

owners and operators of stationary CI engines in remote areas of Alaska. Thus, Executive Order 13175 does not apply to this action.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

While some Native Alaskan tribes and villages could be impacted by this amendment, the EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations, and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994). The amendments will not have a significant effect on emissions and will likely remove barriers to the installation of new, lower emission engines in remote communities.

L. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Reporting and recordkeeping requirements.

Dated: October 30, 2019.

Andrew R. Wheeler,
Administrator.

For the reasons set forth in the preamble, 40 CFR part 60 is amended as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

■ 1. The authority citation for part 60 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

■ 2. Section 60.4216 is amended by revising paragraph (c) to read as follows:

§ 60.4216 What requirements must I meet for engines used in Alaska?

* * * * *

(c) Manufacturers, owners, and operators of stationary CI ICE that are located in remote areas of Alaska may choose to meet the applicable emission standards for emergency engines in §§ 60.4202 and 60.4205, and not those for non-emergency engines in §§ 60.4201 and 60.4204, except that for 2014 model year and later non-emergency CI ICE, the owner or operator of any such engine must have that engine certified as meeting at least the Tier 3 PM standards in 40 CFR 89.112 or 40 CFR 1042.101.

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[FR Doc. 2019–24335 Filed 11–12–19; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 160426363–7275–02]

RIN 0648–XS008

Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region; 2019–2020 Commercial Quota Reduction for King Mackerel Run-Around Gillnet Fishery

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

ACTION: Temporary rule; commercial quota reduction.

SUMMARY: NMFS implements an accountability measure (AM) through

this temporary rule for commercial harvest of king mackerel in the southern zone of the Gulf of Mexico (Gulf exclusive economic zone (EEZ) using run-around gillnet gear. NMFS has determined that the commercial annual catch limit (equivalent to the commercial quota) for king mackerel using run-around gillnet gear in the southern zone of the Gulf EEZ was exceeded in the 2018–2019 fishing year. Therefore, NMFS reduces the southern zone commercial annual catch limit (ACL) for king mackerel fishing using run-around gillnet gear in the Gulf EEZ during the 2019–2020 fishing year. This commercial ACL reduction is necessary to protect the Gulf king mackerel resource.

DATES: The temporary rule is effective from 6 a.m. on January 21, 2020, through June 30, 2020.

FOR FURTHER INFORMATION CONTACT: Kelli O’Donnell, NMFS Southeast Regional Office, telephone: 727–824–5305, email: *kelli.odonnell@noaa.gov*.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish in the Gulf includes king mackerel, Spanish mackerel, and cobia, and is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils, and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All weights for Gulf migratory group king mackerel (Gulf king mackerel) below apply as either round or gutted weight.

The king mackerel commercial ACL in the Gulf is divided into separate ACLs for hook-and-line and run-around gillnet gear. The use of run-around gillnets for king mackerel is restricted to the Gulf southern zone. The Gulf southern zone, which includes the EEZ off Collier and Monroe Counties in south Florida, encompasses an area of the EEZ south of a line extending due west from the boundary of Lee and Collier Counties on the Florida west coast, and south of a line extending due east from the boundary of Monroe and Miami-Dade Counties on the Florida east coast (50 CFR 622.369(a)(1)(iii)).

For the 2018–2019 fishing season, the commercial gillnet quota for Gulf king mackerel was 585,900 lb (265,760 kg). Regulations at 50 CFR 622.8(b) and 622.388(a)(1) require NMFS to close any component of the king mackerel commercial sector when its respective

quota has been reached, or is projected to be reached, by filing a notification with the Office of the Federal Register. On February 8, 2019, NMFS determined that the 2018–2019 commercial gillnet quota had been reached, and closed the commercial gillnet component for the remainder of the 2018–2019 fishing year (84 FR 3723, February 13, 2019).

NMFS' most recent landings data for the 2018–2019 fishing year indicate that the commercial gillnet component exceeded the 585,900-lb (265,760-kg) quota by 45,357 lb (20,573 kg). The AM specified in 50 CFR 622.388(a)(1)(iii) states if commercial landings of king mackerel caught by run-around gillnet gear exceed the commercial gillnet ACL, then NMFS will reduce the commercial gillnet ACL in the following fishing year by the amount of the overage.

The 2019–2020 commercial gillnet ACL for Gulf king mackerel in the southern zone is 575,400 lb (260,997 kg) (50 CFR 622.384(b)(1)(iii)(B)). The fishing season is currently closed from July 1, 2019, through January 20, 2020, and will open at 6 a.m. on January 21, 2020. The 2019–2020 fishing year runs through June 30, 2020.

Consistent with the AM, NMFS reduces the 2019–2020 commercial gillnet quota by the amount of the 2018–2019 commercial gillnet ACL overage to 530,043 lb (240,423 kg). If king mackerel commercial gillnet landings do not exceed the ACL in the 2019–2020 fishing year, then in the 2020–2021 fishing year, the component's commercial quota will again be 575,400 lb (260,997 kg) as specified in 50 CFR 622.384(b)(1)(iii)(B).

Classification

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

This action is taken under 50 CFR 622.8(b) and 622.388(a)(1)(iii) 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 prior notice and opportunity for public comment.

This action responds to the best scientific information available. The NOAA Assistant Administrator for Fisheries (AA) finds that the need to immediately implement this action to reduce the commercial ACL for the fishery component that uses run-around gillnet gear 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. Such procedure is unnecessary because the rule implementing the commercial ACL and the associated AM for the commercial ACL reduction has already been subject to public notice and comment, and all that remains is to notify the public of the commercial ACL reduction.

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

Dated: November 6, 2019.

Jennifer M. Wallace,

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

[FR Doc. 2019–24516 Filed 11–12–19; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 191023–0070]

RIN 0648–BF43

Fisheries of the Northeastern United States; Jonah Crab Fishery; Interstate Fishery Management Plan for Jonah Crab

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

ACTION: Final rule.

SUMMARY: We, the National Marine Fisheries Service, are implementing regulations for the Jonah crab fishery in Federal waters based on Atlantic States Marine Fisheries Commission recommendations. This action is necessary to enact measures that provide stock protections to a previously unmanaged fishery. The action is intended to ensure compatibility between state and Federal Jonah crab management measures, consistent with the Commission's Interstate Fishery Management Plan for Jonah Crab and the intent of the Atlantic Coastal Fisheries Cooperative Management Act.

DATES: This rule is effective December 12, 2019.

ADDRESSES: You may request copies of the Final Environmental Impact Statement (FEIS), including the Regulatory Impact Review (RIR) and the Initial Regulatory Flexibility Analysis (IRFA), or the Record of Decision (ROD)

prepared for this action at: National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930–2276 or by calling (978) 281–9315.

FOR FURTHER INFORMATION CONTACT: Allison Murphy, Fishery Policy Analyst, (978) 281–9122.

SUPPLEMENTARY INFORMATION:

Background

Under its process for managing species that are managed by both the states and NMFS, the Atlantic States Marine Fisheries Commission makes a management decision, and then recommends that the Federal government enact regulations to complement these measures when appropriate. The Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 5101 *et seq.*) directs the Federal government to support the management efforts of the Commission and, to the extent the Federal government seeks to regulate a Commission species, to develop regulations that are compatible with the Commission's Interstate Fishery Management Plan and consistent with the Magnuson-Stevens Fishery Conservation and Management Act's National Standards.

Historically, Jonah crabs (*Cancer borealis*) have been harvested as an incidental catch in the American lobster trap fishery. Lobster harvesters did not target Jonah crabs but sometimes retained and sold crabs caught while lobster fishing. Eventually, the Jonah crab market expanded, and lobster harvesters began modifying fishing practices to target Jonah crabs. Landings have dramatically increased from nearly 3 million lb (1,361 mt) in 1994 to a high of over 17 million lb (7,711 mt) in 2015.

The Commission initiated management of Jonah crab out of concern for its future sustainability. Fishery managers became concerned by the rapid increase in Jonah crab landings, particularly because the impacts of the significantly increased fishing pressure are not clear. There is no stock assessment for Jonah crab and no biological reference points, so we do not know whether the stock is overfished or if overfishing is occurring. Managers fear that if overfishing does occur, that it could continue unabated, because the only regulatory protections for Jonah crabs are imposed by lobster fishery regulations. At present, the Jonah crab fishery is unregulated in Federal waters; any unpermitted vessel can fish for any amount of crabs, with unlimited amounts of gear. Prior to development of the Commission's Jonah Crab Plan, some states attempted to