

services, or is (are) receiving support under the Federal universal service support mechanism for schools and libraries for internet access or internal connections that will not be used in conjunction with a computer owned by the recipient(s).

(2) \* \* \*

(iii) \* \* \*

(C) The Children's internet Protection Act, as codified at 47 U.S.C. 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services, or is (are) receiving support under the Federal universal service support mechanism for schools and libraries for internet access or internal connections that will not be used in conjunction with a computer owned by the recipient(s).

(3) \* \* \*

(i) \* \* \*

(C) The Children's internet Protection Act, as codified at 47 U.S.C. 254(h) and (l), does not apply because the recipient(s) of service under my administrative authority and represented in the Funding Request Number(s) for which you have requested or received Funding Commitments is (are) receiving discount services only for telecommunications services; and, or is (are) receiving support under the Federal universal service support mechanism for schools and libraries for internet access or internal connections that will not be used in conjunction with a computer owned by the recipient(s); and

\* \* \* \* \*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 240229-0063]

RIN 0648-BL80

#### Fisheries Off West Coast States; Extension of Emergency Action to Temporarily Modify Continuous Transit Limitations for California Recreational Vessels

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

**ACTION:** Temporary rule; emergency action extended.

**SUMMARY:** This temporary rule extends emergency measures that modify a continuous transit requirement for California recreational vessels. This modification will temporarily allow recreational vessels to anchor overnight and/or stop to fish for non-groundfish species inside the seasonal Recreational Rockfish Conservation Area off the coast of California, also known as the 50-fathom (91-meter) offshore fishery. These emergency measures were originally authorized until September 30, 2024. This temporary rule extends the emergency measures through December 31, 2024. This emergency measure will prevent the possible cancellation of thousands of recreational fishing trips during the 2024 recreational fishing season off California.

**DATES:** Effective August 20, 2024 until December 31, 2024.

**ADDRESSES:**

*Electronic Access*

This emergency rule is accessible via the internet at the Office of the Federal Register website at <https://efcr.federalregister.gov/>. The continuing environmental effects of the California recreational fishery were previously considered under the *Environmental Assessment for Amendment 30 to the Pacific Coast Groundfish Fishery Management Plan, 2023-2024 Harvest Specifications, and Management Measures*. This document is available on the NMFS West Coast Region website at: <https://www.fisheries.noaa.gov/species/west-coast-groundfish.html>.

**FOR FURTHER INFORMATION CONTACT:**

Lynn Massey, phone: 562-900-2060, or email: [lynn.massey@noaa.gov](mailto:lynn.massey@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Pacific Coast Groundfish fishery in the U.S. exclusive economic zone (EEZ) seaward of Washington, Oregon, and California is managed under the Pacific Coast Groundfish Fishery Management Plan (FMP). The Pacific Fishery Management Council (Council) developed the Pacific Coast Groundfish FMP pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.* The Secretary of Commerce approved the Pacific Coast Groundfish FMP and implemented the provisions of the plan through Federal regulations at 50 CFR part 660, subparts C through G. Species managed under the Pacific Coast Groundfish FMP include more than 90 species of roundfish, flatfish, rockfish, sharks, and skates.

On April 1, 2024, NMFS published a temporary emergency rule (89 FR 22352) that allows recreational vessels

in California to stop and/or anchor in Federal waters shoreward of the Recreational Rockfish Conservation Area (RCA) line when the fishery is offshore-only. A full description of the issue can be found in the emergency rule (April 1, 2024, 89 FR 22352). NMFS held a public comment period on the emergency rule for 30 days from April 1, 2024, to May 1, 2024 and received no comments. Without extension, the emergency rule would expire on September 30, 2024. The California recreational groundfish seasons in the management areas from the border with Oregon to 36° N lat. are open in the offshore fishery in the months of October and December (closed in November). The management areas south of 36° N lat. are open in the offshore fishery in the months of October, November, and December (50 CFR 660.360(c)(3)(i)(A)). Therefore, this issue remains relevant through the remainder of the calendar year. The Council has developed an action to address this issue permanently, which, if approved, would be effective in 2025. Therefore, consistent with section 305(c)(3) of the Magnuson-Stevens Act, NMFS finds good cause to extend the emergency measures until December 31, 2024.

#### Emergency Measures

In Federal waters, extending the emergency measures requires a modification to 50 CFR 660.360(c)(3)(i)(A) that requires recreational vessels to continuously transit while shoreward of the RCA boundary. Under the extension of this emergency measure, recreational vessels in California would be allowed to stop and/or anchor in Federal waters shoreward of the Recreational RCA line until December 31, 2024. Recreational fishing vessels off of California would not be able to deploy groundfish recreational gear inside the Recreational RCA, therefore this action would not create any new risks of quillback rockfish mortality. Hook-and-line gear is the primary gear type used by recreational vessels to target groundfish; therefore, prohibiting its deployment while inside the Recreational RCA would help enforce the modified transit provisions while still allowing vessels to use other gear types for non-groundfish fishing (*e.g.*, traps for lobster or hoop nets for bait fish). This extended emergency rule would not change any other elements of the California recreational fishery. For additional explanation on the rationale and effects of this emergency rule extension, see the original emergency

rule published on April 1, 2024 (89 FR 22352).

### Classification

NMFS is issuing an extension of this emergency rule pursuant to section 305(3)(c) of the Magnuson-Stevens Act. The NMFS Assistant Administrator has determined that this emergency rule is consistent with the Pacific Coast Groundfish FMP, section 305(c) and other provisions of the Magnuson-Stevens Act, the Administrative Procedure Act (APA), and other applicable law. Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries finds prior notice and public comment is not required because it would be impracticable and contrary to the public interest. The reasons justifying promulgation of this rule on an emergency basis, coupled with the fact that the public has had the opportunity to comment on the original emergency rule, make solicitation of additional comment unnecessary, impractical and contrary to the public interest. This rule must be in place before the expiration of the original emergency rule to provide the necessary relief to California recreational fishery participants. Modifying the continuous transit requirement for California recreational vessels would not pose a conservation risk; and it would allow recreational vessels to continue to utilize multi-day and multi-target trips even when the offshore fishery is in place. The impacts of the California recreational fisheries have been prior analyzed in the *Environmental Assessment for Amendment 30 to the Pacific Coast Groundfish Fishery Management Plan, 2023–2024 Harvest Specifications, and Management Measures*.

Additionally, this rule is exempted from the 30-day delayed effectiveness provision of the APA under 5 U.S.C. 553(d)(1) because it relieves a restriction that would otherwise place California recreational vessels at an economic disadvantage in 2024. Immediate implementation of this rule is necessary to prevent the possible cancellation of thousands of fishing trips that could otherwise occur if not for the current continuous transit requirement.

This action is being taken pursuant to the emergency provision of the Magnuson-Stevens Act and is exempt from Office of Management and Budget review.

The Regulatory Flexibility Act does not apply to this emergency rule because prior notice and opportunity for public comment is not required.

This emergency/interim rule contains no information collection requirements under the Paperwork Reduction Act.

### List of Subjects in 50 CFR Part 660

Fisheries, Fishing, and Fishing vessels.

Dated: August 14, 2024.

**Samuel D. Rauch, III,**

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 660 as follows:

### PART 660—FISHERIES OFF WEST COAST STATES

■ 1. 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.*

■ 2. In § 660.360, revise paragraph (c)(3)(i)(A)(6) to read as follows:

\* \* \* \* \*

(c) \* \* \*

(3) \* \* \*

(i) \* \* \*

(A) \* \* \*

(6) Emergency rule revising continuous transit requirement. Effective August 20, 2024 until December 31, 2024, notwithstanding any other section of these regulations, in times and areas where a recreational RCA is closed shoreward of a recreational RCA line (*i.e.*, when an “off-shore only” fishery is active in that management area) vessels may stop, anchor in, or transit through waters shoreward of the recreational RCA line so long as they do not have any hook-and-line fishing gear in the water.

\* \* \* \* \*

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**BILLING CODE 3510–22–P**

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 240304–0068; RTID 0648–XE201]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area

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

**ACTION:** Temporary rule; reallocation.

**SUMMARY:** NMFS is reallocating the projected unused amount of Pacific cod from vessels using jig gear, trawl catcher vessels, and catcher vessels greater than or equal to 60 feet (18.3 meters (m)) length overall (LOA) using hook-and-line gear to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the 2024 total allowable catch (TAC) of Pacific cod to be harvested.

**DATES:** Effective August 19, 2024, through 2400 hours, Alaska local time (A.l.t.), December 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Krista Milani, 907–586–2062.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2024 Pacific cod TAC specified for vessels using jig gear in the BSAI is 848 metric tons (mt) as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024) and reallocation (89 FR 24736, April 9, 2024).

The 2024 Pacific cod TAC specified for trawl catcher vessels in the BSAI is 30,754 mt as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024).

The 2024 Pacific cod TAC specified for catcher vessels greater than or equal to 60 feet (18.3 m) LOA using hook-and-line gear in the BSAI is 277 mt as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024).

The 2024 Pacific cod TAC allocated to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the BSAI is 3,867 mt as established by final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024) and reallocation (89 FR 24736, April 9, 2024).

The Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that jig vessels will not be able to harvest 750 mt of the 2024