

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.

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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.

TABLE 1—FINAL 2024 AND PROJECTED 2025 ILLEX SQUID SPECIFICATIONS
[mt]

Specification	2024	2025 (projected)
OFL	Unknown	Unknown
ABC	40,000	40,000
Commercial Discard Set-Aside	1,369 (3.42%)	1,369 (3.42%)
Initial optimum yield (IOY)	38,631	38,631
Domestic annual harvest (DAH)/domestic annual processing (DAP)	38,631	38,631

Final 2024 and Projected 2025–2026 Longfin Squid Specifications

The final 2024 and projected 2025–2026 longfin squid specifications are nearly identical to what was in place in 2023, in alignment with the Council’s recommendation. The only change is a slight increase in the longfin squid

discard rate (from 2 percent to 2.16 percent). The background for this change is discussed in the proposed rule to implement these specifications (89 FR 28713, April 19, 2024), and therefore is not repeated here. The longfin squid IOY, DAH, and DAP are calculated by deducting a discard set-aside, calculated using the discard rate, from the ABC.

The 0.16-percent increase in the discard rate results in a 0.17-percent decrease in the commercial quota (table 2). NMFS and the Council will review the longfin squid specifications during future annual specifications processes following data updates each spring. The 2025–2026 specifications projected here could change based on new information.

TABLE 2—FINAL 2024 AND PROJECTED 2025–2026 LONGFIN SQUID SPECIFICATIONS
[mt]

Specification	2024	2025–2026 (projected)
OFL	Unknown	Unknown
ABC	23,400	23,400
Commercial Discard Set-Aside	506.3 (2.16%)	506.3 (2.16%)
IOY	22,893.7	22,893.7
DAH/DAP	22,893.7	22,893.7

The percentage of the longfin squid quota allocated to each trimester during

2024–2026 remains unchanged from what was in place in 2023 (table 3).

TABLE 3—2024–2026 LONGFIN SQUID QUOTA TRIMESTER ALLOCATIONS

Trimester	Percent	Metric tons
I (Jan–Apr)	43	9,844.3
II (May–Aug)	17	3,891.9
III (Sep–Dec)	40	9,157.5
Total	100	22,893.7

Reaffirmation of 2024 Butterfish Specifications

As part of the final rule implementing 2023–2025 specifications for the Mackerel, Squid, and Butterfish FMP

(88 FR 48389, July 27, 2023), NMFS projected 2024 butterfish specifications that would decrease the ABC and available quota by 12.7 percent relative to 2023. Even with this reduction, the projected 2024 butterfish quota was still

above recent catch levels. This final rule reaffirms the previously projected 2024 butterfish specifications, in alignment with the Council’s recommendation, as no new information suggests a need to change.

TABLE 4—REAFFIRMED 2024 BUTTERFISH SPECIFICATIONS
[mt]

Specification	2024
OFL	16,096
ABC/ACL	15,764
Annual Catch Target (ACT)	14,976
Assumed Discards	1,248
Total Discard Set-Aside (All Sources)	5,132
Butterfish Cap in Longfin Fishery	3,884
DAH	9,844

The percentage of the butterfish mortality cap allocated to the longfin squid fishery during each trimester in

2024 remains unchanged from what was in place during 2023 (table 5).

TABLE 5—2024 ALLOCATION OF THE BUTTERFISH MORTALITY CAP AMONG LONGFIN SQUID TRIMESTERS

Trimester	Percent	Metric tons
I (Jan–Apr)	43	1,670
II (May–Aug)	17	660
III (Sep–Dec)	40	1,554
Total	100	3,844

Reaffirmation of 2024 and Projected 2025 Atlantic Chub Mackerel Specifications

Amendment 21 to the FMP implemented chub mackerel specifications for the 2020–2022 fishing years (85 FR 47103, August 4, 2020). The Council reevaluated these

specifications during its June 2022 meeting and decided to make no adjustments for the 2023–2025 fishing years. The Council reevaluated these specifications again during its June 2023 meeting and decided to make no adjustments for the 2024 fishing year. This final rule reaffirms the previously

projected 2024 specifications, and projects the 2025 chub mackerel specifications, in alignment with the Council’s recommendation (table 6). No new information suggests a need to change the specifications for 2024. The 2025 specifications projected here could change based on new information.

TABLE 6—REAFFIRMED 2024 AND PROJECTED 2025 CHUB MACKEREL SPECIFICATIONS [mt]

Specification	2024	2025 (projected)
ABC	2,300	2,300
ACL	2,262	2,262
ACT	2,171	2,171
Total Allowable Landings	2,041	2,041

Proposed Rule Comments

We published a proposed rule for the 2024–2026 specifications on April 19, 2024 (89 FR 28713), and the public comment period ended on May 20, 2024. We did not receive any public comments on the proposed rule.

Changes From the Proposed Rule

There are no changes being made to the proposed specifications. However, this final rule contains several corrections and an additional table that did not appear in the proposed rule.

The 2024 *Illex* squid specifications shown in table 3 in the proposed rule are correct. However, the proposed rule text incorrectly stated that the discard rate used to calculate the *Illex* squid discard set-aside in 2024 is lower than rate that was used in 2023, resulting in a lower 2024 commercial discard set-aside and a higher commercial quota. The recommended 2024 specifications (including the discard rate, the discard set-aside, and the commercial quota) are identical to what was in place in 2023. This final rule clarifies that there are no changes in the 2024 *Illex* squid specifications relative to 2023.

The 2024–2026 longfin squid quota trimester allocations shown as

percentages (column 2) in table 2 in the proposed rule are correct. However, the allocations shown as metric tons (column 3) in table 2 are incorrect. Those tonnages were calculated based on the 2023 commercial quota (22,932 mt) instead of the 2024 commercial quota (22,893.7 mt). Table 3 in this final rule corrects these calculations.

The proposed rule did not contain a table showing the 2024 allocation of the butterfish mortality cap among longfin squid trimesters. Table 5 was added to this final rule to provide that information along with the rest of the specifications.

Classification

NMFS is issuing this rule pursuant to section 305(d) of the Magnuson-Stevens Act. Consistent with Magnuson-Stevens Act section 305(d), this action is necessary to carry out the Mackerel, Squid, and Butterfish FMP in accordance with the FMP’s implementing regulations. The NMFS Assistant Administrator has determined that this final rule is consistent with the Mackerel, Squid, and Butterfish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

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

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

This final rule does not contain any changes to collection-of-information requirements subject to the Paperwork Reduction Act. The existing collection of information requirements would continue to apply under OMB Control Number: 0648–0229, Greater Atlantic Region Dealer Purchase Reports.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a final regulatory flexibility analysis was not required and none was prepared.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: July 17, 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 660**

[Docket No. 221206–0261]

RIN 0648–BN16

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2023–2024 Biennial Specifications and Management Measures; Inseason Adjustments

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

ACTION: Final rule; inseason adjustments to biennial groundfish management measures.

SUMMARY: This final rule announces routine inseason adjustments to management measures in commercial groundfish fisheries. This action is intended to allow commercial fishing vessels to access more abundant groundfish stocks while protecting overfished and depleted stocks.

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

ADDRESSES:**Electronic Access**

This rule is accessible via the internet at the Office of the Federal Register website at <https://www.federalregister.gov>. Background information and documents are available at the Pacific Fishery Management Council's website at <https://www.pcmouncil.org/>.

FOR FURTHER INFORMATION CONTACT: Abbie Moyer, phone: 206–305–9601 or email: abbie.moyer@noaa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The Pacific Coast Groundfish Fishery Management Plan (PCGFMP) and its

implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish off the coasts of Washington, Oregon, and California. The Pacific Fishery Management Council (Council) develops groundfish harvest specifications and management measures for 2-year periods (*i.e.*, a biennium). NMFS published the final rule to implement harvest specifications and management measures for the 2023–2024 biennium for most species managed under the PCGFMP on December 16, 2022 (87 FR 77007). In general, the management measures set at the start of the biennial harvest specifications cycle help the various sectors of the fishery attain, but not exceed, the catch limits for each stock. The Council, in coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommends adjustments to the management measures during the fishing year to achieve this goal.

At its June 2024 meeting, the Council recommended inseason adjustments to commercial non-trawl trip limits for sablefish north of 36° N lat., widow rockfish north of 40°10' N lat., and yellowtail rockfish north of 40°10' N lat. These adjustments are expected to improve attainment of these stocks in the non-trawl fishery. Pacific Coast groundfish fisheries are managed using harvest specifications or limits (*e.g.*, overfishing limits [OFL], acceptable biological catch [ABC], annual catch limits [ACL] and harvest guidelines [HG]) recommended biennially by the Council and based on the best scientific information available at that time (50 CFR 660.60(b)). During development of the harvest specifications, the Council also recommends management measures (*e.g.*, trip limits, area closures, and bag limits) that are meant to mitigate catch so as not to exceed the harvest specifications. The harvest specifications and mitigation measures developed for the 2023–2024 biennium used data collected through the 2021 fishing year. Each of the adjustments to mitigation measures discussed below are based on updated fisheries information that was unavailable when the analysis for the current harvest specifications was completed. As new fisheries data becomes available, adjustments to mitigation measures are projected so as to help harvesters achieve but not exceed the harvest limits.

Sablefish is an important commercial species on the U.S. West Coast with

vessels targeting sablefish with both trawl and fixed gear (longlines and pots/traps). Sablefish is managed with a coast-wide OFL and ABC and ACLs that are apportioned north and south of 36° N lat. In 2024, the ACL for sablefish north of 36° N lat. is 7,730 metric tons (mt) with a fishery HG of 6,919 mt. The fishery HG north of 36° N lat. is further divided between the LE and OA sectors with 90.6 percent, or 6,269 mt, going to the LE sector and 9.4 percent, or 650 mt, going to the OA sector. From the 6,269 mt LE allocation, 395 mt is allocated to the LE fixed gear (LEFG) trip limit fishery.

At the June 2024 Council meeting, the Council's Groundfish Management Team (GMT) received requests from industry members and members of the Council's Groundfish Advisory Subpanel (GAP) to examine the potential to increase sablefish trips limits for the LEFG and OA fisheries north of 36° N lat. The intent of increasing trip limits would be to increase harvest opportunities for vessels targeting sablefish. Discussion with GAP and GMT members indicated that sablefish markets continue to be less lucrative than they were prior to 2020 and, consequently, that prices per pound may be a stronger predictor of participation than before, as some vessels opt to target other species instead. Therefore, for both of the northern sablefish sectors, the GMT provided data on 2024 sablefish prices to date, alongside calculated prices, to predict participation for the remainder of the year. This information can help interpret the fleetwide landings projections under each of the low, average, and high price scenarios. Predicted prices for the remainder of the year were calculated using prices in each respective period of recent year(s).

Tables 1 and 2 show projected 2024 landings and attainment under the three modeled price scenarios for status quo and for the new Council recommended trip limits for the LEFG (table 1) and OA (table 2) sectors north of 36° N lat. LEFG landings for the full year are projected to be 55–70 percent of the 2024 landings target under status quo trip limits. So far this year, five LEFG vessels have attained more than 90 percent of the status quo bimonthly limit, indicating that at least some vessels in the fleet would benefit from a trip limit increase. Therefore, the Council recommended Option 1, which projects fleetwide landings at 75–97 percent of the 2024 landings target.