day in or from the specified management area for the remainder of the fishing year. The Regional Administrator monitors the herring fishery catch in each of the management areas based on dealer reports, state data, and other available information. NMFS publishes notification in the **Federal Register** of the date that the catch is projected to reach 92 percent of the management area sub-ACL and closure of the directed fishery in the management area for the remainder of the fishing year. After the closure, no vessel may offload and/or sell more than 2,000 lb (907.2 kg) of herring from Area 3 unless that vessel entered port before the closure. During the directed fishery closure, vessels may transit Area 3 with more than 2,000 lb (907.2 kg) of herring on board only under the conditions specified below.

The Regional Administrator has determined, based on dealer reports and other available information, that the herring fleet will have caught 92 percent of the total herring sub-ACL allocated to Area 3 (37,421 mt) for 2014 by September 23, 2014. Therefore, effective 0001 hr local time, September 23, 2014, federally permitted vessels may not fish for, catch, possess, transfer, or land more than 2,000 lb (907.2 kg) of herring per trip or calendar day, in or from Area 3 through December 31, 2014, except that vessels that have entered port before 0001 hr on September 23, 2014, may offload and sell more than 2,000 lb (907.2 kg) of herring from Area 3 from that trip after the closure. During the directed fishery closure, September 23, 2014, through December 31, 2014, a vessel may transit through Area 3 with more than 2,000 lb (907.2 kg) of herring on board, provided the vessel did not fish for or catch more than 2,000 lb (907.2 kg) of herring in Area 3 and stows all fishing gear aboard, making it unavailable for immediate use as required by § 648.2. Effective 0001 hr, September 23, 2014, NMFS also advises federally permitted dealers that they may not receive herring from federally permitted herring vessels that harvest more than 2,000 lb (907.2 kg) of herring from Area 3 through 2400 hr local time, December 31, 2014, unless it is from a trip landed by a vessel that entered port before 0001 hr on September 23, 2014. Beginning on January 1, 2015, the 2015 allocation for Area 3 becomes available.

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. This action closes the directed herring fishery for Management Area 3 through December 31, 2014, under current regulations. The regulations at § 648.201(a) require such action to ensure that herring vessels do not exceed the 2014 sub-ACL allocated to Area 3. The herring fishery opened for the 2014 fishing year on January 1, 2014. Data indicating the herring fleet will have landed at least 92 percent of the 2014 sub-ACL allocated to Area 3 have only recently become available. If implementation of this closure is delayed to solicit prior public comment, the sub-ACL for Area 3 for this fishing year may be exceeded, thereby undermining the conservation objectives of the FMP. If sub-ACLs are exceeded, the excess must also be deducted from a future sub-ACL and would reduce future fishing opportunities. 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: September 17, 2014.

Emily H. Menashes,

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

[FR Doc. 2014-22572 Filed 9-18-14; 4:15 pm]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 140117052-4402-02]

RIN 0648-XD486

Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that the 2014 summer flounder commercial quota allocated to the Commonwealth of Massachusetts has been harvested. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may not land summer flounder in Massachusetts for the remainder of calendar year 2014, unless additional quota becomes available

through a transfer from another state. Regulations governing the summer flounder fishery require publication of this notification to advise Massachusetts that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no Federal commercial quota is available for landing summer flounder in Massachusetts.

DATES: Effective 0001 hours, September 22, 2014, through December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Carly Bari, (978) 281-9224, or Carly.Bari@noaa.gov.

SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned on a percentage basis among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102.

The initial total commercial quota for summer flounder for the 2014 fishing year was set at 10,835,720 lb (4,915,000 kg) (79 FR 29371, May 22, 2014). The percent allocated to vessels landing summer flounder in Massachusetts is 6.82046 percent, resulting in a commercial quota of 739,046 lb (335,226 kg). The 2014 allocation was adjusted to 688,593 lb (312,340 kg) after the deduction of research set-aside and quota overages for 2013.

The Administrator, Greater Atlantic Region, NMFS (Regional Administrator), monitors the state commercial landings and determines when a state's commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing summer flounder in that state. The Regional Administrator has determined, based upon dealer reports and other available information, that the 2014 Massachusetts commercial summer flounder quota will be harvested by September 22, 2014.

Section 648.4(b) provides that Federal permit holders agree, as a condition of the permit, not to land summer flounder in any state that the Regional Administrator has determined no longer has commercial quota available. Therefore, effective 0001 hours, September 22, 2014, landings of summer flounder in Massachusetts by vessels holding summer flounder commercial Federal fisheries permits

are prohibited for the remainder of the 2014 calendar year, unless additional quota becomes available through a transfer and is announced in the **Federal Register**. Effective 0001 hours, September 22, 2014, federally permitted dealers are also notified that they may not purchase summer flounder from federally permitted vessels that land in Massachusetts for the remainder of the calendar year, or until additional quota becomes available through a transfer from another state.

Classification

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

The Assistant Administrator for Fisheries, NOAA (AA), 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. This action closes the summer flounder fishery for Massachusetts until January 1, 2015, under current regulations. The regulations at § 648.103(b) require such action to ensure that summer flounder vessels do not exceed quotas allocated to the states. If implementation of this closure was delayed to solicit prior public comment, the quota for this fishing year will be exceeded, thereby undermining the conservation objectives of the Summer Flounder Fishery Management Plan. The AA further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reason stated above.

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

Dated: September 18, 2014.

Emily H. Menashes,

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

[FR Doc. 2014-22599 Filed 9-18-14; 4:15 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 140417346-4575-02]

RIN 0648-XD514

Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure

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

ACTION: Temporary rule; closure.

SUMMARY: Through this action NMFS is prohibiting directed fishing for Pacific sardine off the coasts of Washington, Oregon and California. This action is necessary because the adjusted non-tribal directed harvest allocation of approximately 7,274 metric tons (mt) for the second harvest allocation period from September 15, 2014, through December 31, 2014, has been projected to have been reached. The allocation for the second period increased from the initial assigned allocation primarily as a result of the release to the non-treaty sector of 2,500 mt by the Quinalt Indian Nation and the coastal treaty tribes from overall the treaty set-aside of 4,000 mt. From the effective date of this rule until December 31, 2014, Pacific sardine may be harvested only as part of either the live bait or tribal fishery or incidental to other fisheries; the incidental harvest of Pacific sardine is limited to 45-percent by weight of all fish per trip. Fishing vessels must cease fishing (be at shore and in the process of offloading) at or before the effective date of this closure.

DATES: Effective 12:01 a.m. Pacific Daylight Time (PDT) September, 20, 2014, through 11:59 p.m., December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Joshua Lindsay, West Coast Region, NMFS, (562) 980-4034.

SUPPLEMENTARY INFORMATION: This document announces that based on the best available information recently obtained from the fishery and information on past fishing effort, the non-tribal directed fishing harvest allocation for the 2014-2015 harvest allocation period from September 15, 2014, through December 31, 2014, will be reached and therefore directed fishing for Pacific sardine is being closed until the next allocation period begins on January 1, 2015. Fishing vessels must cease fishing (be at shore and in the process of offloading) at or before the effective date of this closure. From the effectiveness of this closure, through December 31, 2014, Pacific sardine may be harvested only as part of either the live bait or tribal fishery or incidental to other fisheries, with the incidental harvest of Pacific sardine limited to 45-percent by weight of all fish caught during a trip.

NMFS manages the Pacific sardine fishery in the U.S. exclusive economic zone (EEZ) off the Pacific coast (California, Oregon, and Washington) in accordance with the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). Annual specifications published