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Dated: December 12, 2013.

Rachel Jacobsen,*Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2013-30164 Filed 12-19-13; 8:45 am]

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

[Docket No. 121009528-2729-02]

RIN 0648-XD021

Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer

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

ACTION: Temporary rule; quota transfer.

SUMMARY: NMFS announces that the Commonwealth of Virginia and the State of North Carolina are both transferring a portion of their 2013 commercial summer flounder quotas to the Commonwealth of Massachusetts. NMFS is adjusting the quotas and announcing the revised commercial quota for each state involved.

DATES: Effective December 17, 2013, through December 31, 2013.

FOR FURTHER INFORMATION CONTACT:

Carly Bari, Fishery Management Specialist, 978-281-9224.

SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are in 50 CFR part 648, and require annual specification of a commercial quota that is apportioned among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.100.

The final rule implementing Amendment 5 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, which was published on December 17, 1993 (58 FR 65936), provided a mechanism for summer flounder quota to be transferred from one state to another. Two or more states, under mutual agreement and with the concurrence of the Administrator, Northeast Region, NMFS (Regional Administrator), can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider

the criteria in § 648.102(c)(2)(i) to evaluate requests for quota transfers or combinations.

Virginia has agreed to transfer 19,858 lb (9,007 kg) of its 2013 commercial quota to Massachusetts. North Carolina has agreed to transfer 19,857 lb (9,007 kg) of its 2013 commercial quota to Massachusetts. These transfers were prompted by summer flounder landings of two vessels intending to land in North Carolina and Virginia, which were granted safe harbor in Massachusetts due to mechanical failure on December 2, 2013, thereby requiring quota transfers to account for an increase in Massachusetts' landings that would have otherwise accrued against the North Carolina and Virginia quotas. The Regional Administrator has determined that the criteria set forth in § 648.102(c)(2)(i) have been met. The revised summer flounder commercial quotas for calendar year 2013 are: Virginia, 5,020,643 lb (2,277,325 kg); North Carolina, 402,773 lb (182,695 kg); and Massachusetts, 830,951 lb (376,913 kg).

Classification

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

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

Dated: December 16, 2013.

Sean F. Corson,*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2013-30218 Filed 12-17-13; 11:15 am]

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

[Docket No. 130904778-3999-02]

RIN 0648-XC855

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fishery; 2014-2016 Fishing Quotas

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

ACTION: Final rule.

SUMMARY: This final rule implements the commercial quotas for the Atlantic surfclam and ocean quahog fisheries for 2014, 2015, and 2016. The quotas are

unchanged from the quotas for the 2011, 2012, and 2013 fishing years. This action sets allowable harvest levels of Atlantic surfclams and ocean quahogs, prevents overfishing, and allows harvesting of optimum yield. This action also continues to suspend the minimum shell size for Atlantic surfclams for the 2014 fishing year.

DATES: This rule is effective December 20, 2013.

ADDRESSES: A copy of the Environmental Assessment prepared for this action is available upon request from the Mid-Atlantic Fishery Management (Council), 800 North State Street, Suite 201, Dover, DE 09901.

FOR FURTHER INFORMATION CONTACT:

Jason Berthiaume, Fishery Management Specialist, 978-281-9177.

SUPPLEMENTARY INFORMATION: The Atlantic Surfclam and Ocean Quahog Fishery Management Plan (FMP) requires that NMFS, in consultation with the Council, specify quotas for surfclam and ocean quahog for a 3-yr period, with an annual review, from a range that represents the optimum yield (OY) for each fishery. It is the policy of the Council that the levels selected allow sustainable fishing to continue at that level for at least 10 yrs for surfclams, and 30 yrs for ocean quahogs. The Council policy also considers the economic impacts of the quotas. Regulations implementing Amendment 10 to the FMP (63 FR 27481, May 19, 1998) added Maine ocean quahogs (locally known as Maine mahogany quahogs) to the management unit, and provided for a small artisanal fishery for ocean quahogs in the waters north of 43°50' N. lat., with an annual quota within a range of 17,000 to 100,000 Maine bushels (bu) (0.6 to 3.524 million L). As specified in Amendment 10, the Maine mahogany ocean quahog quota is allocated separately from the quota specified for the ocean quahog fishery. Regulations implementing Amendment 13 to the FMP (68 FR 69970, December 16, 2003) established the ability to set multi-year quotas. The Council annually reviews the quota to determine whether the multi-year quota specifications remain appropriate. The fishing quotas must be in compliance with overfishing definitions for each species. In recommending these quotas, the Council considered the most recent stock assessments and other relevant scientific information.

In June 2013, the Council voted to recommend maintaining the 2013 quota levels of 5.333 million bu (284 million L) for the ocean quahog fishery, 3.400 million bu (181 million L) for the Atlantic surfclam fishery, and 100,000