

consultation and, for example, a new species is listed or critical habitat is designated, NMFS will review the new information to determine if consultation needs to be reinitiated in accordance with 50 CFR 402.16. If these analyses produce new information that warrants a change to a permit or permits, NMFS retains the ability to amend permits to add conditions, such as mitigation measures to minimize impacts to protected species, as described in § 216.36(b).

Amendments To Extend the Permit or LOC Duration

As mentioned above (see *Opportunity for Public Comment*) and consistent with current practice, permit and LOC holders may request a minor amendment to extend the duration of their permit up to 1 year, if justified. The regulations at 50 CFR 216.39 state that a major amendment may include an extension of a permit beyond 12 months; however, NMFS typically issues extensions for 12 months or less.

Classification

Pursuant to the procedures established to implement E.O. 12866, the Office of Management and Budget has determined that this rule is not significant.

Pursuant to section 605(b) of the Regulatory Flexibility Act (RFA), the Chief Counsel for Regulation of the Department of Commerce has certified to the Chief Counsel for Advocacy of the Small Business Administration that this rule will not have a significant economic impact on a substantial number of small entities. Permit and LOC applicants including individuals, academic institutions, business or other for-profit organizations, not-for-profit institutions, and government organizations are the only entities that are subject to the requirements in these regulations. The number of small governmental jurisdictions, small organizations, or small businesses affected is approximately less than 150 entities total, and less than 35 applicants annually (some of which submit multiple applications). The change in duration of permits will not affect the cost to these small entities, as it will require the same amount of time and resources to apply for a 5-year permit as it will to apply for a permit of a longer duration. Overall, this rule may reduce the costs to these entities by potentially spending less time applying for permits. For example, the estimated number of burden hours to complete a scientific research permit application is 50 hours, with an estimated average hourly rate of \$32.58. Thus, an

applicant for a scientific research permit will spend approximately \$3,258 and 100 hours to apply for two consecutive 5-year research permits. By removing the duration limit for section 104 permits, the number of burden hours and costs to apply for a scientific research permit could potentially be reduced to approximately \$1,629 and 50 hours for a 10-year permit, if issued. An applicant for an LOC will spend approximately 10 hours and \$325.80 to complete a 5-year LOC application, which if issued for a longer period, will reduce that cost. Because of this, a regulatory flexibility analysis is not required, and none has been prepared.

A person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act (PRA) of 1995 unless the information collection has a currently valid OMB Control Number. This rule contains collection-of-information requirements subject to the provisions of the PRA.¹ No changes to the reporting requirements or to the information collection instrument is required as a result of this regulatory change, other than removing the 5-year duration restriction and requesting justification for an applicant's proposed permit duration.

List of Subjects in 50 CFR Part 216

Administrative practice and procedure, Exports, Imports, Marine mammals.

Dated: December 4, 2024.

Samuel D. Rauch, III,
Deputy Assistant Administrator for
Regulatory Programs, National Marine
Fisheries Service.

For reasons set forth in the preamble, NMFS amends 50 CFR part 216 as follows:

PART 216—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

■ 1. The authority citation for part 216 continues to read as follows:

Authority: 16 U.S.C. 1361 *et seq.*

■ 2. In § 216.35, revise paragraph (b) to read as follows:

¹ The information collection is currently approved by OMB under control no. 0648-0084, *Basic Requirements for Special Exception Permits and Authorizations to Take, Import, and Export Marine Mammals, Threatened and Endangered Species, and for Maintaining a Captive Marine Mammal Inventory Under section 104 of the MMPA, the Fur Seal Act, and/or section 10(a)(1)(A) of the Endangered Species Act.*

§ 216.35 Permit restrictions.

* * * * *

(b) Special exception permits expire on the date specified in the permit, unless limited or extended in duration by the Director in accordance with §§ 216.36 and 216.39.

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■ 3. In § 216.45, revise paragraphs (b)(2)(iv) and (d)(3) to read as follows:

§ 216.45 General Authorization for Level B harassment for scientific research.

* * * * *

(b) * * *

(2) * * *

(iv) The period of time over which the research project or program will be conducted (*i.e.*, the requested period of the LOC), including the field season(s) for the research, if applicable;

* * * * *

(d) * * *

(3) Authorization to conduct research under the General Authorization is for the period(s) of time identified in the letter of confirmation issued under paragraph (c) of this section, unless limited or extended by the Director, or modified, suspended, or revoked in accordance with paragraph (e) of this section;

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 231221-0314; RTID 0648-XE527]

Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer From New Jersey to North Carolina

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

ACTION: Temporary rule; quota transfer.

SUMMARY: NMFS announces that the State of New Jersey is transferring a portion of their 2024 commercial bluefish quota to the State of North Carolina. This quota adjustment is necessary to comply with the Atlantic Bluefish Fishery Management Plan (FMP) quota transfer provisions. This announcement informs the public of the revised 2024 commercial bluefish quotas for New Jersey and North Carolina.

DATES: Effective December 11, 2024 through December 31, 2024.

FOR FURTHER INFORMATION CONTACT: Matthew Rigdon, Fishery Management Specialist, (978) 281-9336.

SUPPLEMENTARY INFORMATION:

Regulations governing the Atlantic bluefish fishery are found in 50 CFR 648.160 through 648.167. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through Florida. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.162, and the final 2024 allocations were published on January 2, 2024 (89 FR 34).

The final rule implementing amendment 1 to the FMP, as published in the **Federal Register** on July 26, 2000 (65 FR 45844), provided a mechanism for transferring bluefish commercial quota from one state to another. Two or

more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can request approval to transfer or combine bluefish commercial quota under § 648.162(e). The Regional Administrator is required to consider three criteria in the evaluation of requests for quota transfers or combinations: (1) the transfers would not preclude the overall annual quota from being fully harvested; (2) the transfers address an unforeseen variation or contingency in the fishery; and (3) the transfers are consistent with the objectives of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Regional Administrator has determined these criteria have been met for the transfers approved in this notification.

New Jersey is transferring 40,000 pounds (lb) (18,144 kilograms (kg)) to North Carolina through mutual

agreement of the states. This transfer was requested to ensure North Carolina would not exceed its 2024 state quota. The revised bluefish quotas for 2024 are: New Jersey, 108,898 lb (49,395 kg) and North Carolina, 1,170,996 lb (531,155 kg).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 648.162(e)(1)(i) through (iii), which was issued pursuant to section 304(b), and is exempted from review under Executive Order 12866.

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

Dated: December 6, 2024.

Karen H. Abrams,

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

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