



Figure 2. Minimum commercial size.

Classification

IPHC Regulations

These IPHC annual management measures are a product of an agreement between the United States and Canada and are published in the **Federal Register** to provide notice of their effectiveness and content. Pursuant to Section 4 of the Northern Pacific Halibut Act of 1982, 16 U.S.C. 773b, the Secretary of State, with the concurrence of the Secretary of Commerce, may only accept or reject these recommendations of the IPHC. These regulations become effective when such acceptance and concurrence occur. The notice-and-comment and delay-in-effectiveness date provisions of the Administrative Procedure Act (APA), 5 U.S.C. 553(b) and (d), are inapplicable to IPHC management measures because these regulations involve a foreign affairs function of the United States, 5 U.S.C. 553(a)(1). The Secretary of State has no discretion to modify the recommendations of the IPHC. The additional time necessary to comply with the notice-and-comment and delay-in-effectiveness requirements of the APA would disrupt coordinated international conservation and management of the halibut fishery pursuant to the Convention and the Northern Pacific Halibut Act of 1982.

The publication of these regulations in the **Federal Register** provide the affected public with notice that the

IPHC management measures are in effect. Furthermore, no other law requires prior notice and public comment for this rule. Because 5 U.S.C. 553 or any other law does not require prior notice and an opportunity for public comment for this notice of the effectiveness of the IPHC's 2024 management measures, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are not applicable. This final rule is exempt from review under Executive Order 12866.

The Paperwork Reduction Act of 1995 requires consideration of the impact of recordkeeping and other information collection burdens imposed on the public. Alaska state law establishes information collection requirements regarding harvest records for individual recreational anglers. See Alaska Admin. Code tit. 5, § 75.006(a) (2023). This final rule contains no new recordkeeping requirements beyond those contained in existing Alaska State or Federal law and therefore involves no additional collection of information burden. Moreover, because there is, at present, no annual limit on the number of Pacific halibut that may be retained by a charter vessel angler as defined at 50 CFR 300.61, the recordkeeping requirements referenced in section 29(1)(h) of the IPHC's Annual Management Measures do not apply during 2024.

Authority: 16 U.S.C. 773 *et seq.*

Dated: March 11, 2024.

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 622

[Docket No. 231101-0256; RTID 0648-XD766]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2024 Recreational Fishing Season and Closure Date for Blueline Tilefish in the South Atlantic

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

ACTION: Temporary rule; recreational fishing season.

SUMMARY: NMFS announces the 2024 recreational fishing season for blueline tilefish in South Atlantic Federal waters. Announcing the length of the recreational season is part of the accountability measures (AMs) for the recreational sector. The recreational season opens on May 1, 2024, and NMFS has projected that recreational

landings of blueline tilefish will reach the recreational annual catch limit (ACL) after July 18, 2024. Therefore, NMFS closes the recreational sector for blueline tilefish on July 19, 2024. The recreational season length and closure are necessary to protect the blueline tilefish resource in South Atlantic Federal waters.

DATES: This temporary rule is effective from July 19, 2024, through December 31, 2024.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Region, telephone: 727-824-5305, email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic includes blueline tilefish and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council 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. The weights given in this temporary rule are in round weight.

The final rule for Abbreviated Framework 3 to the FMP implemented the recreational ACL for blueline tilefish of 116,820 pounds (52,989 kilograms) (85 FR 43145, July 16, 2020). NMFS recently revised the recreational AMs

for blueline tilefish through the final rule for Amendment 52 to the FMP (88 FR 76696, November 7, 2023). Regulations for blueline tilefish at 50 CFR 622.193(z)(2) require NMFS to project the length of the recreational fishing season based on catch rates from the previous fishing year and when NMFS projects the recreational ACL to be met in the current fishing year and then to announce the season end date in the **Federal Register**.

The recreational season for blueline tilefish will open on May 1, 2024. Data from the NMFS Southeast Fisheries Science Center informed the projection that recreational landings of South Atlantic blueline tilefish will reach the recreational ACL after July 18, 2024. Accordingly, on July 19, 2024, NMFS closes the recreational sector for blueline tilefish. During a recreational closure for blueline tilefish in South Atlantic Federal waters, the bag and possession limits are zero.

The next recreational fishing season for blueline tilefish in South Atlantic Federal waters opens on May 1, 2025. As described in 50 CFR 622.183(b)(7), the recreational sector for blueline tilefish in or from South Atlantic Federal waters is closed each year from January 1 through April 30 and from September 1 through December 31.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens

Act. This action is required by 50 CFR 622.193(z)(2), issued pursuant to section 304(b), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment is unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulations associated with the recreational harvest of blueline tilefish have already been subject to notice and public comment, and all that remains is to notify the public of the recreational season end date and the recreational closure. Prior notice and opportunity for public comment on this action is contrary to the public interest because of the need to protect the South Atlantic blueline tilefish resource. Additionally, providing as much advance notice to the public of this closure allows charter vessel and headboat businesses that fish for blueline tilefish to prepare for the rest of the fishing season and to schedule or reschedule trips for their clients and to maximize opportunities for their business revenues and profits.

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

Dated: March 12, 2024.

Everett Wayne Baxter,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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