

## Classification

NMFS issues this action pursuant to the Northern Pacific Halibut Act of 1982. This action is taken under the regulatory authority at 50 CFR 300.63(c)(6), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(3)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. WDFW provided updated landings data to NMFS on July 9, 2024, showing that through June 30, fishery participants in the recreational fishery off of Washington had caught only 67 percent of the Puget Sound subarea allocation, 77 percent of the North Coast subarea allocation, and 76 percent of the South Coast subarea allocation; fishery participants in the Columbia River subarea had caught only 75 percent of the subarea allocation. On July 12, 2024, ODFW provided updated landings data to NMF, showing that through July 7, fishery participants in the recreational fishery off Oregon had caught only 44.8 percent of Central Coast subarea allocation. NMFS uses fishing rates from previous years to determine the number of recreational fishing dates needed to attain subarea allocations. Given the lower than expected catch rates in the Washington Puget Sound, North Coast, and South Coast subareas; the Columbia River subarea; and the Oregon Central Coast subarea, additional fishing dates are considered necessary to increase angler opportunity to reach the overall Washington and Oregon subarea allocations. This action should be implemented as soon as possible to allow fishery participants to take advantage of the additional season dates. As the fisheries close on September 30, 2024 in the Washington and Columbia River subareas, and on October 31, 2024 in the Oregon subareas, implementing this action through proposed and final rulemaking would undermine the benefit this action would provide to fishery participants. Without implementation of additional season dates in the Washington Puget Sound, North Coast, and South Coast subareas, the Columbia River subarea, and the Oregon Central Coast subarea, the overall Washington and Oregon allocations are unlikely to be harvested, thus limiting the economic benefits to the fishery participants and obstructing the goals of the 2024 Catch Sharing Plan. It is necessary that this rulemaking be implemented in a timely manner so that planning for additional season dates can take place, and to allow for

business and personal decision making by the regulated public impacted by this action, which includes recreational charter fishing operations, associated port businesses, and private anglers who do not live near the coastal access points for this fishery, among others. To ensure the regulated public is fully aware of this action, notice of this regulatory action will be provided to anglers through a telephone hotline, news release, and by the relevant state Fish and Wildlife agencies. NMFS will receive public comments for 15 days after publication of this action, in accordance with 50 CFR 300.63(c)(6)(iv). No aspect of this action is controversial, and changes of this nature were anticipated in the process described in regulations at 50 CFR 300.63(c).

For the reasons discussed above, there is also good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date and make this action effective immediately upon filing for public inspection, as a delay in effectiveness of this action would constrain fishing opportunity and be inconsistent with the goals of the 2024 Catch Sharing Plan, as well as potentially limit the economic opportunity intended by this rule to the associated fishing communities. This inseason action is not expected to result in exceeding the allocation for these subareas. NMFS regulations allow the Regional Administrator to modify sport fishing periods, bag limits, size limits, days per calendar week, and subarea allocations, provided that the action allows allocation objectives to be met and will not result in exceeding the catch limit for the subarea. NMFS recently received information on the progress of landings in the recreational fisheries in Washington and Oregon subareas, indicating additional season dates for Washington and Oregon should be implemented in the fishery to ensure optimal harvest of the subarea allocations. As stated above, it is in the public interest that this action is not delayed, because a delay in the effectiveness of these new dates would not allow the allocation objectives of the recreational Pacific halibut fishery to be met.

**Authority:** 16 U.S.C. 773–773k.

Dated: July 18, 2024.

### Lindsay Fullenkamp,

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

[FR Doc. 2024–16151 Filed 7–22–24; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 300 and 660

[Docket No. 240716–0196]

RIN 0648–BN09

### Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Tribal Usual and Accustomed Fishing Areas

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

**ACTION:** Final rule.

**SUMMARY:** This final rule implements the order in *United States v. Washington* that sets forth updated boundaries of the usual and accustomed (U&A) fishing areas of the Hoh Indian Tribe in the Pacific Ocean.

**DATES:** This final rule is effective July 23, 2024.

#### ADDRESSES:

*Electronic Access*—Information relevant to this final rule is accessible via the internet at the NMFS West Coast Region website at: <https://www.fisheries.noaa.gov/west-coast>.

#### FOR FURTHER INFORMATION CONTACT:

Megan Mackey, phone: 206–526–6140, or email: [megan.mackey@noaa.gov](mailto:megan.mackey@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

Regulations at 50 CFR 660.4 describe the U&A fishing areas of Indian Tribes with treaty fishing rights to species managed under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Northern Pacific Halibut Act of 1982 (Halibut Act, 16 U.S.C. 773c). Those regulations explain that the boundaries of a Tribe's fishing area may be revised as ordered by a Federal court. 50 CFR 660.4(a) and 50 CFR 300.64(i).

#### Court Order

On November 16, 2023, the United States District Court for the Western District of Washington issued an order setting forth updated boundaries of the U&A fishing area of the Hoh Indian Tribe in the Pacific Ocean, based on a stipulation between the parties. *United States v. Washington*, C70–9213 RSM (W.D. Wash. Nov. 16, 2023) (Stipulation and Order Regarding Boundaries of Hoh Indian Tribe U&A). This action adjusts the boundary regulations at 50 CFR 660.4(a)(3) for fisheries managed under the Magnuson-Stevens Act and the regulations at 50 CFR 300.64(i) for

fisheries managed under the Halibut Act to make them consistent with the court's order. The boundaries for fishing areas for the Tribes with treaty fishing rights in the EEZ must be consistent with Federal court orders describing these areas. Other boundaries and their supporting rationales described in previous rulemakings on other U&A fishing areas are not affected by this rulemaking.

The revised boundaries for the Hoh Indian Tribe U&A are as follows: A polygon commencing at the Pacific coast shoreline near the mouth of the Quillayute River, located at latitude 47°54'30" north, longitude 124°38'31" west; then proceeding west approximately forty nautical miles at that latitude to a northwestern point located at latitude 47°31'42" north, longitude 125°38'18" west; then proceeding in a southeasterly direction mirroring the coastline at a distance no farther than forty nautical miles from the mainland Pacific coast shoreline, to a point located at latitude 47°31'42" north, longitude 125°20'26" west, then proceeding east along that line of latitude approximately ten nautical miles to a point located at latitude 47°31'42" north, longitude 125°5'48" west, then proceeding in a southeasterly direction mirroring the coastline at a distance no farther than 30 nautical miles from the mainland Pacific coast shoreline to a point located at latitude 47°21'00" north, longitude 125°2'52" west; then proceeding east along that line of latitude to the Pacific coast shoreline near the mouth of the Quinault River, located at latitude 47°21'00" north, longitude 124°18'8" west.

**Classification**

Pursuant to section 305(d) of the Magnuson-Stevens Act and Section 5 of

the Halibut Act, the NMFS Assistant Administrator has determined that the regulatory amendments associated with the court-ordered changes to Tribal U&A fishing areas, which this final rule implements, are necessary for conservation and management and are consistent with the Pacific Coast Groundfish Fishery Management Plan, the Magnuson-Stevens Act, the Halibut Act, and other applicable laws.

NMFS finds good cause to waive prior public notice and comment on the revisions to regulations in this final rule under 5 U.S.C. 553(d)(3) because affording the time necessary for notice and comment rulemaking for these changes would be impracticable and contrary to the public interest. The U.S. District Court has issued its final judgment and the boundaries adjudicated by the court are controlling. NMFS regulations must be modified consistent with the court order as quickly as possible to bring them into compliance with the legal requirements. It is further necessary to act quickly to modify the Tribal U&A fishing area boundaries in Title 50, part 660, to prevent confusion arising out of conflicting statements in the regulations and stipulation, which adds complexity to the management regime and could create problems for Tribal, State, and Federal management and enforcement. Furthermore, NMFS is not exercising any discretion in issuing this rule but only making the changes necessary to comply with the court order. For the same reasons, NMFS also finds good cause to waive the 30-day delay in effectiveness.

This final rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other

law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

This final rule does not contain policies with federalism or takings implications as those terms are defined in E.O. 13132 and E.O. 12630, respectively.

**List of Subjects**

*50 CFR Part 300*

Fish, Fisheries, Fishing, Fishing vessels.

*50 CFR Part 660*

Fisheries, Fishing, and Indian Fisheries.

Dated: July 16, 2024.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR parts 300 and 660 are amended as follows:

**PART 300—INTERNATIONAL FISHERIES REGULATIONS**

**Subpart E—Pacific Halibut Fisheries**

■ 1. The Authority citation for part 300 continues to read as follows:

**Authority:** 16 U.S.C. 773–773k.

■ 2. In § 300.64, amend table 1 to Paragraph (i) by revising the entry for “HOH” to read as follows:

**§ 300.64 Fishing by U.S. treaty Indian tribes.**

\* \* \* \* \*  
(i) \* \* \*

TABLE 1 TO PARAGRAPH (i)

Tribe	Boundaries
HOH .....	A polygon commencing at the Pacific coast shoreline near the mouth of the Quillayute River, located at latitude 47°54'30" north, longitude 124°38'31" west; then proceeding west approximately forty nautical miles at that latitude to a northwestern point located at latitude 47°54'30" north, longitude 125°38'18" west; then proceeding in a southeasterly direction mirroring the coastline at a distance no farther than forty nautical miles from the mainland Pacific coast shoreline, to a point located at latitude 47°31'42" north, longitude 125°20'26" west, then proceeding east along that line of latitude approximately ten nautical miles to a point located at latitude 47°31'42" north, longitude 125°5'48" west, then proceeding in a southeasterly direction mirroring the coastline at a distance no farther than thirty nautical miles from the mainland Pacific coast shoreline to a point located at latitude 47°21'00" north, longitude 125°2'52" west; then proceeding east along that line of latitude to the Pacific coast shoreline near the mouth of the Quinault River, located at latitude 47°21'00" north, longitude 124°18'8" west.
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## PART 660—FISHERIES OFF WEST COAST STATES

■ 3. The authority citation for part 660 continues to read as follows:

**Authority:** 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

■ 4. In § 660.4, revise paragraph (a)(3) to read as follows:

### § 660.4 Usual and accustomed fishing areas for Pacific Coast treaty Indian tribes.

(a) \* \* \*

(3) *Hoh*. A polygon commencing at the Pacific coast shoreline near the mouth of the Quillayute River, located at latitude 47°54'30" north, longitude 124°38'31" west; then proceeding west approximately forty nautical miles at that latitude to a northwestern point located at latitude 47°54'30" north, longitude 125°38'18" west; then proceeding in a southeasterly direction mirroring the coastline at a distance no farther than forty nautical miles from the mainland Pacific coast shoreline, to a point located at latitude 47°31'42" north, longitude 125°20'26" west, then proceeding east along that line of latitude approximately ten nautical miles to a point located at latitude 47°31'42" north, longitude 125°5'48" west, then proceeding in a southeasterly direction mirroring the coastline at a distance no farther than thirty nautical miles from the mainland Pacific coast shoreline to a point located at latitude 47°21'00" north, longitude 125°2'52" west; then proceeding east along that line of latitude to the Pacific coast shoreline near the mouth of the Quinault River, located at latitude 47°21'00" north, longitude 124°18'8" west.

\* \* \* \* \*

[FR Doc. 2024–16010 Filed 7–22–24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 240717–0198]

RIN 0648–BM79

### Fisheries of the Northeastern United States; 2024–2026 Specifications for the Mackerel, Squid, and Butterfish Fishery Management Plan

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

**ACTION:** Final rule.

**SUMMARY:** NMFS approves and implements the 2024–2026 specifications for the Mackerel, Squid, and Butterfish Fishery Management Plan, as recommended by the Mid-Atlantic Fishery Management Council. This final rule sets the 2024 *Illex* and longfin squid specifications, and projects the 2025 *Illex* and 2025–2026 longfin squid specifications. This rule also reaffirms the 2024 butterfish and Atlantic chub mackerel specifications and the previously published projected 2025 chub mackerel specifications. These specifications establish allowable harvest levels that will prevent overfishing, consistent with the most recent scientific information.

**DATES:** Effective August 22, 2024.

**ADDRESSES:** A Supplemental Information Report (SIR) was prepared for these specifications. Copies of the SIR and other relevant environmental documentation are available on request from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 North State Street, Dover, DE 19901. The SIR is also accessible via the internet at <https://www.mafmc.org/supporting-documents>.

Copies of the small entity compliance guide are available from Michael Pentony, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930–2298, or available on the internet at <https://www.greateratlantic.fisheries.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Maria Fenton, Fishery Policy Analyst, (978) 281–9196.

#### SUPPLEMENTARY INFORMATION:

##### General Background

The Mid-Atlantic Fishery Management Council (Council) manages Atlantic mackerel, *Illex* squid, longfin squid, butterfish, and Atlantic chub mackerel under the Mackerel, Squid, and Butterfish Fishery Management Plan (FMP). The regulations implementing the FMP at 50 CFR part 648, subpart B, require the Council's Mackerel, Squid, and Butterfish Monitoring Committee to develop specification recommendations for each species based upon the acceptable biological catch (ABC) advice of the Council's Scientific and Statistical Committee (SSC). The ABC is the level of catch that accounts for scientific uncertainty in the estimate of the stock's defined overfishing limit (OFL). Specifications are the combined suite of commercial and recreational catch

levels and management measures necessary to prevent such catch levels from being exceeded. Mackerel, Squid, and Butterfish FMP regulations require the specification of annual catch limits (ACL) and accountability measure (AM) provisions for butterfish and chub mackerel. Both squid species are exempt from the ACL/AM requirements because they have a life cycle of less than 1 year. In addition, the regulations require the specification of domestic annual harvest (DAH), the butterfish mortality cap in the longfin squid fishery, and initial optimum yield (IOY) for both squid species. As part of this process, the Council sets specifications for up to 3 years. These specifications are reviewed annually and may be revised by the Council based on updated information.

On July 27, 2023 (88 FR 48389), NMFS published a final rule in the **Federal Register** implementing 2023 specifications for the chub mackerel, butterfish, longfin squid, and *Illex* squid fisheries. This included projected 2024 butterfish specifications and projected 2024–2025 chub mackerel specifications. The Council's SSC met in March, May, and July 2023 to consider the 2024 longfin squid, *Illex* squid, chub mackerel, and butterfish specifications based upon the latest information. At those meetings, the SSC concluded that no adjustments to these species' ABCs were warranted. The Council finalized its recommendations for the 2024 *Illex* and longfin squid specifications and projected 2025 *Illex* and 2025–2026 longfin squid specifications during its April and August 2023 meetings. The Council reaffirmed the 2024 butterfish and 2024 and projected 2025 Atlantic chub mackerel specifications during its June 2023 meeting. During its December 2023 meeting, the Council also finalized recommendations for the 2024 and projected 2025 Atlantic mackerel specifications; however, those specifications were recently finalized through a separate final rule due to additional timing concerns (89 FR 25820, April 12, 2024).

##### Final 2024 and Projected 2025 *Illex* Squid Specifications

The final 2024 and projected 2025 *Illex* squid specifications are identical to what was in place in 2023, in alignment with the Council's recommendation (table 1). NMFS and the Council will review the *Illex* squid specifications during future annual specification processes following data updates each spring. The 2025 specifications projected here could change based on new information.