

impacts of other, ongoing stressors—is likely to result in increased risk of population extirpation and, thus, species extinction in the wild.

Overall, given the small known extant range and population size of this species, its annual duration and reliance on frequent seedbank replenishment, and risks to its seedbank from stochastic events and other ongoing threats to the species, effects from illegal collection (removal of plants and damage to habitat) would be deleterious to the swale paintbrush. Therefore, in accordance with 50 CFR 424.12(a)(1), we determine that designation of critical habitat is not prudent for the swale paintbrush.

**Required Determinations**

*Government-to-Government Relationship With Tribes*

In accordance with the President’s memorandum of April 29, 1994 (Government-to-Government Relations with Native American Tribal Governments; 59 FR 22951, May 4, 1994), Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments), the President’s memorandum of November 30, 2022 (Uniform Standards for Tribal Consultation; 87 FR 74479, December 5, 2022), and the Department of the Interior’s manual at 512 DM 2, we readily acknowledge our responsibility to communicate meaningfully with federally recognized Tribes and Alaska Native Corporations (ANCs) on a

government-to-government basis. In accordance with Secretary’s Order 3206 of June 5, 1997 (American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act), we readily acknowledge our responsibilities to work directly with Tribes in developing programs for healthy ecosystems, to acknowledge that Tribal lands are not subject to the same controls as Federal public lands, to remain sensitive to Indian culture, and to make information available to Tribes. We contacted all Tribal entities with documented cultural interests in Hidalgo County, New Mexico—the Hopi Tribe, the White Mountain Apache Tribe, the Mescalero Apache Tribe, and the Fort Sill Apache Tribe—to provide them notice of our status review; solicit information and invite their participation in the SSA process; and inform them of the publication of our June 8, 2023, proposed rule and its open public comment period. We did not receive any information from Tribal entities during the SSA process or during our June 8, 2023, proposed rule’s public comment period. We will continue to coordinate with Tribal entities throughout the recovery process for the swale paintbrush.

**References Cited**

A complete list of references cited in this rulemaking is available on the internet at <https://www.regulations.gov> and upon request from the New Mexico Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT**).

**Authors**

The primary authors of this rule are the staff members of the Fish and Wildlife Service’s Species Assessment Team and the New Mexico Ecological Services Field Office.

**List of Subjects in 50 CFR Part 17**

Endangered and threatened species, Exports, Imports, Plants, Reporting and recordkeeping requirements, Transportation, Wildlife.

**Regulation Promulgation**

Accordingly, we amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

**PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

■ 1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

■ 2. In § 17.12, in paragraph (h), amend the List of Endangered and Threatened Plants by adding an entry for “*Castilleja ornata*” in alphabetical order under FLOWERING PLANTS to read as follows:

**§ 17.12 Endangered and threatened plants.**  
 \* \* \* \* \*  
 (h) \* \* \*

Scientific name	Common name	Where listed	Status	Listing citations and applicable rules
FLOWERING PLANTS				
* <i>Castilleja ornata</i> .....	* Swale paintbrush .....	* Wherever found .....	* E	* 89 FR [INSERT <b>FEDERAL REGISTER</b> PAGE WHERE THE DOCUMENT BEGINS], 12/05/2024.
* .....	* .....	* .....	* .....	* .....

Gary Frazer,  
 Acting Director, U.S. Fish and Wildlife Service.  
 [FR Doc. 2024–28357 Filed 12–4–24; 8:45 am]  
 BILLING CODE 4333–15–P

**DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**50 CFR Part 648**  
**[Docket No. 231215–0305; RTID 0648–XE501]**  
**Fisheries of the Northeastern United States; Summer Flounder Fishery; 2024 Commercial Quota Harvested for the State of Rhode Island**  
**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.  
**ACTION:** Temporary rule; closure.  
**SUMMARY:** NMFS announces that the 2024 summer flounder commercial quota allocated to the State of Rhode Island has been harvested. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may not land summer flounder in Rhode Island for the remainder of calendar year 2024, unless additional quota becomes available through a transfer from another state. Regulations governing the summer flounder fishery

require publication of this notification to advise Rhode Island that the quota has been harvested, and to advise vessel permit holders and dealer permit holders that no Federal commercial quota is available for landing summer flounder in Rhode Island.

**DATES:** Effective 0001 hours December 5, 2024, through December 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Matthew Rigdon, (978) 281-9336, or [Matthew.Rigdon@noaa.gov](mailto:Matthew.Rigdon@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

Regulations governing the summer flounder fishery are found at 50 CFR 648.100 through 648.111. The regulations require annual specification of a commercial quota that is apportioned on a percentage basis 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.

The commercial quota for summer flounder for 2024 was set equal to 8,789,830 pounds (lb; 3,987,000 kilograms (kg)) (88 FR 88266, December 23, 2023). The amount allocated to vessels landing summer flounder in Rhode Island is 1,378,507 lb (625,280 kg). Rhode Island received commercial summer flounder quota transfers of 3,799 lb (1,723 kg) (89 FR 51986, June 21, 2024) from Virginia, and 12,120 lb (5,498 kg) (89 FR 70124, August 29, 2024) and 1,835 lb (832 kg) (89 FR 80795, October 4, 2024) from North Carolina, resulting in a revised commercial summer flounder quota for Rhode Island of 1,396,261 lb (633,333 kg).

The NMFS Regional Administrator for the Greater Atlantic Region monitors the state commercial landings and determines when a state's commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing summer flounder in that state. Based on dealer reports and other available information, the Regional Administrator has determined that the available quota has been harvested. The Rhode Island Division of Marine Fisheries closed the state fishery on December 2, 2024, and this action promotes consistency between the state and Federal management measures.

The regulations at 50 CFR 648.14(n) prohibit Federally permitted vessels from landing summer flounder for sale in a state, and prohibit all persons from purchasing or otherwise receiving summer flounder for a commercial purpose after the effective date published in the **Federal Register** notification that commercial quota is no longer available in that state. Therefore, effective 0001 hours on December 5, 2024, landings of summer flounder in Rhode Island by vessels holding Federal summer flounder commercial fishery permits are prohibited for the remainder of the 2024 calendar year, unless additional quota becomes available through a transfer and is announced in the **Federal Register**. Effective 0001 hours on December 5, 2024, federally permitted dealers are also notified that they may not purchase summer flounder

from federally permitted vessels that land in Rhode Island for the remainder of the calendar year, or until additional quota becomes available through a transfer from another state.

**Classification**

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA, finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest. This action closes the commercial summer flounder fishery for Rhode Island until January 1, 2025, under current regulations. The regulations at 50 CFR 648.103(b) require such action to ensure that summer flounder vessels do not exceed quotas allocated to the states. If implementation of this closure was delayed to solicit prior public comment, the quota for this fishing year will be exceeded, thereby undermining the conservation objectives of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan. The Assistant Administrator further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reason stated above.

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

Dated: December 2, 2024.

**Karen H. Abrams,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2024-28482 Filed 12-4-24; 8:45 am]

**BILLING CODE 3510-22-P**