

abundance forecasts for Chinook salmon stocks, the timing of the actions relative to the length of the season, and determined that this inseason action is necessary to meet management and conservations goals for the 2024–2025 management measures. This inseason action modified quotas and/or fishing seasons under 50 CFR 660.409(b)(1)(i).

Inseason Action #2

Description of the action: Inseason action #2 modifies the SOF recreational ocean salmon fishery in the Klamath Management Zone (KMZ) between Humbug Mountain and the Oregon/California border. All salmon harvested in the recreational ocean salmon fishery between Humbug Mountain and the Oregon/California border through October 31, 2024, must be landed north of the Oregon/California border.

Effective dates: Inseason action #2 takes effect at 12:30 p.m. on Thursday, May 16, 2024, and remains in effect through October 31, 2024.

Reason and authorization for the action: The closure of commercial and recreational ocean salmon fisheries in California in 2024 presented a scenario in the KMZ between Humbug Mountain and Latitude 40°10' N (California KMZ) where recreational fishing opportunity is open on the Oregon side of the KMZ but not on the California side of the KMZ, in order to protect California Chinook salmon and coho salmon. An enforcement concern was subsequently identified, in that the original 2024–2025 rules do not expressly prohibit landing salmon in the closed area. Allowing California vessels to land salmon in California would hinder enforcement efforts, as it might not be possible to determine whether landed fish were caught legally in Oregon or caught unlawfully within the closed area, thereby undermining the original intent of the closure. This inseason action clarifies that salmon may not be caught or landed within the closed area. With full closures in California there are not sufficient monitoring programs in place to adequately sample and estimate salmon landings brought into California from Oregon which could compromise managers ability to assess fishing impacts against conservation objectives. This inseason action would clarify that landing of salmon in California is prohibited to address the enforcement and monitoring concerns discussed above.

The RA considered port access issues and the need to monitor landings to assess fishing impacts, and determined that this inseason action was necessary to meet management and conservation objectives. These inseason action

clarifies landing boundaries under 50 CFR 660.409(b)(1)(v).

Inseason Action #3

Description of the action: Inseason action #3 modifies the NOF commercial ocean salmon fishery. The area between the U.S./Canada border and Cape Falcon is closed.

Effective dates: Inseason action #3 takes effect at 11:59 p.m. on Wednesday, June 19, 2024, and remains in effect through June 30, 2024, at 11:59 p.m.

Reason and authorization for the action: Inseason action #3 is necessary to avoid exceeding the NOF quota for Chinook salmon. The RA considered the 2024 abundance forecasts for Chinook salmon stocks, the catch rates and anticipated effort relative to the remaining quota, and determined that this inseason action is necessary to meet management and conservations goals for the 2024–2025 management measures. This inseason action modifies fishing seasons under 50 CFR 660.409(b)(1)(i).

All other restrictions and regulations remain in effect as announced for the 2024 ocean salmon fisheries (89 FR 44553, May 21, 2024).

The states and tribes manage the fisheries in state waters adjacent to the areas of the U.S. exclusive economic zone (3–200 nautical miles; 5.6–370.4 kilometers) off the coasts of the States of Washington, Oregon, and California consistent with these Federal actions. As provided by the inseason notice procedures at 50 CFR 660.411, actual notice of the described regulatory actions was given, prior to the time the actions became effective, by telephone hotline numbers 206–526–6667 and 800–662–9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF–FM and 2182 kHz.

Classification

NMFS issues these actions pursuant to section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). These actions are authorized by 50 CFR 660.409, which was issued pursuant to section 304(b) of the MSA, 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. Prior notice and opportunity for public comment on this action was impracticable because NMFS had insufficient time to provide for prior notice and the opportunity for public comment between the time Chinook and coho salmon abundance, catch, and effort information were

developed and fisheries impacts were calculated, and the time the fishery modifications had to be implemented in order to ensure that fisheries are managed based on the best scientific information available and consistent with the conservation objectives. As previously noted, actual notice of the regulatory action was provided to fishers through telephone hotlines and radio notifications. These actions comply with the requirements of the annual management measures for ocean salmon fisheries (88 FR 30235, May 11, 2023), the Pacific Salmon Fishery Management Plan (FMP), and regulations implementing the FMP under 50 CFR 660.409 and 660.411.

There is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date, as a delay in effectiveness of this action would allow fishing at levels inconsistent with the goals of the FMP and the current management measures.

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

Dated: July 26, 2024.

Lindsay Fullenkamp,

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 665

[Docket No. 240725–0204]

RIN 0648–BM76

Pacific Island Fisheries; Annual Catch Limit and Accountability Measure for the Commonwealth of the Northern Mariana Islands Bottomfish in 2024–2025

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

ACTION: Final rule.

SUMMARY: This final rule implements an annual catch limit (ACL) and annual catch target (ACT) for bottomfish in the Commonwealth of the Northern Mariana Islands (CNMI) for fishing years 2024 and 2025. This rule does not revise, add, or remove the most recent current accountability measure (AM) in NOAA's regulations. Under that AM, NMFS will reduce the ACL and ACT in the following fishing year by the amount of the overage if the average catch from the most recent 3 years exceeds the ACL.

This final rule supports the long-term sustainability of the CNMI bottomfish fishery.

DATES: This rule is effective August 30, 2024.

ADDRESSES: Background information on the bottomfish fishery in the Commonwealth of the Northern Mariana Islands is found in the Fishery Ecosystem Plan for the Mariana Archipelago (FEP) available from the Western Pacific Regional Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813, telephone 808-522-8220, fax 808-522-8226, or <https://www.wpcouncil.org>. Copies of supporting documents for this action are available at <https://www.regulations.gov/docket/NOAA-NMFS-2024-0002>, or from Sarah Malloy, Acting Regional Administrator, NMFS Pacific Islands Regional Office (PIRO), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

FOR FURTHER INFORMATION CONTACT: Keith Kamikawa, NMFS Pacific Islands Regional Office, Sustainable Fisheries, 808-725-5177.

SUPPLEMENTARY INFORMATION: NMFS and the Western Pacific Regional Fishery Management Council (Council) manage the bottomfish fishery in the U.S. Exclusive Economic Zone (*i.e.*, Federal waters, generally 3–200 nautical miles (nmi) (345 kilometers (km)) around the CNMI under the Fishery Ecosystem Plan for the Mariana Archipelago (FEP), as authorized by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Consistent with the process in the FEP, the Council and NMFS must specify ACLs, ACTs, and AMs for each stock and stock complex of each management unit species (MUS), as recommended by the Council, and must consider the best available scientific, commercial, and other information about the fishery. If a fishery exceeds an ACL, regulations require the Council to act (*e.g.*, enactment of an AM reducing the ACL for the subsequent fishing year by the amount of the overage). ACTs can be used as an additional management measure to help ensure catch does not exceed the ACL.

NMFS is implementing for the CNMI bottomfish fishery an ACL of 82,000 pounds (lb) (37,195 kilograms (kg)) and an ACT of 75,000 lb (34,019 kg) (Table 1). The fishing year begins on January 1

and ends on December 31, and catch from both territorial waters (generally from the shoreline to 3 nmi, (5.6 km offshore)) and Federal waters will be counted towards the ACL and ACT.

TABLE 1—ANNUAL CATCH LIMITS AND ANNUAL CATCH TARGETS FOR THE CNMI BOTTOMFISH COMPLEX

	2024	2025
ACL (lb)	82,000	82,000
ACT (lb)	75,000	75,000

The rule will not change the current AM for the CNMI bottomfish fishery: if the average catch of the three most recent years exceeds the specified ACL in a fishing year, NMFS will reduce the ACL and the ACT for the subsequent year by the amount of the overage in a separate rulemaking. If the average catch from the most recent 3-year period exceeds the ACT, but is below the ACL, NMFS will not apply a post-season correction.

This rule is consistent with recommendations made by the Council at its 195th meeting in June 2023. Additional background information on this action is in the preamble to the proposed rule (89 FR 45623, May 23, 2024).

Comments and Responses

On May 23, 2024, NMFS published a proposed rule and request for public comments (89 FR 45623). The comment period ended on June 24, 2024. NMFS received one public comment about offshore wind and the North Atlantic right whale, which is not related to the proposed rule or any other relevant topic. Therefore, NMFS made no changes to the final rule based on the public comment received.

Changes From the Proposed Rule

This final rule contains no changes from the proposed rule.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the FEP, other provisions of the Magnuson-Stevens Act, and other applicable law.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the

Small Business Administration 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 relevant comments were received regarding this certification. As a result, a final regulatory flexibility analysis was not required and none was prepared.

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

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

List of Subjects in 50 CFR Part 665

Fisheries, Fishing, Commonwealth of the Northern Mariana Islands, Bottomfish management unit species, Annual catch limit, Accountability measure, Pacific Islands, Western Pacific.

Dated: July 25, 2024.

Kimberly Damon-Randall,

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 665 as follows:

PART 665—FISHERIES IN THE WESTERN PACIFIC

■ 1. The authority citation for 50 CFR part 665 continues to read as follows:

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

■ 2. In § 665.408, revise paragraph (a) to read as follows:

§ 665.408 CNMI Annual Catch Limits (ACL) and Annual Catch Targets (ACT).

(a) In accordance with § 665.4, the ACL and ACT for Mariana bottomfish MUS in the CNMI Management Subarea for each fishing year are as follows:

TABLE 1 TO PARAGRAPH (a)

	2024	2025
ACL (lb)	82,000	82,000
ACT (lb)	75,000	75,000

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