

lb (301,436 kg) (50 CFR 622.23(a)(1)(ii)(A)); the Florida regional management area private angling component ACL will be 2,769,631 lb (1,256,283 kg) (50 CFR 622.23(a)(1)(ii)(B)), and the Mississippi regional management area private angling component ACL will be 82,342 lb (37,350 kg) (50 CFR 622.23(a)(1)(ii)(D)). The MRIP-based State ACLs, described in the regulations as the Federal equivalent, will remain the same.

Regulations at 50 CFR 622.23(b) require that if a State's red snapper private angling component landings exceed the applicable State's component ACL, then in the following fishing year, that State's private angling ACL will be reduced by the amount of that ACL overage in the prior fishing year. Based on data provided by the ADCNR, NMFS has determined that 2023 landings of red snapper in Alabama for the private angling component, which includes landings for State charter vessels, were 596,083 lb (270,379 kg); which is 4,898 lb (2,222 kg) greater than the 2023 Alabama State-survey based ACL. Based on data provided by the FWC, NMFS has determined that 2023 landings of red snapper in Florida for the private angling component, which includes landings for State charter vessels, were 2,204,136 lb (999,779 kg); which is 12,821 lb (5,816 kg) greater than the 2023 Florida State-survey based ACL. Based on data provided by the MDMR, NMFS has determined that 2023 landings of red snapper in Mississippi for the private angling component, which includes landings for State charter vessels, were 80,675 lb (36,594 kg); which is 17,813 lb (8,080 kg) greater than the 2023 Mississippi State-survey based ACL. Accordingly, for the 2024 fishing year, this temporary rule reduces the Alabama, Florida, and Mississippi 2024 State-survey based ACLs by the amount of the overages. These reductions results in a revised 2024 private angling ACL for Alabama of 659,654 lb (299,214 kg), a revised 2024 private angling ACL for Florida of 2,756,810 lb (1,250,468 kg), and a revised 2024 private angling ACL for Mississippi of 64,529 lb (29,270 kg).

The recreational private angling component ACLs for the other Gulf State management areas (Louisiana and Texas) for 2024 are unaffected by this temporary rule. The reductions in the 2024 red snapper private angling component ACLs for the Alabama, Florida, and Mississippi regional management areas are effective at 12:01 a.m., local time, on June 13, 2024, and will remain in effect until 12:01 a.m., local time, on January 1, 2025.

The ADCNR, FWC, and MDMR are responsible for ensuring that 2024 private angling component landings in each applicable State's regional management area do not exceed the adjusted 2024 Alabama, Florida, and Mississippi ACLs. NMFS notes that after the ADCNR, FWC, and MDMR identified that ACL overages had occurred in 2023, they adjusted their respective 2024 red snapper private angling fishing seasons to account for the reduction in the ACLs as required by the regulations at 50 CFR 622.23(b) and implemented through this temporary rule.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required under 50 CFR 622.23(b) which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, 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 opportunity for public comment on this action. Such procedures are unnecessary because the rule implementing the post-season ACL adjustment authority has already been subject to notice and comment, and all that remains is to notify the public of the ACL overage adjustment to reduce the private angling component ACLs for the Alabama, Florida, and Mississippi regional management areas. Such procedures are contrary to the public interest because a failure to implement the ACL overage adjustments immediately may result in confusion among the public about what ACL is in effect for Alabama, Florida, and Mississippi for the 2024 fishing year. This action is based on the best scientific information available.

For the aforementioned reasons, there is also good cause to waive the 30-day delay in the effectiveness of the action under 5 U.S.C. 553(d)(3).

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

Dated: June 5, 2024.

Karen H. Abrams,

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 648

[Docket No. 231215-0305; RTID 0648-XE028]

Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer From North Carolina to Virginia

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

ACTION: Temporary rule; quota transfer.

SUMMARY: NMFS announces that the State of North Carolina is transferring a portion of its 2024 commercial summer flounder quota to the Commonwealth of Virginia. This adjustment to the 2024 fishing year quota is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) quota transfer provisions. This announcement informs the public of the revised 2024 commercial quotas for North Carolina and Virginia.

DATES: Effective June 10, 2024 through December 31, 2024.

FOR FURTHER INFORMATION CONTACT: Laura Deighan, Fishery Management Specialist, (978) 281-9184.

SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are found in 50 CFR 648.100 through 648.111. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102, and the final 2024 allocations were published on December 21, 2023 (88 FR 88266).

The final rule implementing amendment 5 to the Summer Flounder FMP, as published in the **Federal Register** on December 17, 1993 (58 FR 65936), provided a mechanism for transferring summer flounder commercial quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider three criteria in the evaluation of requests for quota transfers or combinations: (1) the transfers or

combinations would not preclude the overall annual quota from being fully harvested; (2) the transfers address an unforeseen variation or contingency in the fishery; and (3) the transfers are consistent with the objectives of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Regional Administrator has determined these three criteria have been met for the transfer approved in this notification.

North Carolina is transferring 15,576 pounds (lb; 7,065 kilograms (kg)) to

Virginia through a mutual agreement between the states. This transfer was requested to repay landings made by an out-of-state permitted vessel under a safe harbor agreement. The revised summer flounder quotas for 2024 are: North Carolina, 2,355,548 lb (1,068,459 kg); and Virginia, 1,899,556 lb (861,624 kg).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR

648.102(c)(2)(i) through (iv), which was issued pursuant to section 304(b), and is exempted from review under Executive Order 12866.

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

Dated: June 5, 2024.

Karen H. Abrams,

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

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