

power and responsibilities among the various levels of government. We have analyzed this rule under that order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting approximately 9 hours per day that will prohibit entry within 200 yards of the dredge vessel DIAMOND 6 and the tug vessel LADY LAFON. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to

coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security Measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T07–0229 to read as follows:

§ 165.T07–0229 Safety Zone; Anclothe River, Tarpon Springs, FL.

(a) *Location.* The following regulated area is a safety zone: All navigable waters of Anclothe River, from surface to bottom, within a 200-yard radius of the dredge vessel DIAMOND 6 and the tug vessel LADY LAFON in the approximate position latitude 28°09'23" N, longitude 082°45'58" W. These coordinates are based on the 1984 World Geodetic System.

(b) *Definition.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port St. Petersburg (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative by Marine Band Radio VHF–FM channel 16 (156.8 MHz). Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Effective and enforcement period.* This rule will be effective from 10 a.m. on March 24, 2024, through 7 p.m. on March 30, 2024.

Dated: March 20, 2024.

Michael P. Kahle,

Captain, U.S. Coast Guard, Captain of the Port St. Petersburg.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 130403320–4891–02; RTID 0648–XD749]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; 2024–2025 Recreational Fishing Season for Black Sea Bass

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

ACTION: Temporary rule; recreational fishing season.

SUMMARY: NMFS announces that the recreational fishing season for black sea bass in South Atlantic Federal waters will extend throughout the species' 2024–2025 fishing year. Announcing the length of recreational fishing season for black sea bass is one of the accountability measures (AMs) for the recreational sector. This announcement allows recreational fishers to maximize their opportunity to harvest the recreational annual catch limit (ACL) for black sea bass while NMFS manages harvest to protect the black sea bass resource.

DATES: This temporary rule is effective from April 26, 2024, through March 31, 2025.

FOR FURTHER INFORMATION CONTACT: Nikhil Mehta, NMFS Southeast Regional Office, telephone: 727–824–5305, email: nikhil.mehta@noaa.gov.

SUPPLEMENTARY INFORMATION: The South Atlantic snapper-grouper fishery includes black sea bass south of 35°15.19' N latitude, due east of Cape Hatteras Light, North Carolina, and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The South Atlantic Fishery Management Council and NMFS prepared the FMP, and NMFS implements the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. Black

sea bass is not managed by the FMP or regulated by 50 CFR part 622 north of 35°15.19' N latitude in South Atlantic Federal waters, the latitude of Cape Hatteras Light, North Carolina; black sea bass north of 35°15.19' N latitude is regulated by 50 CFR part 648.

The recreational fishing year for black sea bass is April 1 through March 31. One of the recreational AMs for black sea bass requires that before the April 1 start date of each recreational fishing year, NMFS will project the length of the recreational fishing season based on when NMFS projects recreational landings of black sea bass will reach its ACL, and announce the recreational season end date in the **Federal Register** [50 CFR 622.193(e)(2)]. The purpose of this AM is to allow recreational fishermen to maximize their opportunities to harvest the recreational ACL through a more predictable recreational season while NMFS manages harvest within the recreational ACL to protect the stock from experiencing adverse biological consequences.

The recreational ACL for black sea bass during the 2024–2025 fishing year is 310,602 pounds (lb) or 140,887 kilograms (kg) in gutted weight, or 366,510 lb (166,246 kg) in round weight [50 CFR 622.193(e)(2)].

NMFS estimates that recreational landings of black sea bass during the 2024–2025 fishing year will be less than the 2024–2025 recreational ACL. To make this determination, NMFS compared recreational landings of black sea bass in the last 3 fishing years with available data (2020–2021 through 2022–2023) to the recreational ACL for the 2024–2025 fishing year. Recreational landings in each of these past 3 fishing years have been less than the 2024–2025 recreational ACL, and NMFS expects similar landings for the 2024–2025 fishing season. Therefore, because NMFS projects that the recreational landings of black sea bass will be less than the 2024–2025 recreational ACL, NMFS does not expect to close the recreational harvest of black sea bass during the fishing year. Accordingly, the season end date for the recreational harvest of black sea bass in South Atlantic Federal waters is March 31, 2025.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.193(e)(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. Such procedures are unnecessary because the rule establishing the recreational AM has already been subject to notice and comment, and all that remains is for NMFS to notify the public of the recreational season length.

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

Dated: March 22, 2024.

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140819686–5999–02; RTID 0648–XD760]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2024 Commercial Accountability Measure and Catch Limit Reduction for Gag in the South Atlantic

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

ACTION: Temporary rule; commercial accountability measure.

SUMMARY: NMFS implements an accountability measure (AM) for the commercial harvest of gag in South Atlantic Federal waters. NMFS has determined that commercial landings of gag exceeded the commercial annual catch limit (ACL) in 2023, and other triggers for the commercial AMs are met. Therefore, NMFS reduces the commercial ACL of gag in the 2024 fishing year by the amount of gag landings that exceeded the 2023 commercial ACL to protect the gag resource from overfishing and continue to allow the recovery of this overfished stock.

DATES: This temporary rule is effective on April 26, 2024.

FOR FURTHER INFORMATION CONTACT: Frank Helies, NMFS Southeast Regional Office, telephone: 727–824–5305, email: frank.helies@noaa.gov.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic includes gag 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 NMFS, 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 in this temporary rule are in gutted weight.

On October 23, 2023, NMFS implemented the final rule for Amendment 53 to the FMP (88 FR 65135, September 21, 2023). Among other measures, Amendment 53 established a rebuilding plan for the gag stock, which is overfished and is included in the most recent Status of U.S. Fisheries Report to Congress (2022). The final rule specified the 2024 commercial ACL for gag at 128,096 pounds (lb) or 58,103 kilograms (kg) [50 CFR 622.190(a)(7)(ii)].

Regulations in § 622.193(c)(1) state the AMs applicable to the commercial harvest of gag. The post-season AMs for the commercial sector state that NMFS will reduce the commercial ACL in the following fishing year by the amount of the commercial ACL overage in the previous year if the following criteria are also met: 1. the combined commercial and recreational ACL specified in § 622.193(c)(3) is exceeded during the same fishing year, and 2. the gag stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress [50 CFR 622.193(c)(1)(ii)].

Also on the effective date of final rule for Amendment 53, NMFS closed the commercial harvest of gag for the remainder of the year because NMFS projected that commercial landings of gag had exceeded the new 2023 commercial ACL of 85,326 lb (38,703 kg) (88 FR 68497, October 4, 2023). Current estimates of commercial landings of gag during 2023 are 150,500 lb (68,266 kg). These preliminary landings exceed the recently implemented commercial ACL for gag by 65,174 lb (29,562 kg). Preliminary landings of gag by the recreational sector in 2023 are 472,321 lb (214,241 kg) and the new 2023 recreational ACL was 90,306 lb (40,962 kg). Therefore, NMFS estimates that 2023 landings of gag exceeded the combined commercial and recreational ACL of 175,632 lb (79,665 kg).

Because the criteria for gag post-season AMs are met, NMFS must reduce the commercial ACL in 2024 by the amount that commercial landings exceeded the commercial ACL during 2023. Therefore, NMFS reduces the commercial ACL for gag in 2024 to 62,922 lb (28,541 kg).