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DEPARTMENT OF COMMERCE

Office of the Secretary

13 CFR Ch. III

15 CFR Subtitle A; Subtitle B, Chs. I, II, III, VII, VIII, IX, and XI

19 CFR Ch. III

37 CFR Chs. I, IV, and V

48 CFR Ch. 13

50 CFR Chs. II, III, IV, and VI

Spring 2014 Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Commerce.

ACTION: Semiannual regulatory agenda.

SUMMARY: In compliance with Executive Order 12866, entitled “Regulatory Planning and Review,” and the Regulatory Flexibility Act, as amended, the Department of Commerce (Commerce), in the spring and fall of each year, publishes in the **Federal Register** an agenda of regulations under development or review over the next 12 months. Rulemaking actions are grouped according to prerulemaking, proposed rules, final rules, long-term actions, and rulemaking actions completed since the fall 2013 agenda. The purpose of the Agenda

is to provide information to the public on regulations that are currently under review, being proposed, or issued by Commerce. The agenda is intended to facilitate comments and views by interested members of the public.

Commerce's spring 2014 regulatory agenda includes regulatory activities that are expected to be conducted during the period April 1, 2014 through March 31, 2015.

FOR FURTHER INFORMATION CONTACT:

Specific: For additional information about specific regulatory actions listed in the agenda, contact the individual identified as the contact person.

General: Comments or inquiries of a general nature about the agenda should be directed to Asha Mathew, Chief Counsel for Regulation, Office of the Assistant General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, DC 20230, telephone: 202-482-3151.

SUPPLEMENTARY INFORMATION: Commerce hereby publishes its spring 2014 Unified Agenda of Federal Regulatory and Deregulatory Actions pursuant to Executive Order 12866 and the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* Executive Order 12866 requires agencies to publish an agenda of those regulations that are under consideration pursuant to this order. By memorandum of February 4, 2014, the Office of Management and Budget issued guidelines and procedures for the preparation and publication of the spring 2014 Unified Agenda. The Regulatory Flexibility Act requires agencies to publish, in the spring and fall of each year, a regulatory flexibility agenda that contains a brief description of the subject of any rule likely to have a significant economic impact on a substantial number of small entities, and a list that identifies those entries that have been selected for periodic review under section 610 of the Regulatory Flexibility Act.

In addition, beginning with the fall 2007 edition, the Internet became the basic means for disseminating the Unified Agenda. The complete Unified Agenda is available online at www.reginfo.gov, in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act, Commerce's printed agenda entries include only:

(1) Rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet.

Within Commerce, the Office of the Secretary and various operating units may issue regulations. These operating units, the National Oceanic and Atmospheric Administration (NOAA), the Bureau of Industry and Security, and the Patent and Trademark Office, issue the greatest share of Commerce's regulations.

A large number of regulatory actions reported in the Agenda deal with fishery management programs of NOAA's National Marine Fisheries Service (NMFS). To avoid repetition of programs and definitions, as well as to provide some understanding of the technical and institutional elements of NMFS' programs, an "Explanation of Information Contained in NMFS Regulatory Entries" is provided below.

Explanation of Information Contained in NMFS Regulatory Entries

The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) (the Act) governs the management of fisheries within the Exclusive Economic Zone of the United States (EEZ). The EEZ refers to those waters from the outer edge of the State boundaries, generally 3 nautical miles, to a distance of 200 nautical miles. Fishery Management Plans (FMPs) are to be prepared for fisheries that require conservation and management measures. Regulations implementing these FMPs regulate domestic fishing and foreign fishing where permitted. Foreign fishing may be conducted in a fishery in which there is no FMP only if a preliminary fishery management plan has been issued to govern that foreign fishing. Under the Act, eight Regional Fishery Management Councils (Councils) prepare FMPs or amendments to FMPs for fisheries within their respective areas. In the development of such plans or amendments and their implementing regulations, the Councils are required by law to conduct public hearings on the draft plans and to consider the use of alternative means of regulating.

The Council process for developing FMPs and amendments makes it difficult for NMFS to determine the significance and timing of some regulatory actions under consideration by the Councils at the time the semiannual regulatory agenda is published.

Commerce's spring 2014 regulatory agenda follows.

NAME: Justin Antonipillai,

Acting General Counsel.

International Trade Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
27	Modification of Regulation Regarding the Extension of Time Limits	0625-AA94

National Oceanic and Atmospheric Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
28	Fishery Management Plan for Regulating Offshore Marine Aquaculture in the Gulf of Mexico	0648-AS65
29	Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSRA) Environmental Review Procedure	0648-AV53
30	Addendum IV to the Weakfish Interstate Management Plan—Bycatch Trip Limit	0648-AY41
31	Atlantic Highly Migratory Species; Future of the Atlantic Shark Fishery	0648-BA17
32	Amendment 6 to the Monkfish Fishery Management Plan	0648-BA50
33	Amendment 22 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region	0648-BA53
34	Implement the 2010 Shark Conservation Act Provisions and Other Regulations in the Atlantic Smoothhound Shark Fishery	0648-BB02
35	Amendment 43 to the FMP for BSAI King and Tanner Crabs and Amendment 103 to the FMP for Groundfish of the BSAI	0648-BC34
36	Amendment 3 to the Spiny Dogfish Fishery Management Plan	0648-BC77
37	Pacific Coast Groundfish Trawl Rationalization Program Trailing	0648-BC84

	Action: Rule to Modify Chafing Gear Regulations for Midwater Trawl Gear Used in the Pacific Coast Groundfish Fishery	
38	Inner Limit of the Exclusive Economic Zone Under the Magnuson-Stevens Fishery Conservation and Management Act	0648–BC92
39	Fisheries Off West Coast States; West Coast Salmon Fisheries; Amendment 18; Essential Fish Habitat Descriptions for Pacific Salmon	0648–BC95
40	Vessel Monitoring Systems; Specification of Requirements for Mobile Transmitting Unit Type Approval	0648–BD02
41	Regulatory Amendment 14 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region	0648–BD07
42	Amendment 5 to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic	0648–BD08
43	Amendment 5b to the Highly Migratory Species Fishery Management Plan	0648–BD22
44	Amendment 105 Bering Sea Flatfish Harvest Specifications Flexibility	0648–BD23
45	Amendment 39 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico	0648–BD25
46	International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions Regarding the Oceanic Whitetip Shark and the Whale Shark	0648–BD44
47	Southern New England Effort Controls to Address Lobster Stock Rebuilding Measures	0648–BD45
48	Amendment 97 to the Fishery Management Plan for Groundfish of the Gulf of Alaska to Establish Chinook Salmon Prohibited Species Catch Limits for the Non-Pollock Trawl Fisheries	0648–BD48

49	Implementation of the Inter-American Tropical Tuna Commission Resolution for the Conservation of Whale Sharks and the Collection and Analyses of Data on Fish Aggregating Devices	0648–BD53
50	Framework Adjustment 8 to the Monkfish Fishery Management Plan	0648–BD56
51	South Atlantic Coastal Migratory Pelagics Framework Action 2013 (Section 610 Review)	0648–BD58
52	Implementation of a Program for Transshipments by Large Scale Fishing Vessels in the Eastern Pacific Ocean	0648–BD59
53	Amendment 45 to the Fishery Management Plan for Bering Sea and Aleutian Islands King and Tanner Crab Freezer Longline Catcher/Processor Pacific Cod Sideboard Removal	0648–BD61
54	Information Collection Program for Atlantic Surfclam and Ocean Quahog Fisheries	0648–BD64
55	Red Snapper Allocation—Amendment 28 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (Section 610 Review)	0648–BD68
56	Amendment 96 to the Fishery Management Plan for Groundfish of the Gulf of Alaska to Revise the Community Quota Entity Program	0648–BD74
57	Amendment 7 to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic	0648–BD76
58	Regulatory Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region	0648–BD78
59	Amendment 8 to the Fishery Management Plan for Coral, Coral Reefs, and Live/Hardbottom Habitats of the South Atlantic Region	0648–BD81
60	Amendment 20A to the Fishery Management Plan for the Coastal	0648–BD83

	Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region	
61	Amendment 100 to the FMP for Groundfish of the BSAI Management Area and Amendment 91 to the FMP for Groundfish of the Gulf of Alaska to add Grenadiers to the Ecosystem Component Category	0648–BD98
62	Framework Adjustment 2 to the Northeast Skate Complex Fishery Management Plan	0648–BD99
63	Marine Mammal Protection Act Permit Regulation Revisions	0648–AV82
64	Designation of Critical Habitat for the North Atlantic Right Whale	0648–AY54
65	Amendment and Updates to the Bottlenose Dolphin Take Reduction Plan	0648–BB37
66	Revisions to Hawaiian Islands Humpback Whale National Marine Sanctuary Regulations	0648–BD97

National Oceanic and Atmospheric Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
67	American Lobster Fishery; Fishing Effort Control Measures to Complement Interstate Lobster Management Recommendations by the Atlantic States Marine Fisheries Commission	0648–AT31
68	Amendment 7 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan	0648–BC09
69	Generic Amendment to Several Fishery Management Plans in the Gulf of Mexico and South Atlantic Regions to Modify Federally-Permitted Seafood Dealer Reporting Requirements	0648–BC12

70	Georges Bank Yellowtail Flounder Emergency Action to Provide a Partial Exemption from Accountability Measures to the Atlantic Scallop Fishery	0648–BC33
71	Modification to the Hired Skipper Regulations for Management of the Individual Fishing Quota Program for the Fixed-Gear Commercial Fisheries for Pacific Halibut and Sablefish in Waters of Alaska	0648–BC62
72	Allowing Northeast Multispecies Sector Vessels Access to Year Round Closed Areas	0648–BD09
73	Pacific Coast Groundfish Trawl Rationalization Program Trailing Actions: Permitting Requirements for Observer and Catch Monitor Providers	0648–BD30
74	Pacific Coast Groundfish Trawl Rationalization Program; Second Program Improvement and Enhancement Rule	0648–BD31
75	Modifications to the Pacific Coast Groundfish Trawl Rockfish Conservation Area Boundaries	0648–BD37
76	Framework Adjustment 8 to the Atlantic Mackerel, Squid and Butterfish Fishery Management Plan	0648–BD50
77	Implementation of the Inter-American Tropical Tuna Commission Resolution to Establish a Vessel Monitoring System Program in the Eastern Pacific Ocean	0648–BD54
78	Implementation of the Inter-American Tropical Tuna Commission Resolution to Adopt Conservation and Management Measures for Pacific Bluefin Tuna in the Eastern Pacific Ocean	0648–BD55
79	2014 Specifications and Management Measures for the Atlantic Mackerel, Squid, and Butterfish Fisheries	0648–BD65
80	Modifications to Identification Markings on Fishing Gear Marker	0648–BD66

	Buoys	
81	Pacific Halibut Fisheries; Catch Sharing Plan	0648–BD82
82	Temporary Rule Through Emergency Action to Revise Annual Catch Limits and Accountability Measures for Blueline Tilefish and the Deep-Water Complex in the South Atlantic Region	0648–BD87
83	Revision of Hawaiian Monk Seal Critical Habitat	0648–BA81
84	Endangered and Threatened Species: Designation of Critical Habitat for Threatened Lower Columbia River Coho Salmon and Puget Sound Steelhead	0648–BB30
85	Designation of Critical Habitat for the Distinct Population Segments of Yelloweye Rockfish, Canary Rockfish, and Bocaccio	0648–BC76
86	Amending the Atlantic Large Whale Take Reduction Plan	0648–BC90
87	Designation of Critical Habitat for the Northwest Atlantic Ocean Loggerhead Sea Turtle DPS and the Determination Regarding Critical Habitat for the North Pacific Ocean Loggerhead DPS	0648–BD27

National Oceanic and Atmospheric Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
88	Comprehensive Fishery Management Plan for Puerto Rico	0648–BD32
89	Comprehensive Fishery Management Plan for St. Croix	0648–BD33
90	Comprehensive Fishery Management Plan for St. Thomas/St. John	0648–BD34
91	Designate Critical Habitat for the Hawaiian Insular False Killer Whale Distinct Population Segment	0648–BC45

National Oceanic and Atmospheric Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
92	Marine Mammal Protection Act Stranding Regulation Revisions	0648–AW22
93	Amendment 14 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan	0648–AY26
94	Amendment 5 to the Atlantic Herring Fishery Management Plan	0648–AY47
95	Regulatory Amendment to Implement a Halibut Catch Sharing Plan for International Pacific Halibut Commission Area 2C and Area 3A	0648–BA37
96	Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Trawl Rationalization Program; Cost Recovery Program	0648–BB17
97	Amendment 89 to the Gulf of Alaska Groundfish Fishery Management Plan Area Closures for Tanner Crab Protection in Gulf of Alaska Groundfish Fisheries	0648–BB76
98	Amendment to the Vessel Ownership Requirements of the Individual Fishing Quota Program for Fixed-Gear Pacific Halibut and Sablefish Fisheries in and off of Alaska	0648–BB78
99	Amendment 95 to the Fishery Management Plan for Groundfish of the Gulf of Alaska	0648–BC39
100	2013 Monkfish Emergency Action	0648–BC79
101	Framework Adjustment 50 to the Northeast Multispecies Fishery Management Plan	0648–BC97
102	Amendment 102 to the FMP for Groundfish of the BSAI to Establish a Community Quota Entity Program in the Aleutian Islands and a Regulatory Amendment to Allow IFQ Derived From Category D Quota Share	0648–BD03

103	Amendment 2 to the Fishery Management Plan for the Queen Conch Resources of Puerto Rico and the USVI: Compatibility of Trip and Bag Limits in the Management Area of St. Croix, USVI	0648–BD15
104	Framework Adjustment 2 to the Atlantic Herring Fishery Management Plan and Management Measures for Atlantic Herring for the 2013-2015 Fishing Years	0648–BD17
105	Joint For-Hire Generic Reporting Amendment for the South Atlantic and Gulf of Mexico	0648–BD21
106	Modification of Vessel Monitoring System Requirements for Atlantic Highly Migratory Species Fisheries	0648–BD24
107	Abbreviated Framework Action to Establish Funding Responsibilities for the Electronic Logbook Program in the Shrimp Fishery of the Gulf of Mexico	0648–BD41
108	Eliminate the Expiration Date Contained in the Final Rule to Reduce the Threat of Ship Collisions With North Atlantic Right Whales	0648–BB20

Department of Commerce (DOC)	Completed Actions
International Trade Administration (ITA)	

27. MODIFICATION OF REGULATION REGARDING THE EXTENSION OF TIME LIMITS

Legal Authority: 5 USC 301; 19 USC 1202 note; 19 USC 1303 note; 19 USC et seq; 19 USC 3538

Abstract: A rule to modify 19 CFR 351.302, which concerns the extension of time limits for submissions in antidumping and countervailing duty proceedings.

Timetable:

Action	Date	FR Cite
Proposed Rule	01/16/13	78 FR 3367

Comment Period End	03/18/13	
Final Action	09/20/13	78 FR 57790

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Charles Vannatta, Policy Analyst, Department of Commerce, International Trade

Administration, 1401 Constitution Ave NW., Washington, DC 20230

Phone: 202 482-4036

Email: charles.vannatta@trade.gov

RIN: 0625-AA94

Department of Commerce (DOC)	Proposed Rule Stage
National Oceanic and Atmospheric Administration (NOAA)	

NATIONAL MARINE FISHERIES SERVICE

28. FISHERY MANAGEMENT PLAN FOR REGULATING OFFSHORE MARINE AQUACULTURE IN THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq

Abstract: The purpose of this fishery management plan is to develop a regional permitting process for regulating and promoting environmentally sound and economically sustainable aquaculture in the Gulf of Mexico exclusive economic zone. This fishery management plan consists of ten actions, each with an associated range of management alternatives, which would facilitate the permitting of an estimated 5 to 20 offshore aquaculture operations in the Gulf of Mexico over the next 10 years, with an estimated annual production of up to 64 million pounds. By establishing a regional permitting process for aquaculture, the Gulf of Mexico Fishery Management Council will be positioned to achieve their primary goal of increasing maximum sustainable yield and optimum yield of federal fisheries in the Gulf of Mexico by supplementing harvest of wild caught species with cultured product. This rulemaking would outline a regulatory permitting

process for aquaculture in the Gulf of Mexico, including: (1) required permits; (2) duration of permits; (3) species allowed; (4) designation of sites for aquaculture; (5) reporting requirements; and (6) regulations to aid in enforcement.

Timetable:

Action	Date	FR Cite
Notice of Availability	06/04/09	74 FR 26829
NOA Comment Period End	08/03/09	
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Roy E. Crabtree, Southeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701

Phone: 727 824–5305

Fax: 727 824–5308

Email: roy.crabtree@noaa.gov

RIN: 0648–AS65

29. MAGNUSON–STEVENS FISHERY CONSERVATION AND MANAGEMENT REAUTHORIZATION ACT (MSRA) ENVIRONMENTAL REVIEW PROCEDURE

Legal Authority: 16 USC 1801 et seq

Abstract: This rule revises and updates the National Marine Fisheries Service procedures for complying with National Environmental Protection Act in the context of fishery management actions developed pursuant to MSRA.

Timetable:

Action	Date	FR Cite
NPRM	05/14/08	73 FR 27998
NPRM Comment Period End	06/13/08	
Withdrawal of Proposed Rule	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Steve Leathery, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–2239

Email: steve.leathery@noaa.gov

RIN: 0648–AV53

30. ADDENDUM IV TO THE WEAKFISH INTERSTATE MANAGEMENT PLAN—BYCATCH TRIP LIMIT

Legal Authority: 16 USC 5101

Abstract: This action would modify management restrictions in the Federal weakfish fishery in a manner consistent with the Atlantic States Marine Fisheries Commission Interstate Plan. The proposed change would decrease the incidental catch allowance for weakfish in the exclusive economic zone in non-directed fisheries using smaller mesh sizes, from 150 pounds to no more than 100 pounds per day or trip, whichever is longer in duration. In addition, it would impose a one fish possession limit on recreational fishers.

Timetable:

Action	Date	FR Cite
NPRM	05/12/10	75 FR 26703
NPRM Comment Period End	06/11/10	
NPRM Comment Period Re–opened	06/16/10	75 FR 34092
Comment Period End	06/30/10	
Next Stage Undetermined	08/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–2334

Fax: 301 713–0596

Email: alan.risenhoover@noaa.gov

31. ATLANTIC HIGHLY MIGRATORY SPECIES; FUTURE OF THE ATLANTIC SHARK FISHERY

Legal Authority: 16 USC 1801 et seq; 16 USC 971 et seq

Abstract: The National Marine Fisheries Service is considering adjusting the regulations governing the U.S. Atlantic shark fishery to address current fishery issues and to identify specific shark fishery goals for the future. This action will discuss potential changes to the quota and/or permit structure that are currently in place for the Atlantic shark fishery, and various catch share programs such as limited access privilege programs, individual fishing quotas, and sectors for the Atlantic shark fishery.

Timetable:

Action	Date	FR Cite
ANPRM	09/20/10	75 FR 57235
ANPRM Comment Period End	01/14/11	
NPRM	09/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East–West Highway, Silver Spring, MD 20910

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Email: alan.risenhoover@noaa.gov

RIN: 0648–BA17

32. AMENDMENT 6 TO THE MONKFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: The purpose of Amendment 6 to the Monkfish Fishery Management Plan is to consider developing a catch share management program for this fishery. This would very likely also involve the development of a

referendum for such a program as required under the Magnuson-Stevens Fishery Conservation and Management Act.

Timetable:

Action	Date	FR Cite
Notice of Intent to Prepare an EIS	11/30/10	75 FR 74005
Next Stage Undetermined	03/00/15	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: John K. Bullard, Northeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930

Phone: 978 281-9287

Email: john.bullard@noaa.gov

RIN: 0648-BA50

33. AMENDMENT 22 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER GROUPER FISHERY OF THE SOUTH ATLANTIC REGION

Legal Authority: 16 USC 1801 et seq

Abstract: The red snapper stock in the South Atlantic was assessed through the Southeast, Data, Assessment, and Review process in 2008 and 2010. The assessments indicate that the stock is experiencing overfishing and is overfished. As a result of the 2008 assessment, fishing for red snapper has been prohibited in Federal waters off the south Atlantic states since January 4, 2010. In Amendment 22, the National Marine Fisheries Service and the South Atlantic Fishery Management Council are considering alternatives to change the current harvest restrictions on red snapper as the stock increases in biomass. Examples of measures under consideration include the implementation of red snapper trip limits, bag limits, a catch share program, tag program, temporal and spatial closures including those to protect spawning stocks, and gear prohibitions.

Timetable:

Action	Date	FR Cite
Notice of Intent	01/03/11	76 FR 101

Notice of Intent Comment	02/14/11	
Period End		
NPRM	03/00/15	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Roy E. Crabtree, Southeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701

Phone: 727 824–5305

Fax: 727 824–5308

Email: roy.crabtree@noaa.gov

RIN: 0648–BA53

34. IMPLEMENT THE 2010 SHARK CONSERVATION ACT PROVISIONS AND OTHER REGULATIONS IN THE ATLANTIC SMOOTHHOUND SHARK FISHERY

Legal Authority: 16 USC 1801 et seq

Abstract: This rule considers implementing the provisions of the 2010 Shark Conservation Act and other regulations in the Atlantic Smoothhound Fishery (which includes smooth dogfish and the Florida smoothhound). Specifically, this action would: (1) modify regulations for smooth dogfish as needed to be consistent with the Shark Conservation Act; (2) consider other management measures, as needed, including the terms and conditions of the Endangered Species Act Smoothhound Biological Opinion; and (3) consider revising the current smoothhound shark quota based on updated catch data.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–2334

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RIN: 0648–BB02

35. AMENDMENT 43 TO THE FMP FOR BSAI KING AND TANNER CRABS AND AMENDMENT 103 TO THE FMP FOR GROUND FISH OF THE BSAI

Legal Authority: 16 USC 1801

Abstract: This rule would implement both Amendment 43 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs and Amendment 103 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. Amendment 43 revises the current rebuilding plan for Pribilof Islands blue king crab (blue king crab) and Amendment 103 implements groundfish fishing restrictions. A no-trawl Pribilof Islands Habitat Conservation Zone (Zone) was established in 1995 and the directed fishery for blue king crab has been closed since 1999. A rebuilding plan was implemented in 2003; however, blue king crab remains overfished and the current rebuilding plan has not achieved adequate progress towards rebuilding the stock by 2014. The rule would close the Zone to all Pacific cod pot fishing in addition to the current trawl prohibition. This measure would help support blue king crab rebuilding and prevent exceeding the overfishing limit of blue king crab by minimizing to the extent practical blue king crab bycatch in the groundfish fisheries.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: James Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801

Phone: 907 586–7221

Fax: 907 586–7465

Email: jim.balsiger@noaa.gov

RIN: 0648–BC34

36. AMENDMENT 3 TO THE SPINY DOGFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: The action would make four modifications to the management measures in the Spiny Dogfish Fishery Management Plan. These include allowing up to 3 percent of the annual quota to be set aside for research purposes (research set-aside), updating the essential fish habitat definitions for spiny dogfish, allowing the previous year's management measures to be carried over into the subsequent year in the case of rulemaking delays, and removing the seasonal allocation of the commercial quota. The action is needed to improve the efficiency of the Spiny Dogfish Fishery Management Plan, and help reduce misalignment of regulations with the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for spiny dogfish.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: John K. Bullard, Northeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930

Phone: 978 281–9287

Email: john.bullard@noaa.gov

RIN: 0648–BC77

37. PACIFIC COAST GROUND FISH TRAWL RATIONALIZATION PROGRAM TRAILING ACTION: RULE TO MODIFY CHAFING GEAR REGULATIONS FOR MIDWATER TRAWL GEAR USED IN THE PACIFIC COAST GROUND FISH FISHERY

Legal Authority: 16 USC 1801 et seq

Abstract: This action would modify the existing chafing gear regulations for midwater trawl gear, and includes housekeeping measures to clarify which vessels can use midwater trawl gear and where midwater trawl gear can be used. This action includes regulations that affect all trawl sectors (Shorebased Individual Fishing

Quota Program, Mothership Cooperative Program, Catcher/Processor Cooperative Program, and tribal fishery) managed under the Pacific Coast Groundfish Fishery Management Plan.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Barry Thom, Deputy Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, Building 1, 7600 Sand Point Way NE., Seattle, WA 48115-0070

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RIN: 0648-BC84

38. INNER LIMIT OF THE EXCLUSIVE ECONOMIC ZONE UNDER THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

Legal Authority: 16 USC 1801 et seq

Abstract: This action would define the term “inner limit of the exclusive economic zone” under the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The MSA establishes sovereign rights and exclusive management authority over fishery resources of the U.S. Exclusive Economic Zone. The inner limit of the Exclusive Economic Zone is described as a line coterminous with the seaward boundary of each of the coastal states. National Marine Fisheries Service (NMFS), as well as the U.S. Coast Guard and state partners, enforce Federal fishery regulations on the basis of the 3 nautical mile line as it is represented on National Oceanic and Atmospheric Administration (NOAA) charts. The use of 3 nautical mile line has caused confusion when NOAA charts are updated because the baseline for establishing this line is ambulatory. NMFS proposes to clarify/correct this by defining this seaward boundary line to be a line established pursuant to the Submerged Lands Act.

Timetable:

Action	Date	FR Cite
Next Stage Undetermined	03/00/15	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713–2334

Fax: 301 713–0596

Email: alan.risenhoover@noaa.gov

RIN: 0648–BC92

39. FISHERIES OFF WEST COAST STATES; WEST COAST SALMON FISHERIES; AMENDMENT 18; ESSENTIAL FISH HABITAT DESCRIPTIONS FOR PACIFIC SALMON

Legal Authority: 16 USC 1801 et seq

Abstract: The action would implement Amendment 18 to the Pacific Coast Salmon Fishery Management Plan. The purpose of the amendment is to address revisions to the Pacific coast salmon essential fish habitat provisions under the Magnuson-Stevens Fishery Conservation and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Seattle, WA 98115

Phone: 206 526–6150

RIN: 0648–BC95

40. VESSEL MONITORING SYSTEMS; SPECIFICATION OF REQUIREMENTS FOR MOBILE TRANSMITTING UNIT TYPE APPROVAL

Legal Authority: 16 USC 1801 et seq

Abstract: All vessels participating in a National Oceanic and Atmospheric Administration Vessel Monitoring System program are required to acquire a National Marine Fisheries Service-approved mobile transmitting unit to comply with the Vessel Monitoring System requirements. Previously, this action was only taken through the publication of a notice in the Federal Register. However, this rule will establish the type-approval standards, specifications, and procedures that vendors may reference to maintain type-approval for their products and/or services. This action will establish type-approval standards for the initial approval, subsequent assessments, and the procedures for rescinding the type-approval if the vendor fails to comply with the performance standards. This action is necessary to ensure Vessel Monitoring System vendors continue to meet minimum performance standards over the long term.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	
Final Action	08/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BD02

41. REGULATORY AMENDMENT 14 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC REGION

Legal Authority: 16 USC 1801 et seq

Abstract: The purpose of Regulatory Amendment 14 is to enhance socioeconomic benefits to fishermen and fishing communities that utilize the snapper-grouper fishery. Specifically, this rulemaking modifies the fishing year for greater amberjack, increases the minimum size limit for hogfish, modify the fishing year for black sea

bass, changes the commercial fishing season for vermilion snapper, modifies the aggregate grouper bag limit, and revises the accountability measures for gag and vermilion snapper. Modifying the accountability measures for gag and vermilion snapper would enhance consistency and accuracy in the approach taken when the annual catch limit is met or projected to be met for these species.

Timetable:

Action	Date	FR Cite
Notice	04/17/13	78 FR 22846
Notice	08/02/13	78 FR 46925
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Roy E. Crabtree, Southeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701

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RIN: 0648–BD07

42. AMENDMENT 5 TO THE FISHERY MANAGEMENT PLAN FOR THE DOLPHIN WAHOO FISHERY OF THE ATLANTIC

Legal Authority: 16 USC 1801 et seq

Abstract: Amendment 5 to the Dolphin Wahoo Fishery Management Plan includes revisions to the acceptable biological catches, annual catch limits, recreational annual catch targets, and accountability measures for dolphin and wahoo; modifications to the framework procedure; and modifications to the sector allocations and trip limits for dolphin. The revisions incorporate updates to the recreational data as per the Marine Recreational Information Program, as well as revisions to commercial and for-hire landings. The revisions are necessary to avoid triggering accountability measures for dolphin and wahoo based on recreational data under the Marine Recreational Fisheries Statistics Survey system. National Marine Fisheries Service no longer uses the Marine Recreational Fisheries Statistics Survey system, and now estimates

recreational landings using the Marine Recreational Information Program. Additionally, this amendment would modify the framework procedure for dolphin and wahoo; modify sector allocations and adjust trip limits for dolphin.

Timetable:

Action	Date	FR Cite
Notice	02/28/14	79 FR 11383
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD08

43. AMENDMENT 5B TO THE HIGHLY MIGRATORY SPECIES FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq; 16 USC 971 et seq

Abstract: This rulemaking would propose management measures for dusky sharks, based on a recent stock assessment, taking into consideration comments received on the proposed rule and Amendment 5 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan. This rulemaking could consider a range of commercial and recreational management measures in both directed and incidental shark fisheries including, among other things, gear modifications, time/area closures, permitting, shark identification requirements, and reporting requirements. NMFS determined that dusky sharks are still overfished and still experiencing overfishing and originally proposed management measures to end overfishing and rebuild dusky sharks in a proposed rule for Draft Amendment 5 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan. That proposed rule also contained management measures for scalloped hammerhead, sandbar, blacknose and Gulf of Mexico blacktip sharks. NMFS decided to move forward with Draft Amendment 5's management measures for scalloped hammerhead, sandbar, blacknose and Gulf of

Mexico blacktip sharks in a final rule and final amendment that will now be referred to as “Amendment 5a” to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan. Dusky shark management measures will be addressed in this separate, but related, action and will be referred to as “Amendment 5b.”

Timetable:

Action	Date	FR Cite
NPRM	11/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD22

44. AMENDMENT 105 BERING SEA FLATFISH HARVEST SPECIFICATIONS FLEXIBILITY

Legal Authority: 16 USC 1801 et seq

Abstract: This action intends to provide additional harvest opportunities to participants in Bering Sea and Aleutian Islands (BSAI) flatfish fisheries while (1) maintaining catch below the annual catch limits for these species, and (2) ensuring that the maximum optimum yield for BSAI groundfish fisheries will not be exceeded. Specifically, Amendment 105 to the BSAI Fishery Management Plan would establish a process for Amendment 80 cooperatives and Western Alaska Community Development Quota groups to exchange harvest quota from one of the three flatfish species for an equivalent amount of quota of another species. In no case could the amount of fish exchanged exceed the annual catch limit, commonly known as the allowable biological catch, of that species. This action would modify the annual harvest specification process to allow the North Pacific Fishery Management Council (Council) to establish the maximum amount of harvest quota that can be exchanged for each of the three flatfish species. This process would allow the Council to establish a buffer below the allowable biological catch to account for management or socioeconomic considerations.

Each participant could only exchange harvest quota up to three times per year. This action is intended to promote the goals and objectives of the BSAI Fishery Management Plan, the Magnuson-Stevens Fishery Conservation and Management Act, and other applicable laws.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD23

45. AMENDMENT 39 TO THE FISHERY MANAGEMENT PLAN FOR THE REEF FISH RESOURCES OF THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq

Abstract: The purpose of this action is to facilitate management of the recreational red snapper component in the reef fish fishery by reorganizing the federal fishery management strategy to better account for biological, social, and economic differences among the regions of the Gulf of Mexico. Regional management would enable regions and their associated communities to specify the optimal management parameters that best meet the needs of their local constituents thereby addressing regional socio-economic concerns.

Timetable:

Action	Date	FR Cite
Notice	05/13/13	78 FR 27956
NPRM	03/00/15	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD25

46. INTERNATIONAL FISHERIES; WESTERN AND CENTRAL PACIFIC FISHERIES FOR HIGHLY MIGRATORY SPECIES; FISHING RESTRICTIONS REGARDING THE OCEANIC WHITETIP SHARK AND THE WHALE SHARK

Legal Authority: 16 USC 6901 et seq

Abstract: The rule would establish regulations under authority of the Western and Central Pacific Fisheries Convention Implementation Act to implement decisions of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean on fishing restrictions regarding the oceanic whitetip shark and the whale shark. The regulations would apply to owners and operators of U.S. fishing vessels used for commercial fishing for highly migratory species in the area of application of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention). The regulations for oceanic whitetip sharks would prohibit the retention, transshipment, storage, or landing of oceanic whitetip sharks and would require the release of any oceanic whitetip shark as soon as possible after it is caught. The regulations for whale sharks would prohibit setting a purse seine on a whale shark and would specify certain measures to be taken and reporting requirements in the event a whale shark is encircled in a purse seine net. This action is necessary for the United States to satisfy its obligations under the Convention, to which it is a Contracting Party.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Michael Tosatto, Regional Administrator for the Pacific Islands Region, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814

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RIN: 0648-BD44

47. SOUTHERN NEW ENGLAND EFFORT CONTROLS TO ADDRESS LOBSTER STOCK REBUILDING MEASURES

Legal Authority: 16 USC 1801 et seq

Abstract: NMFS is considering to make revisions to Federal American lobster regulations intended to assist in rebuilding the Southern New England lobster stock. The proposed measures include trap reductions in Lobster Management Areas 2 and 3, a minimum carapace size increase for Lobster Management Area 3, mandatory v-notching of egg-bearing female lobster in Lobster Management Areas 2, 4, and 5, and seasonal closures in Lobster Management Areas 4, 5, and 6. These actions are recommended for Federal implementation by the Atlantic States Marine Fisheries Commission (Commission). The proposed stock rebuilding measures were recommended by the Commission in consultation with some, but not all, Federal lobster permit holders through associated industry participation on the Commissions Lobster Conservation Management Teams. While this action could limit fishing effort and landings by Federal lobster permit holders in Southern New England, the proposed measures are consistent with those already implemented by the affected states.

Timetable:

Action	Date	FR Cite
ANPRM	08/20/13	78 FR 51131
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD45

48. AMENDMENT 97 TO THE FISHERY MANAGEMENT PLAN FOR GROUND FISH OF THE GULF OF ALASKA TO ESTABLISH CHINOOK SALMON PROHIBITED SPECIES CATCH LIMITS FOR THE NON-POLLOCK TRAWL FISHERIES

Legal Authority: 16 USC 1801 et seq; 16 USC 773 et seq

Abstract: This rule would limit Chinook salmon prohibited species catch in the Western and Central Gulf of Alaska non-pollock trawl fisheries. Chinook salmon is a fully utilized species in Alaska coastal subsistence, recreational, and commercial fisheries. In recent years the returns of Chinook salmon to some Alaska river systems have been below the biological escapement goals established by the State of Alaska. This action is necessary to minimize the catch of Chinook salmon to the extent practicable in the Gulf of Alaska non-pollock trawl fisheries. The rule would establish a 7,500 Chinook salmon prohibited species annual limit that would be seasonally apportioned among fishing vessel sectors. If a sector reached its Chinook salmon prohibited species limit, further directed fishing for groundfish by vessels in that sector and season would be prohibited. Vessel operators would be required to retain salmon until the number of salmon has been determined by the vessel or plant observer and the observers data collection has been completed. About 70 vessels could be affected by this action. This action could reduce revenues from the fisheries, if the Chinook salmon prohibited species limit is reached before the groundfish quota is harvested. The action may also increase costs if vessel operators move fishing operations or take other actions to lower their catch of Chinook salmon.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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49. IMPLEMENTATION OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION RESOLUTION FOR THE CONSERVATION OF WHALE SHARKS AND THE COLLECTION AND ANALYSES OF DATA ON FISH AGGREGATING DEVICES

Legal Authority: 16 USC 951 et seq; 16 USC 961 et seq; 16 USC 971 et seq

Abstract: This rule would implement the Inter-American Tropical Tuna Commissions Resolution intended to conserve whale sharks and collect information on fish aggregating devices. This action would require that by July 1, 2014, owners and operators of purse seine vessels in the eastern Pacific Ocean would be prohibited from setting a purse seine on a school of tuna associated with a live whale shark, if the shark is sighted prior to the beginning of the set. If a whale shark is encircled in the purse seine net the master of the vessel would be required to ensure that all reasonable steps are taken to ensure its safe release and report the details of the incident to the Inter-American Tropical Tuna Commission and NMFS. By January 1, 2015, owners and operators of purse seine vessels operating in the Inter-American Tropical Tuna Commission Convention area when fishing on fish aggregating devices would be required to collect and report the fish aggregating devices location and type. The data may be collected through a dedicated logbook, modifications to existing regional logsheets, or other domestic reporting procedures.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD53

50. FRAMEWORK ADJUSTMENT 8 TO THE MONKFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: Framework Adjustment 8 would specify acceptable biological catch amounts, and annual catch limits, for the monkfish fishery during fishing years 2014-2016, based on an updated stock assessment completed in April 2013. This action would also set monkfish days-at-sea allocations and trip limits for both the Northern and Southern Fishery Management Areas to achieve recommended annual catch targets. In addition, this action would allow vessels issued a limited access monkfish Category H permit to fish throughout the Southern Fishery Management Area. Both the directed and incidental monkfish fisheries would be affected by this action. Specifically, Category H vessels would be provided with greater flexibility to fish for monkfish in a broader geographical area. Since the fishery has not fully harvested available quotas in recent years, it is not expected that potential increases or decreases in catch allowances are likely to have a substantial economic effect.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BD56

51. SOUTH ATLANTIC COASTAL MIGRATORY PELAGICS FRAMEWORK ACTION 2013 (SECTION 610 REVIEW)

Legal Authority: 16 USC 1801 et seq

Abstract: Currently in the South Atlantic, transfer of harvested fish at sea is prohibited for any species under a commercial trip limit, and only two gillnets are allowed on a federally permitted Spanish mackerel vessel. In some instances the trip limit may be exceeded with just one gillnet set, and the excess fish must be discarded. Most discarded fish caught in gillnet gear die due to trauma caused during capture. The Framework Action would allow a portion of a gillnet and its contents to be transferred from a vessel that has met the Spanish mackerel trip limit to another vessel that has not yet reached the trip limit. Allowing transfer

at sea for federally permitted Spanish mackerel vessels using gillnet gear is intended to reduce dead discards, and minimize waste when catch in one net exceeds the trip limit for the vessel. Additionally, the Framework Action would modify the commercial trip limits for Atlantic king mackerel in the Florida east coast subzone. The current system of trip limits may increase the rate of harvest causing the commercial sector to close before Lent, the most lucrative part of the fishing season. Therefore, the trip limit modifications that would be implemented through the Framework Action are expected to help minimize lost opportunities to fish, and optimize profitability in the king mackerel sector of the coastal migratory pelagics fishery.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD58

52. IMPLEMENTATION OF A PROGRAM FOR TRANSHIPMENTS BY LARGE SCALE FISHING

VESSELS IN THE EASTERN PACIFIC OCEAN

Legal Authority: 16 USC 951 et seq; 16 USC 971 et seq

Abstract: This rule would implement the Inter-American Tropical Tuna Commission program to monitor transshipments by large-scale tuna fishing vessels, and would govern transshipments by U.S. large-scale tuna fishing vessels and carrier, or receiving, vessels. The rule would establish: criteria for transshipping in port; criteria for transshipping at sea by longline vessels to an authorized carrier vessel with an Inter-American Tropical Tuna Commission observer onboard and an operational vessel monitoring system; and require a Pacific Transshipment Declaration Form, which must be used to report transshipments in the Inter-American Tropical Tuna Commission Convention Area. The rule is neither applicable to troll and pole-and-line vessels, nor to vessels that transship fresh fish at sea. The frequency of transshipments in the Eastern Pacific Ocean is

uncertain, but only a few transshipments are expected annually. A similar rule was adopted in the Western and Central Pacific Ocean and NMFS calculated that an average of twenty-four at-sea transshipments of fish caught by longline gear there have occurred annually from 1993 through 2009. Transshipments in the Eastern Pacific Ocean are likely to be much less than twenty-four per year. This rule is necessary for the United States to satisfy its international obligations under the 1949 Convention for the Establishment of an Inter-American Tropical Tuna, to which it is a Contracting Party.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Seattle, WA 98115
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RIN: 0648–BD59

53. AMENDMENT 45 TO THE FISHERY MANAGEMENT PLAN FOR BERING SEA AND ALEUTIAN ISLANDS KING AND TANNER CRAB FREEZER LONGLINE CATCHER/PROCESSOR PACIFIC COD SIDEBOARD REMOVAL

Legal Authority: 16 USC 1801 et seq

Abstract: This rule would establish conditions for the removal of Gulf of Alaska Pacific cod catch limits, known as sideboards, which apply to some catcher/processor vessels using hook-and-line gear, also known as freezer longliners. The newly reorganized sideboard limits have effectively eliminated the ability of these stakeholders to participate in these Gulf of Alaska fisheries. The rule would remove the Gulf of Alaska Pacific cod sideboards from 6 freezer longline vessels if owners of vessels endorsed to catch and process Pacific cod in the Western Gulf of Alaska, Central Gulf of Alaska, or both (a total of 9 vessels) agree to removal of the sideboards, within one year from the effective date of a final rule. If an agreement is not reached by the deadline, the sideboarded vessels would not be able to participate in the Gulf of Alaska fisheries. The requirement for an agreement is intended to promote cooperation among all affected parties prior to the removal of sideboards.

Timetable:

Action	Date	FR Cite
NPRM	07/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD61

54. INFORMATION COLLECTION PROGRAM FOR ATLANTIC SURFCLAM AND OCEAN QUAHOG FISHERIES

Legal Authority: 16 USC 1801 et seq

Abstract: NMFS is implementing this information collection program at the request of the Mid-Atlantic Fishery Management Council (Council). This program will collect additional information about the individuals who hold and/or control Individual Transferable Quota in the Atlantic surfclam and ocean quahog fisheries. This information will be used by the Council in the consideration and development of excessive shares cap(s) in these Individual Transferable Quota fisheries.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD64

55. • RED SNAPPER ALLOCATION—AMENDMENT 28 TO THE FISHERY MANAGEMENT PLAN FOR THE REEF FISH RESOURCES OF THE GULF OF MEXICO (SECTION 610 REVIEW)

Legal Authority: 16 USC 1801 et seq

Abstract: The current allocation of red snapper between the commercial and recreational sectors is 51:49 percent, respectively. The Gulf of Mexico Fishery Management Council (Council) is considering a change in the allocation with the aim of increasing the net benefits from red snapper fishing and increasing the stability of the red snapper component of the reef fish fishery, particularly for the recreational sector which has experienced shorter and shorter seasons. The Council initially considered options that increased the commercial sectors allocation above the current 51 percent. However, after considering the economic analyses conducted by the Southeast Fisheries Science Center and the loss of fishing opportunities by the recreational sector, the Council concluded that such a reallocation would not meet the purpose and need of this action. Therefore, the Council has limited the options under consideration to those that would increase the recreational sectors allocation above 49 percent.

Timetable:

Action	Date	FR Cite
NPRM	08/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD68

56. • AMENDMENT 96 TO THE FISHERY MANAGEMENT PLAN FOR GROUND FISH OF THE GULF OF ALASKA TO REVISE THE COMMUNITY QUOTA ENTITY PROGRAM

Legal Authority: 16 USC 1801 et seq; 16 USC 773 et seq

Abstract: Amendment 96 to the Fishery Management Plan for Groundfish of the Gulf of Alaska would modify the halibut and sablefish Individual Fishing Quota Program regulations for management of community quota entities in the Gulf of Alaska. The action revises the Individual Fishing Quota Program by removing a restriction on community quota entities holdings of quota share. Removing this restriction provides community quota entities access to more affordable quota shares, which could enhance the ability of the community quota entities community to realize economic benefits from additional community resident participation in the halibut and sablefish fisheries.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD74

57. • AMENDMENT 7 TO THE FISHERY MANAGEMENT PLAN FOR THE DOLPHIN WAHOO FISHERY OF THE ATLANTIC

Legal Authority: 16 USC 1801 et seq

Abstract: The intent of this amendment is to make regulations for dolphin and wahoo consistent with those existing regulations for snapper-grouper species. Amendment 7 to the Dolphin Wahoo Fishery Management Plan would allow fishermen to bring fillets of dolphin and wahoo from the Bahamas into the U.S. exclusive economic zone, as regulations already allow fillets of snapper-grouper species to be brought from the Bahamas into the U.S. exclusive economic zone. This rule would allow fishermen to bring fillets of dolphin and wahoo into the U.S. exclusive economic zone that were lawfully harvested in Bahamian waters, provided valid Bahamian fishing and cruising permits are on board the vessel, and the vessel is in transit through the Atlantic exclusive economic zone.

Timetable:

Action	Date	FR Cite
NPRM	12/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD76

58. • REGULATORY AMENDMENT 16 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER–GROUPE FISHERY OF THE SOUTH ATLANTIC REGION

Legal Authority: 16 USC 1801 et seq

Abstract: Regulatory Amendment 16 contains an action to address the prohibition on the use of black sea bass pots annually from November 1 through April 30 that was implemented through Regulatory Amendment 19. The prohibition was a precautionary measure to prevent interactions between black sea bass pot gear and whales listed under the Endangered Species Act during large whale migrations and the right whale calving season off the southeastern coast. The South Atlantic Fishery Management Council, through Regulatory Amendment 16, is considering removal of the closure, changing the length of the closure, and changing the area of the closure. The goal is to minimize adverse socio-economic impacts to black sea bass pot endorsement holders while maintaining protection for Endangered Species Act-listed whales in the South Atlantic region.

Timetable:

Action	Date	FR Cite
NPRM	03/00/15	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Roy E. Crabtree, Southeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701

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RIN: 0648–BD78

59. • AMENDMENT 8 TO THE FISHERY MANAGEMENT PLAN FOR CORAL, CORAL REEFS, AND LIVE/HARDBOTTOM HABITATS OF THE SOUTH ATLANTIC REGION

Legal Authority: 16 USC 1801 et seq

Abstract: Coral Amendment 8 would modify the boundaries of the Oculina Bank Habitat Area of Particular Concern, the Stetson-Miami Terrace Coral Habitat Area of Particular Concern, and the Cape Lookout Coral Habitat Area of Particular Concern to protect deepwater coral ecosystems. The amendment also proposes to implement a transit provision through the Oculina Bank Habitat Area of Particular Concern for fishing vessels with rock shrimp onboard.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD81

60. • AMENDMENT 20A TO THE FISHERY MANAGEMENT PLAN FOR THE COASTAL MIGRATORY PELAGIC RESOURCES OF THE GULF OF MEXICO AND ATLANTIC REGION

Legal Authority: 16 USC 1801 et seq

Abstract: Amendment 20A would prohibit the sale of king and Spanish mackerel caught under the bag limit in the Gulf of Mexico and South Atlantic regions except under limited circumstances. For the Gulf of Mexico, the amendment would prohibit the sale of king and Spanish mackerel caught under the bag limit unless those fish are either caught on a for-hire trip and the vessel has both a for-hire and commercial vessel permit, or the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity. For the South Atlantic region, the amendment would prohibit the sale of king and Spanish mackerel caught under the bag limit unless the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity. In addition, the amendment would remove the income qualification requirement for king and Spanish mackerel commercial permits. This action would not affect the number of king mackerel permits, which are limited access, but could increase the number of Spanish mackerel permits, which are open access.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD83

61. • AMENDMENT 100 TO THE FMP FOR GROUND FISH OF THE BSAI MANAGEMENT AREA AND AMENDMENT 91 TO THE FMP FOR GROUND FISH OF THE GULF OF ALASKA TO ADD GRENADIERS TO THE ECOSYSTEM COMPONENT CATEGORY

Legal Authority: 16 USC 1801 et seq

Abstract: Amendments 100 and 91 would amend the Fishery Management Plan to add grenadiers to the ecosystem component category. Grenadiers are caught incidentally in the groundfish fisheries, and adding them to the Fishery Management Plans would recognize their role in the ecosystem. NMFS would also

implement regulations for federally-permitted groundfish fishermen to improve reporting of grenadiers, limit retention, and prevent directed fishing for grenadiers. This action is necessary to limit the groundfish fisheries impact on grenadiers. Federally-permitted groundfish fishermen would be affected by the proposed rule, however, the anticipated impacts are considered to be de minimis according the economic analysis prepared for this action.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD98

62. • FRAMEWORK ADJUSTMENT 2 TO THE NORTHEAST SKATE COMPLEX FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: This action includes skate fishery specifications for the 2014-2015 fishing years, and modifications to skate reporting requirements for vessels and dealers. This action would establish: an annual catch limit for the skate complex of 35,479 mt (a decrease from 50,435 mt in 2013); an overall total allowable landings of 16,385 mt (a decrease from 23,365 mt in 2013); status quo possession limits for the skate wing and bait fisheries; and changes to skate vessel and dealer reporting requirements to improve species-specific landings data, including removal of “unclassified skate” reporting options.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: John K. Bullard, Northeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930

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RIN: 0648-BD99

63. MARINE MAMMAL PROTECTION ACT PERMIT REGULATION REVISIONS

Legal Authority: 16 USC 1374

Abstract: This action would consider revisions to the implementing regulations governing the issuance of permits for activities under section 104 of the Marine Mammal Protection Act. The intent of this action would be to streamline and update (using plain language) the general permitting information and the specific requirements for the four categories of permits: scientific research (including the General Authorization); enhancement; educational and commercial photography; and public display. The revisions would also simplify procedures for collection, possession, and transfer of marine mammals parts collected before the effective date of the Marine Mammal Protection Act, and also clarify reporting requirements for public display facilities holding marine mammals.

Timetable:

Action	Date	FR Cite
ANPRM	09/13/07	72 FR 52339
ANPRM Comment Period Extended	10/15/07	72 FR 58279
ANPRM Comment Period End	11/13/07	72 FR 52339
ANPRM Comment Period Extended End	12/13/07	72 FR 58279
NPRM	12/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Donna Wieting, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–2322

RIN: 0648–AV82

64. DESIGNATION OF CRITICAL HABITAT FOR THE NORTH ATLANTIC RIGHT WHALE

Legal Authority: 16 USC 1361 et seq; 16 USC 1531 to 1543

Abstract: National Marine Fisheries Service proposes to designate critical habitat for the North Atlantic right whale. This proposal would result in an expansion of critical habitat in the northeast feeding area (Gulf of Maine-Georges Bank region) and the southeast calving area (Florida to North Carolina) compared to what was designated in 1994 for right whales.

Timetable:

Action	Date	FR Cite
NPRM	09/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Donna Wieting, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–2322

RIN: 0648–AY54

65. AMENDMENT AND UPDATES TO THE BOTTLENOSE DOLPHIN TAKE REDUCTION PLAN

Legal Authority: 16 USC 1361 et seq; 16 USC 1531 et seq

Abstract: This action would amend regulations under the Bottlenose Dolphin Take Reduction Plan (Plan) to reduce bottlenose dolphin serious injuries and mortalities incidental to the Virginia Pound net fishery. The Plan recommends the year-round use of modified leaders for offshore pound nets within parts of the Chesapeake Bay and Virginia coastal waters. Regulations for Virginia Pound Nets are currently implemented under the Endangered Species Act for sea turtle conservation. The Plan recommended similar regulations to

those currently enacted under the Endangered Species Act; however, the regulations under the Plan will offer greater conservation benefits to both bottlenose dolphins and sea turtles. Because the regulations may affect current sea turtle regulations, a joint-rulemaking will be conducted under both the Marine Mammal Protection Act and Endangered Species Act to amend: (1) the Plan under the Marine Mammal Protection Act, proposing Virginia pound net requirements; and (2) current federal sea turtle regulations for Virginia pound nets under the Endangered Species Act to ensure consistency between regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Donna Wieting, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–2322

RIN: 0648–BB37

NOS/ONMS

66. • REVISIONS TO HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY REGULATIONS

Legal Authority: 16 USC 1431 et seq

Abstract: In 2010, the Office of National Marine Sanctuaries (ONMS) initiated a review of the Hawaiian Islands Humpback Whale National Marine Sanctuary management plan, to evaluate substantive progress toward implementing the goals for the sanctuary, and to make revisions to its management plan and regulations as necessary to fulfill the purposes and policies of the National Marine Sanctuaries Act (NMSA) and the Hawaiian Islands National Marine Sanctuary Act (HINMSA; Title II, Subtitle C, Pub. L. 102587). ONMS intends to publish a proposed rule and draft EIS that proposes to expand the scope of the sanctuary to

ecosystem based management rather than concentrating on only humpback whales. In addition, possible boundary expansion will be discussed.

Timetable:

Action	Date	FR Cite
Notice	07/14/10	75 FR 40759
NPRM	09/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Edward Lindelof, Department of Commerce, National Oceanic and Atmospheric

Administration, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–3137

RIN: 0648–BD97

Department of Commerce (DOC)	Final Rule Stage
National Oceanic and Atmospheric Administration (NOAA)	

NATIONAL MARINE FISHERIES SERVICE

**67. AMERICAN LOBSTER FISHERY; FISHING EFFORT CONTROL MEASURES TO COMPLEMENT
INTERSTATE LOBSTER MANAGEMENT RECOMMENDATIONS BY THE ATLANTIC STATES MARINE
FISHERIES COMMISSION**

Legal Authority: 16 USC 5101 et seq

Abstract: The action would limit future access in the Lobster Conservation Management Area (Area) 2 and Outer Cape Area lobster trap fishery based on historic participation criteria, and implement a transferable trap program in Area 2, Area 3, and the Outer Cape Area as recommended by the Atlantic States Marine Fisheries Commission. National Marine Fisheries Service proposes to use the same historic participation data and

qualification criteria used by state agencies to qualify state lobstermen fishing in the state waters of the subject management areas.

Timetable:

Action	Date	FR Cite
ANPRM	05/10/05	70 FR 24495
ANPRM Comment Period End	06/09/05	
Notice of Public Meeting	05/03/10	75 FR 23245
NPRM	06/12/13	78 FR 35217
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-AT31

68. AMENDMENT 7 TO THE 2006 CONSOLIDATED HIGHLY MIGRATORY SPECIES FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq; 16 USC 971 et seq

Abstract: Amendment 7 focuses on bluefin tuna fishery management issues consistent with the need to end overfishing and rebuild the stock. Measures in draft Amendment 7 address several of the long-standing challenges facing the fishery and will analyze, among other things, revisiting quota allocations; reducing and accounting for dead discards; adding or modifying time/area closures or gear-restricted areas; and improving the reporting and monitoring of dead discards and landings in all categories.

Timetable:

Action	Date	FR Cite
Notice	04/23/12	77 FR 24161

Notice	06/08/12	77 FR 34025
NPRM	08/21/13	78 FR 52032
NPRM Comment Period Extended	09/18/13	78 FR 57340
Public Hearing	11/05/13	78 FR 66327
NPRM Comment Period Reopened	12/11/13	78 FR 75327
Public Hearing	12/26/13	78 FR 78322
Final Action	09/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East–West Highway, Silver Spring, MD 20910

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RIN: 0648–BC09

69. GENERIC AMENDMENT TO SEVERAL FISHERY MANAGEMENT PLANS IN THE GULF OF MEXICO AND SOUTH ATLANTIC REGIONS TO MODIFY FEDERALLY–PERMITTED SEAFOOD DEALER REPORTING REQUIREMENTS

Legal Authority: 16 USC 1801 et seq

Abstract: To better ensure commercial landings of managed fish stocks do not exceed annual catch limits, improvements are needed to the accuracy, completeness, consistency, and timeliness of data submitted by federally-permitted seafood dealers. The purpose of the generic amendment is to change the current reporting requirements for those dealers who purchase fish managed under several of the Gulf of Mexico and South Atlantic Fishery Management Council fishery management plans. Changes are proposed to the current six dealer permits to increase the species that must be reported. Changes are also proposed to the method

and frequency of dealer reporting. This action will aid in achieving the optimum yield from each fishery while reducing (1) undue socioeconomic harm to dealers and fishermen and (2) administrative burdens to fishery agencies

Timetable:

Action	Date	FR Cite
Notice	12/19/13	78 FR 76807
NPRM	01/02/14	79 FR 81
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: No

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RIN: 0648–BC12

70. GEORGES BANK YELLOWTAIL FLOUNDER EMERGENCY ACTION TO PROVIDE A PARTIAL EXEMPTION FROM ACCOUNTABILITY MEASURES TO THE ATLANTIC SCALLOP FISHERY

Legal Authority: 16 USC 1801 et seq

Abstract: This action, requested by the New England Fishery Management Council, exempts the Atlantic sea scallop fishery from any accountability measure for catch of Georges Bank yellowtail flounder exceeding the revised sub-annual catch limit of 156.9 mt up to the initial sub-annual catch limit level of 307.5 mt. By exempting the scallop fleet from accountability measures at the lower revised 156.9 mt sub-ACL, but maintaining accountability at the 307.5 mt level initially set for the fishing year, there remains a need for the scallop fleet to mitigate yellowtail flounder catch but to do so within the context of the initial level established for the fishing year. This specific accountability measure is not needed to comply with Magnuson Stevens Fishery Conservation and Management Act requirements because there is an accountability measure at the

fishery level that remains unchanged by this proposed action. Any overage of the fishery level ACL is repaid pound-for-pound in a subsequent fishing year.

Timetable:

Action	Date	FR Cite
NPRM	10/01/12	77 FR 59883
NPRM Comment Period End	10/31/12	
Final Action – Withdrawal of the Proposed Rule	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BC33

71. MODIFICATION TO THE HIRED SKIPPER REGULATIONS FOR MANAGEMENT OF THE INDIVIDUAL FISHING QUOTA PROGRAM FOR THE FIXED–GEAR COMMERCIAL FISHERIES FOR PACIFIC HALIBUT AND SABLEFISH IN WATERS OF ALASKA

Legal Authority: 16 USC 1801 et seq; 16 USC 773 et seq

Abstract: This action would amend the hired master regulations of the Individual Fishing Quota Program for the fixed-gear commercial Pacific halibut and sablefish fisheries in the Bering Sea and Aleutian Islands management area and the Gulf of Alaska. The Individual Fishing Quota Program allows initial recipients of catcher vessel halibut and sablefish quota share to hire a vessel master to harvest Individual Fishing Quota derived from the quota share. When a hired master fishes an initial recipients Individual Fishing Quota, the initial recipient is exempt from being onboard the vessel. This action would remove the owner-onboard exemption to hire a master to harvest Individual Fishing Quota derived from quota share that an initial recipient received by transfer after February 12, 2010. Between February 12, 2010 and the effective date of this action, initial recipient quota share transferred into a quota share block of the same category would retain

the hired master privilege. After the effective date of this action, no hired master privilege would be retained on initial recipient quota share consolidated with quota share of the same category. This action is necessary to maintain a predominantly owner-operated fishery.

Timetable:

Action	Date	FR Cite
NPRM	04/26/13	78 FR 24707
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BC62

72. ALLOWING NORTHEAST MULTISPECIES SECTOR VESSELS ACCESS TO YEAR ROUND CLOSED AREAS

Legal Authority: 16 USC 1801 et seq

Abstract: This action allows Northeast Multispecies vessels enrolled in a sector to fish in any of three year-round closed areas on Georges Bank during select times of the 2013 fishing year. This rule allows fishing access for Northeast multispecies sectors to two portions of the Southern New England Nantucket Lightship Closed Area for the remainder of the 2013 fishing year, under specified conditions. The intent of this rule is to allow sector vessels increased opportunities to harvest non-groundfish stocks such as monkfish, dogfish, and skates, while minimizing impacts to overfished groundfish stock such as Georges Bank cod and yellowtail flounder.

Timetable:

Action	Date	FR Cite
NPRM	07/11/13	78 FR 41772

Interim Final Rule	12/16/13	78 FR 76077
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BD09

73. PACIFIC COAST GROUND FISH TRAWL RATIONALIZATION PROGRAM TRAILING ACTIONS:

PERMITTING REQUIREMENTS FOR OBSERVER AND CATCH MONITOR PROVIDERS

Legal Authority: 16 USC 1801 et seq

Abstract: This action would modify regulations pertaining to certified catch monitors and observers required under the Pacific Coast Groundfish Fishery Management Plan. The action specifies permitting requirements for business entities interested in providing certified observers and catch monitor services, as well as addresses numerous housekeeping measures and updates observer provider and vessel responsibilities relative to observer safety such that the regulations are consistent with the Coast Guard and Maritime Transportation Act of 2012. This action affects individuals serving as certified catch monitors and observers, business entities that provide certified catch monitors and observers, vessels that are required to carry certified observers, and shore-based business entities that are required to employ the services of certified catch monitors.

Timetable:

Action	Date	FR Cite
NPRM	02/19/14	79 FR 9591
NPRM Comment Period End	03/21/14	
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce,
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RIN: 0648–BD30

74. PACIFIC COAST GROUND FISH TRAWL RATIONALIZATION PROGRAM; SECOND PROGRAM IMPROVEMENT AND ENHANCEMENT RULE

Legal Authority: 16 USC 1801 et seq

Abstract: This action implements trailing actions for the Pacific coast groundfish trawl rationalization program in order to further improve and refine the program. Since implementation of the program in January 2011, the Pacific Fishery Management Council (Council) and NMFS have developed numerous trailing actions to the program. This action includes multiple components that either implement original provisions of the program, or increase flexibility or efficiency, or address minor revisions/clarifications. Implementation of Quota share transfer regulations is also included in this action. The other components of this action are intended to increase flexibility and efficiency for participants and the Agency, and to make minor clarifications to the program regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/19/13	78 FR 43125
Final Rule	11/15/13	78 FR 68764
Correcting Amendment	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce,
National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Seattle, WA 98115

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RIN: 0648–BD31

75. MODIFICATIONS TO THE PACIFIC COAST GROUND FISH TRAWL ROCK FISH CONSERVATION AREA BOUNDARIES

Legal Authority: 16 USC 1801 et seq

Abstract: This action would implement recommendations from the Pacific Fishery Management Council to liberalize trawl Rockfish Conservation Area boundaries for participants in the Pacific Coast groundfish shorebased individual fishing quota program, beginning November 1, 2013 through the end of 2014. Different trawl Rockfish Conservation Area variations have been in place since 2002-2003 and are typically adjusted through routine inseason actions to keep overfished fish species within acceptable catch limits or harvest guidelines. This rule proposes to modify the trawl Rockfish Conservation Area boundaries, in order to increase access to target species. This rule would increase fishermen's access to their target species allocations, while allowing the individual accountability inherent in the individual fishing quota program to reduce bycatch. This action would also increase the flexibility and efficiency for individual fishing quota program participants, and maintain the full catch accounting requirements of the individual fishing quota program.

Timetable:

Action	Date	FR Cite
NPRM	09/13/13	78 FR 56641
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Seattle, WA 98115
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RIN: 0648–BD37

76. FRAMEWORK ADJUSTMENT 8 TO THE ATLANTIC MACKEREL, SQUID AND BUTTERFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: Framework 8 announces several changes to facilitate the operation of the butterfish discard cap on the longfin squid fishery. The alternatives proposed in Framework 8 would allocate the butterfish discard cap among the Trimesters in the same percentages used for the trimester allocations for longfin squid. In addition,

Framework 8 would allow NMFS to transfer, in either direction, a certain amount of unused quota between the butterfish landing allocation and the discard cap on the longfin squid fishery. This would occur near the end of the year, in order to optimally utilize the butterfish that is available for fishing each year.

Timetable:

Action	Date	FR Cite
NPRM	01/31/14	79 FR 5364
NPRM Comment Period End	03/03/14	
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: John K. Bullard, Northeast Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930

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RIN: 0648-BD50

77. IMPLEMENTATION OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION RESOLUTION TO ESTABLISH A VESSEL MONITORING SYSTEM PROGRAM IN THE EASTERN PACIFIC OCEAN

Legal Authority: 16 USC 951 et seq; 16 USC 971 et seq

Abstract: This rule would implement the Inter-American Tropical Tuna Commissions Resolution intended to require owners and operators of tuna-fishing vessels to have installed, activate, carry and operate vessel monitoring system units (also known as mobile transmitting units). This regulation would apply to owners and operators of tuna-fishing vessels 24 meters or more in length, operating in the eastern Pacific Ocean. The vessel monitoring system units would have to be type-approved, and authorize the Inter-American Tropical Tuna Commission and NMFS to receive and relay transmissions (also called position reports) from the vessel monitoring system unit. Vessel monitoring systems may enhance the safety of some vessels by allowing the vessels location to be tracked, which could assist in rescue efforts. This regulation would apply to commercial vessels and would not apply to recreational or charter vessels. This rule would apply to approximately seventy-four vessels, however, roughly thirty-eight of these vessels are already subject to vessel monitoring

system requirements under the Western and Central Pacific Fisheries Commission. Due to the relatively small number of vessels affected, this rule is not expected to garner public opposition or congressional interest.

Timetable:

Action	Date	FR Cite
NPRM	02/06/14	79 FR 7152
Correction	02/25/14	79 FR 10465
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Seattle, WA 98115

Phone: 206 526-6150

RIN: 0648-BD54

78. IMPLEMENTATION OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION RESOLUTION TO ADOPT CONSERVATION AND MANAGEMENT MEASURES FOR PACIFIC BLUEFIN TUNA IN THE EASTERN PACIFIC OCEAN

Legal Authority: 16 USC 951 et seq; 16 USC 971 et seq

Abstract: This action proposes regulations adopted by the Inter-American Tropical Tuna Commission that would place a limit on commercial harvests of Pacific bluefin tuna in the eastern Pacific Ocean in 2014. The Inter-American Tropical Tuna Commission resolution imposes an international aggregate catch limit of 5,000 metric tons for commercial fleets in the Eastern Pacific Ocean and, as in past years, the Resolution allows a minimum of 500 metric tons for nations such as the United States that have historically fished Pacific bluefin tuna in the Eastern Pacific Ocean but do not harvest large amounts. The rule is expected to have a beneficial impact on Pacific bluefin tuna and other living marine resources since it would extend catch limits currently set to expire December 31, 2013. This rule is likely to have negligible economic impacts because the U.S. fleets that catch Pacific bluefin tuna have not caught more than 500 metric tons of bluefin in more than a decade.

Timetable:

Action	Date	FR Cite
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NPRM	01/10/14	79 FR 1810
NPRM Comment Period End	02/10/14	
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Seattle, WA 98115

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RIN: 0648-BD55

79. 2014 SPECIFICATIONS AND MANAGEMENT MEASURES FOR THE ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERIES

Legal Authority: 16 USC 1801 et seq

Abstract: This action establishes catch levels and associated management measures for the 2014 fishing year for species managed under the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan. The Mid-Atlantic Fishery Management Council reaffirmed the 3-year catch level recommendations for Illex squid and longfin squid (2012-2014), and for Atlantic mackerel (2013-2015), so no changes are proposed for catch levels for those species. The proposed action would: increase the butterfish ABC by 8 percent, and the butterfish landings limit by 24 percent, compared to 2013; set a 236 mt cap on river herring and shad catch in the mackerel fishery; raise the post-closure possession limit for longfin squid to 10,000 lb for vessels targeting Illex squid; and change the butterfish Phase 3 trip limit to 600 lb (from 500 lb) for longfin squid/butterfish moratorium permit holders to make it consistent with the incidental butterfish trip limit.

Timetable:

Action	Date	FR Cite
NPRM	01/10/14	79 FR 1813
NPRM Comment Period End	02/10/14	
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD65

80. MODIFICATIONS TO IDENTIFICATION MARKINGS ON FISHING GEAR MARKER BUOYS

Legal Authority: 16 USC 1801 et seq; 16 USC 3631 et seq; 16 USC 773 et seq; PL 108–447

Abstract: This rule would eliminate the requirement that buoys marking the location of commercial fishing gear be marked with the vessels name, in addition to a vessel identification number. Current regulations require buoy markings to make it possible to identify the vessel from which the gear was deployed.

Experience shows that it is not necessary to mark buoys with both the vessels name and Federal fisheries permit number. While one vessel may share the same name as another vessel, vessel identification numbers are exclusive and unique to the recipient vessel. The purpose of this action is to reduce regulatory burdens by eliminating the requirement to mark buoys with the vessels name, and will reduce costs to vessel owners by reducing the labor and materials needed to mark buoys.

Timetable:

Action	Date	FR Cite
NPRM	01/03/14	79 FR 381
NPRM Comment Period End	02/03/14	
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD66

81. • PACIFIC HALIBUT FISHERIES; CATCH SHARING PLAN

Legal Authority: 16 USC 773 et seq

Abstract: Each year, the Pacific Fishery Management Council (Council) reviews and receives public comment on its Pacific Halibut Catch Sharing Plan (Plan) to determine whether revisions are needed to achieve management objectives for any of the West Coast halibut fisheries. For 2014 and beyond, the Council has recommended minor changes to the portion of the Plan covering the allocations and sport fisheries. For the Washington north coast subarea sport fishery the recommended changes clarify the season structure and remove the provisions for a nearshore fishery. For the Columbia River subarea sport fishery the recommended changes revise the days of the week the fishery is open and modify the subarea allocation to provide for a new nearshore fishery within the subarea. For the Oregon central coast subarea sport fishery the changes include modifying the nearshore fishery. For the South of Humboldt Mountain subarea, the recommended changes include breaking the subarea into separate subareas for Southern Oregon and California, and allocating catch to these subareas from existing allocations. These recommended changes to the Plan are implemented through the annual regulations. The annual regulations will also include the 2014 halibut quota for the West Coast fisheries as recommended by the International Pacific Halibut Commission.

Timetable:

Action	Date	FR Cite
NPRM	02/06/14	79 FR 7156
NPRM Comment Period End	02/21/14	
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Stelle Jr., Regional Administrator West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Seattle, WA 98115

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RIN: 0648–BD82

82. • TEMPORARY RULE THROUGH EMERGENCY ACTION TO REVISE ANNUAL CATCH LIMITS AND ACCOUNTABILITY MEASURES FOR BLUELINE TILEFISH AND THE DEEP-WATER COMPLEX IN THE SOUTH ATLANTIC REGION

Legal Authority: 16 USC 1801 et seq

Abstract: In October 2013, NMFS determined the blueline tilefish stock in the South Atlantic is experiencing overfishing and is overfished. As mandated by Magnuson-Stevens Fishery Conservation and Management Act, NMFS and the Council must prepare and implement a plan amendment and regulations to end overfishing immediately and rebuild the stock by December 6, 2015. The Council and NMFS, through actions in a future amendment, plan to implement a rebuilding plan and management actions to end overfishing and rebuild the blueline tilefish stock. In the interim, NMFS will publish an emergency rule to implement temporary annual catch limits and accountability measures for blueline tilefish, and modify the current annual catch limits and accountability measures for the deep-water complex. The goal of this action is to minimize future adverse biological effects to the blueline tilefish stock, and the socio-economic effects to fishermen and fishing communities that utilize the blueline tilefish, while a permanent rulemaking designed to end overfishing and rebuild the stock is developed.

Timetable:

Action	Date	FR Cite
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BD87

83. REVISION OF HAWAIIAN MONK SEAL CRITICAL HABITAT

Legal Authority: 16 USC 1533

Abstract: National Oceanic and Atmospheric Administration (NOAA) Fisheries is developing a final rule to designate critical habitat for the Hawaiian monk seal in the main and Northwestern Hawaiian Islands. In response to a 2008 petition from the Center for Biological Diversity, Kahea, and the Ocean Conservancy to revise Hawaiian monk seal critical habitat, NOAA Fisheries published a proposed rule in June 2011 to revise Hawaiian monk seal critical habitat by adding critical habitat in the main Hawaiian Islands and extending critical habitat in the Northwestern Hawaiian Islands. Proposed critical habitat includes both marine and terrestrial habitats (e.g., foraging areas to 500 meter depth, pupping beaches, etc.). To address public comments on the proposed rule, NOAA Fisheries is augmenting its prior economic analysis to better describe the anticipated costs of the designation. NOAA Fisheries is analyzing new tracking data to assess monk seal habitat use in the main Hawaiian Islands. That may lead to some reduction in foraging area critical habitat for the main Hawaiian Islands to better reflect where preferred foraging features may be found.

Timetable:

Action	Date	FR Cite
NPRM	06/02/11	76 FR 32026
Notice of Public Meetings	07/14/11	76 FR 41446
Other	06/25/12	77 FR 37867
Final Action	06/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BA81

84. ENDANGERED AND THREATENED SPECIES: DESIGNATION OF CRITICAL HABITAT FOR THREATENED LOWER COLUMBIA RIVER COHO SALMON AND PUGET SOUND STEELHEAD

Legal Authority: 16 USC 1531 to 1544

Abstract: This action will designate critical habitat for lower Columbia River coho salmon and Puget Sound steelhead, currently listed as threatened species under the Endangered Species Act. The specific areas proposed for designation in for lower Columbia River coho include approximately 2,288 mi (3,681 km) of freshwater and estuarine habitat in Oregon and Washington. The specific areas proposed for designation for Puget Sound steelhead include approximately 1,880 mi (3,026 km) of freshwater and estuarine habitat in Puget Sound, Washington.

Timetable:

Action	Date	FR Cite
NPRM	01/14/13	78 FR 2725
Final Action	11/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Donna Wieting, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East–West Highway, Silver Spring, MD 20910

Phone: 301 713–2322

RIN: 0648–BB30

85. DESIGNATION OF CRITICAL HABITAT FOR THE DISTINCT POPULATION SEGMENTS OF YELLOWEYE ROCKFISH, CANARY ROCKFISH, AND BOCACCIO

Legal Authority: 16 USC 1531 et seq

Abstract: This action proposes to designate critical habitat under the Endangered Species Act for three Distinct Population Segments of rockfish in the Puget Sound/Georgia Basin: (1) the threatened Distinct Population Segments of yelloweye rockfish ; (2) the threatened Distinct Population Segments of canary rockfish ; and (3) the endangered Distinct Population Segments of bocaccio . The proposed specific areas for canary rockfish and bocaccio comprise approximately 505 hectares (1,249 acres) of marine habitat in Puget Sound. The proposed areas for yelloweye rockfish comprise approximately of 245 hectares (606 acres) of marine habitat in Puget Sound.

Timetable:

Action	Date	FR Cite
NPRM	08/06/13	78 FR 47635
Final Action	08/00/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Donna Wieting, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East–West Highway, Silver Spring, MD 20910

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RIN: 0648–BC76

86. AMENDING THE ATLANTIC LARGE WHALE TAKE REDUCTION PLAN

Legal Authority: 16 USC 1361 et seq

Abstract: The National Marine Fisheries Service (NMFS) is proposes to amend the Atlantic Large Whale Take Reduction Plan. These changes are designed to address ongoing right, humpback, and fin whale entanglements resulting in serious injury or mortality. In 2009, the Atlantic Large Whale Take Reduction Team (Team) agreed on a schedule to develop conservation measures for reducing the risk of serious injury and mortality of large whales that become entangled in vertical lines. In an August 2012 American Lobster Biological Opinion, NMFS committed to publishing a proposed rule to address vertical line entanglements in 2013, and to publish a final rule by April 2014. Unlike the broad-scale management approach taken to address entanglement risks associated with groundlines (rope between trap/pots), the approach for the vertical line rulemaking will focus on reducing the risk of vertical line entanglements in finer-scale high impact areas. Using fishing gear characterization data and whale sightings per unit effort data, NMFS developed a model to determine the co-occurrence of fishing gear density and whale density to serve as a guide in the identification of these high risk areas. Potential measures include: expanding the gear marking scheme to require larger and more frequent marks along the buoy line; increasing the number of traps per trawl based on area fished and miles fished from shore in the northeast; establishing several closures in the northeast for trap/pot fisheries; modifying weak link and breaking strength requirements of buoy lines; and requiring the use of one buoy line with one trap in the southeast.

Timetable:

Action	Date	FR Cite
NPRM	07/16/13	78 FR 42653
Notice	07/24/13	78 FR 44536
Final Action	07/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BC90

87. DESIGNATION OF CRITICAL HABITAT FOR THE NORTHWEST ATLANTIC OCEAN LOGGERHEAD SEA TURTLE DPS AND THE DETERMINATION REGARDING CRITICAL HABITAT FOR THE NORTH PACIFIC OCEAN LOGGERHEAD DPS

Legal Authority: 16 USC 1531 et seq

Abstract: This action would designate critical habitat for the Loggerhead sea turtle pursuant to the Endangered Species Act of 1973, as amended. The loggerhead sea turtle was originally listed worldwide as a threatened species on July 28, 1978. No critical habitat was designated for the loggerhead at that time. On September 22, 2011, NMFS and the U.S. Fish and Wildlife Service jointly published a final rule revising the loggerheads listing from a single worldwide threatened species to nine Distinct Population Segments. The two Distinct Population Segments occurring in U.S. jurisdiction are the Northwest Atlantic Ocean Distinct Population Segment (range defined as north of the equator, south of 60 N. lat., and west of 40 W. long.) and the North Pacific Ocean Distinct Population Segments (range defined as north of the equator and south of 60 N. lat.). For the 2011 final listing rule, NMFS and the U.S. Fish and Wildlife Service found designation of critical habitat to be not determinable. This action will satisfy the provisions under the Endangered Species Act requiring critical habitat to be designated for these Distinct Population Segments.

Timetable:

Action	Date	FR Cite
NPRM	07/18/13	78 FR 43006
Proposed Rule Correction	08/01/13	78 FR 46563
Notice	08/21/13	78 FR 51705
NPRM Comment Period Reopened	09/30/13	78 FR 59907
Public Hearing	11/04/13	78 FR 65959
Final Action	07/00/14	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD27

Department of Commerce (DOC)	Long-Term Actions
National Oceanic and Atmospheric Administration (NOAA)	

NATIONAL MARINE FISHERIES SERVICE

88. COMPREHENSIVE FISHERY MANAGEMENT PLAN FOR PUERTO RICO

Legal Authority: 16 USC 1801 et seq

Abstract: This comprehensive Puerto Rico Fishery Management Plan will incorporate, and modify as needed, Federal fisheries management measures presently included in each of the existing species-based U.S. Caribbean Fishery Management Plans (Spiny Lobster, Reef Fish, Coral, and Queen Conch Fishery Management Plans) as those measures pertain to Puerto Rico exclusive economic zone waters. The goal of

this action is to create a Fishery Management Plan tailored to the specific fishery management needs of Puerto Rico. If approved, this new Puerto Rico Fishery Management Plan, in conjunction with similar comprehensive Fishery Management Plans being developed for each of St. Croix and St. Thomas/St. John, will replace the Spiny Lobster, Reef Fish, Coral and Queen Conch Fishery Management Plans presently governing the commercial and recreational harvest in U.S. Caribbean exclusive economic zone waters.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BD32

89. COMPREHENSIVE FISHERY MANAGEMENT PLAN FOR ST. CROIX

Legal Authority: 16 USC 1801 et seq

Abstract: This comprehensive St. Croix Fishery Management Plan will incorporate, and modify as needed, federal fisheries management measures presently included in each of the existing species-based U.S. Caribbean Fishery Management Plans (Spiny Lobster, Reef Fish, Coral, and Queen Conch Fishery Management Plans) as those measures pertain to St. Croix exclusive economic zone waters. The goal of this action is to create a Fishery Management Plan tailored to the specific fishery management needs of St. Croix. If approved, this new St. Croix Fishery Management Plan, in conjunction with similar comprehensive Fishery Management Plans being developed for each of Puerto Rico and St. Thomas/St. John, will replace the Spiny Lobster, Reef Fish, Coral and Queen Conch Fishery Management Plans presently governing the commercial and recreational harvest in U.S. Caribbean exclusive economic zone waters.

Timetable:

Action	Date	FR Cite

NPRM	05/00/15	
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Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD33

90. COMPREHENSIVE FISHERY MANAGEMENT PLAN FOR ST. THOMAS/ST. JOHN

Legal Authority: 16 USC 1801 et seq

Abstract: This comprehensive St. Thomas/St. John Fishery Management Plan will incorporate, and modify as needed, federal fisheries management measures presently included in each of the existing species-based U.S. Caribbean Fishery Management Plans (Spiny Lobster, Reef Fish, Coral, and Queen Conch Fishery Management Plans) as those measures pertain to St. Thomas/St. John exclusive economic zone waters. The goal of this action is to create a Fishery Management Plan tailored to the specific fishery management needs of St. Thomas/St. John. If approved, this new St. Thomas/St. John Fishery Management Plan, in conjunction with similar comprehensive Fishery Management Plans being developed for each of St. Croix and Puerto Rico, will replace the Spiny Lobster, Reef Fish, Coral and Queen Conch Fishery Management Plans presently governing the commercial and recreational harvest in U.S. Caribbean exclusive economic zone waters.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD34

91. DESIGNATE CRITICAL HABITAT FOR THE HAWAIIAN INSULAR FALSE KILLER WHALE DISTINCT POPULATION SEGMENT

Legal Authority: 16 USC 1533

Abstract: The proposed action, if approved, would designate critical habitat for the Hawaiian insular false killer whale distinct population segment, pursuant to section 4 of the Endangered Species Act (ESA).

Proposed critical habitat would only be designated in the main Hawaiian Islands as the Hawaiian insular false killer whales range is restricted from nearshore out to 140 km from the main Hawaiian Islands. Impacts from the designation stem mainly from Federal agencies requirement to consult with National Marine Fisheries Service, under section 7 of the ESA, to insure that any action they carry out, permit (authorize), or fund will not result in the destruction or adverse modification of critical habitat of a listed species.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Donna Wieting

Phone: 301 713-2322

RIN: 0648-BC45

Department of Commerce (DOC)	Completed Actions
National Oceanic and Atmospheric Administration (NOAA)	

92. MARINE MAMMAL PROTECTION ACT STRANDING REGULATION REVISIONS

Legal Authority: 16 USC 1379; 16 USC 1382; 16 USC 1421

Abstract: National Marine Fisheries Service intends to clarify the requirements and procedures for responding to stranded marine mammals and for determining the disposition of rehabilitated marine

mammals, which includes the procedures for the placement of non-releasable animals and for authorizing the retention of releasable rehabilitated marine mammals for scientific research, enhancement, or public display.

Timetable:

Action	Date	FR Cite
ANPRM	01/31/08	73 FR 5786
Final Action Comment Period Extended	03/28/08	73 FR 16617
No Further Action	02/01/14	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Donna Wieting, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910

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RIN: 0648-AW22

93. AMENDMENT 14 TO THE ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERY

MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: The purpose of Amendment 14 is primarily to minimize river herring and shad bycatch in the Atlantic mackerel fishery, and implement an effective program for monitoring river herring and shad bycatch in the Mackerel, Squid and Butterfish fisheries. This action implements measures to expand reporting requirements for permit holders, increase at-sea observer coverage, and establish a mortality cap on river herring and shad in the mackerel fishery. This action is being taken because there is concern about the status of river herring and shad stocks throughout their ranges, and a push to reduce all sources of stock mortality, including fishing mortality.

Timetable:

Action	Date	FR Cite
Notice of Intent	06/09/10	75 FR 32745

Notice of Availability	08/12/13	78 FR 48852
NPRM	08/29/13	78 FR 53404
NPRM Comment Period End	10/11/13	
Final Action	02/24/14	79 FR 10029

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–AY26

94. AMENDMENT 5 TO THE ATLANTIC HERRING FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: The purpose of Amendment 5 is to minimize bycatch in the Atlantic herring fishery, and improve the collection of real-time catch data. Amendment 5 increases observer coverage, improves at-sea sampling, includes measures to reduce net slippage, and includes measures to address bycatch. This action is being taken to more accurately characterize Atlantic herring landings, minimize and monitor bycatch of river herring in the Atlantic herring fishery, and to improve monitoring of Atlantic herring fishing activity in groundfish closed areas.

Timetable:

Action	Date	FR Cite
Supplemental Notice of Intent	12/28/09	74 FR 68576
Notice of Availability	04/22/13	78 FR 23733
NPRM	06/03/13	78 FR 33020
Final Action	02/13/14	79 FR 8785

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–AY47

95. REGULATORY AMENDMENT TO IMPLEMENT A HALIBUT CATCH SHARING PLAN FOR INTERNATIONAL PACIFIC HALIBUT COMMISSION AREA 2C AND AREA 3A

Legal Authority: 44 USC 3501 et seq

Abstract: This regulation implemented a catch sharing plan for the commercial and guided (charter) sport fisheries for Pacific halibut in waters of International Pacific Halibut Commission Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska). This regulatory amendment established a combined catch limit annually specified by the International Pacific Halibut Commission that is allocated between the commercial and charter halibut fisheries using percentage allocations proposed by the North Pacific Fishery Management Council. This action also implemented annual management measures for the charter halibut fishery that are intended to maintain harvest to the charter allocation, and specified annually by the International Pacific Halibut Commission using a process proposed by the Council. This action provides an opportunity for commercial halibut individual fishing quota holders to lease (transfer on an annual basis) halibut individual fishing quotas to charter halibut permit holders as Guided Angler Fish.

Timetable:

Action	Date	FR Cite
NPRM	07/22/11	76 FR 44156
NRPM Comment Period End	09/06/11	
Proposed Rule; Ext. Comments	09/07/11	76 FR 55343
Comment Period Extended	09/21/11	76 FR 55343
Second NPRM	06/28/13	78 FR 39122
Comment Period Extended	07/25/13	78 FR 44920
Final Action	12/12/13	78 FR 75843

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BA37

96. FISHERIES OFF WEST COAST STATES; PACIFIC COAST GROUND FISH FISHERY; TRAWL RATIONALIZATION PROGRAM; COST RECOVERY PROGRAM

Legal Authority: 16 USC 1801 et seq

Abstract: This action implemented a cost recovery program for the Pacific Coast Groundfish Trawl Rationalization Program. Following final action on Amendment 20 to the Pacific Coast Groundfish Fishery Management Plan by the Pacific Fishery Management Council, National Marine Fisheries Service implemented the trawl rationalization program on January 11, 2011. In accordance with the Magnuson-Stevens Fishery Conservation and Management Act, the Secretary of Commerce is required to collect a fee to recover the actual costs directly related to the management, data collection, and enforcement of any limited access privilege program (LAPP), which includes the trawl rationalization program. The fee will not exceed 3% of the ex-vessel value of the fish harvested under the LAPP.

Timetable:

Action	Date	FR Cite
NPRM	02/01/13	78 FR 7371
NPRM Comment Period End	03/18/13	
Final Action	12/11/13	78 FR 75268

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BB17

**97. AMENDMENT 89 TO THE GULF OF ALASKA GROUND FISH FISHERY MANAGEMENT PLAN AREA
CLOSURES FOR TANNER CRAB PROTECTION IN GULF OF ALASKA GROUND FISH FISHERIES**

Legal Authority: 16 USC 1540; 16 USC 1801 et seq; 16 USC 3631 et seq; 16 USC 773 et seq; PL 105–277 ;
PL 106–31

Abstract: This action implemented a closure of a portion of Marmot Bay, northeast of Kodiak Island, to the use of pot and trawl gear (with the exception of pelagic gear used to target pollock) in groundfish fisheries year-round, and requires additional observer coverage (100 percent for trawl vessels and 30 percent for pot vessels) in two areas east of Kodiak Island - the Chiniak Gully and State of Alaska Statistical Area 525702. The closure will reduce bycatch of Tanner crab in Gulf of Alaska groundfish fisheries. These additional observer coverage requirements are expected to be rescinded with the implementation of the restructured Observer Program. This action is necessary to protect stocks of Tanner crab near Kodiak Islands from the effects of using non-pelagic trawl and pot gear used to target groundfish in Marmot Bay and to provide improved estimates of the incidental catch of Tanner crab in two areas east of Kodiak Island by vessels using non-pelagic trawl and pot gear and to accomplish the goals and objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska. The intended effect of this action is to conserve and manage the fishery resources in the Gulf of Alaska.

Timetable:

Action	Date	FR Cite
Notice of Availability	06/03/13	78 FR 33040
Proposed Rule	06/17/13	78 FR 36150
Comment Period End	07/17/13	
Final Action	01/16/14	79 FR 2794

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BB76

98. AMENDMENT TO THE VESSEL OWNERSHIP REQUIREMENTS OF THE INDIVIDUAL FISHING QUOTA PROGRAM FOR FIXED–GEAR PACIFIC HALIBUT AND SABLEFISH FISHERIES IN AND OFF OF ALASKA

Legal Authority: 16 USC 1801 et seq; 16 USC 3631 et seq; 16 USC 773 et seq; PL 108–447

Abstract: This action would implement a regulatory amendment to modify the vessel ownership requirements of the Individual Fishing Quota Program for fixed-gear Pacific halibut and sablefish fisheries in and off of Alaska. This action would require initial recipients of certain classes of quota share to have held a minimum of 20 percent ownership interest in the vessel for at least 12 consecutive months prior to the submission of an application to hire a master for the purposes of fishing an Individual Fishing Quota permit. This action also would temporarily exempt from the 12-month ownership requirement an initial recipient whose vessel has been totally lost, as by sinking or fire, or so damaged that the vessel would require at least 60 days of shipyard time to be repaired. This action is necessary to maintain a predominantly owner-operated fishery.

Timetable:

Action	Date	FR Cite
NPRM	10/31/12	77 FR 65843
NPRM Comment Period End	11/30/12	
Final Action	02/24/14	79 FR 9995

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BB78

99. AMENDMENT 95 TO THE FISHERY MANAGEMENT PLAN FOR GROUND FISH OF THE GULF OF ALASKA

Legal Authority: 16 USC 1801 et seq

Abstract: This action implements Amendment 95 to the Fishery Management Plan for Groundfish of the Gulf of Alaska. This action modifies halibut prohibited species catch management in the Gulf of Alaska to establish the Gulf of Alaska halibut prohibited species catch limits in Federal regulation; reduce the Gulf of Alaska halibut prohibited species catch limits for the trawl, hook and line catcher/processor and catcher vessel sectors, and the hook and line demersal shelf rockfish fishery in the Southeast Outside District; and allow two additional options for vessels to better maintain groundfish harvest while achieving the halibut prohibited species catch reduction of this action.

Timetable:

Action	Date	FR Cite
Notice	08/29/13	78 FR 53419
NPRM	09/17/13	78 FR 57106
NPRM Comment Period End	10/17/13	
Final Action	02/20/14	79 FR 9625

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BC39

100. 2013 MONKFISH EMERGENCY ACTION

Legal Authority: 16 USC 1801 et seq

Abstract: At its November 2012 meeting, the New England Fishery Management Council requested that the Secretary of Commerce implement this Emergency action to eliminate monkfish possession limits in the Northern Fishery Management Area during fishing year 2013 due to the substantially reduced groundfish catch limits. This action eliminated monkfish possession limits for the vessels that have been issued both a limited access monkfish permit and a Northeast multispecies (groundfish) permit and are simultaneously using both a monkfish and a groundfish day-at-sea in the Northern Fishery Management Area (Management Area). By eliminating the possession limits in these specific cases, this action increased monkfish possession limits for the directed monkfish fishery in the Management Area. It is expected that this action allows some of the directed fishing vessels to land more monkfish per trip, which would result in an increase in revenue for such vessels.

Timetable:

Action	Date	FR Cite
NPRM	02/25/13	78 FR 12708
Interim Final Rule	04/30/13	78 FR 25214
Final Action	10/25/13	78 FR 63892

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BC79

101. FRAMEWORK ADJUSTMENT 50 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq

Abstract: Framework 50 set catch limits for groundfish stocks for 2013 through 2015, as well as catch limits for the U.S./Canada stocks for 2013. The Council recommended a catch limit of 1,150 mt for Georges Bank

yellowtail flounder, which is inconsistent with scientific advice. As a result, National Oceanic and Atmospheric Administration (NOAA) Fisheries implemented a 500 mt quota which is consistent with the best scientific information available. NOAA Fisheries also addressed the carryover issue in this rulemaking, specifically, reducing the amount of Gulf of Maine cod that sector vessels can carry over to prevent overfishing.

Timetable:

Action	Date	FR Cite
NPRM	03/29/13	78 FR 19368
Interim Final Rule	05/03/13	78 FR 26171
Adjustments	06/11/13	78 FR 34928
Final Rule	08/29/13	78 FR 53397
Final Action	10/30/13	78 FR 64889

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BC97

102. AMENDMENT 102 TO THE FMP FOR GROUND FISH OF THE BSAI TO ESTABLISH A COMMUNITY QUOTA ENTITY PROGRAM IN THE ALEUTIAN ISLANDS AND A REGULATORY AMENDMENT TO ALLOW IFQ DERIVED FROM CATEGORY D QUOTA SHARE

Legal Authority: 16 USC 1801 et seq; 16 USC 773 et seq

Abstract: Amendment 102 would create a Community Quota Entity Program in Individual Fishing Quota (IFQ) regulatory area 4B in the Aleutian Islands, similar to the existing Community Quota Entity Program in the Gulf of Alaska. Amendment 102 would allow eligible communities in Area 4B to establish a designated non-profit entity as a Community Quota Entity to purchase halibut and sablefish catcher vessel quota shares in order to provide economic benefits to the community.

Timetable:

Action	Date	FR Cite
Notice	11/01/13	78 FR 65602
NPRM	11/14/13	78 FR 68390
Final Action	02/14/14	79 FR 8870

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD03

103. AMENDMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR THE QUEEN CONCH RESOURCES OF PUERTO RICO AND THE USVI: COMPATIBILITY OF TRIP AND BAG LIMITS IN THE MANAGEMENT AREA OF ST. CROIX, USVI

Legal Authority: 16 USC 1801 et seq

Abstract: This regulatory amendment addressed the incompatibility between certain Federal and USVI regulations related to the harvest of queen conch. Fishing and possessing queen conch in the exclusive economic zone is only allowed in the area of Lang Bank, to the east of St. Croix, USVI. However, current regulations regarding commercial trip limits and recreational bag limits for the harvest of queen conch in Federal waters were not compatible with USVI regulations. The USVI had expressed interest in having Federal regulations modified to make them compatible with the territorial limits to facilitate enforcement efforts, enhance compliance by fishers, and allow for more efficient management of queen conch resources in the U.S. Caribbean. In this regulatory amendment, the Caribbean Fishery Management Council chose to modify the commercial trip limit, but leave the recreational bag limit unchanged. Thus, the rule changed the commercial trip limit from 150 queen conch per licensed commercial fisher per day, to 200 queen conch per vessel per day, regardless of the number of licensed commercial fishers onboard.

Timetable:

Action	Date	FR Cite
NPRM	06/07/13	78 FR 34310
Final Action	09/12/13	78 FR 56171

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD15

104. FRAMEWORK ADJUSTMENT 2 TO THE ATLANTIC HERRING FISHERY MANAGEMENT PLAN AND MANAGEMENT MEASURES FOR ATLANTIC HERRING FOR THE 2013–2015 FISHING YEARS

Legal Authority: 16 USC 1801 et seq

Abstract: Framework 2 allows the Council to use the specifications process to split annual catch limits seasonally (by month) for the Atlantic herring management areas. This increases operational flexibility within the herring fishery by allowing for more precise tailoring of the catch limits for each management area. Framework 2 also implemented a policy for authorizing annual carryover of unharvested herring annual catch limits under specific conditions. This will provide increased opportunity to fish for unused herring annual catch limit amounts from the previous year. Combined, these measures provide a greater opportunity to adjust for specific stock conditions. The Atlantic herring fishery specifications are annual catch amounts (for the 2013–2015 fishing years, January–December). These specifications are routine, and are set for a duration of three years. These specifications will retain or increase the current catch limit levels, and will continue to prevent overfishing of the herring resource and achieve optimum yield. Further, the catch limits established in these specifications set a constant catch amount available to the industry that provides a stable allowable catch for 3-year business planning purposes.

Timetable:

Action	Date	FR Cite

NPRM	08/02/13	78 FR 46897
Final Rule	10/04/13	78 FR 61828
Final Action	10/22/13	78 FR 62471

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD17

105. JOINT FOR–HIRE GENERIC REPORTING AMENDMENT FOR THE SOUTH ATLANTIC AND GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq

Abstract: This action requires headboat vessel operators to submit electronic fishing records (via computer or internet) rather than paper logbooks for the South Atlantic snapper-grouper, dolphin wahoo, and coastal migratory pelagics fisheries. It also gives NMFS the flexibility to modify the reporting frequency, via notice, if this becomes necessary in the future. Electronic reporting allows for more timely data collection, which would help with tracking recreational annual catch limits and preventing annual catch limits overages.

Timetable:

Action	Date	FR Cite
Notice	09/18/13	78 FR 57339
NPRM	09/27/13	78 FR 59641
Final Action	12/27/13	78 FR 78779

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD21

106. MODIFICATION OF VESSEL MONITORING SYSTEM REQUIREMENTS FOR ATLANTIC HIGHLY MIGRATORY SPECIES FISHERIES

Legal Authority: 16 USC 1801 et seq; 16 USC 971 et seq

Abstract: This rule modified the requirements concerning the use of Electronic Mobile Transmitting Unit (E-MTU) Vessel Monitoring Systems (VMS) units in Atlantic Highly Migratory Species (HMS) fisheries. The rule modified the requirements for providing hail-in/hail-out declarations depending on whether the vessel is fishing for HMS. The rule also modified when the VMS unit must be on and activated. The revised regulations provide additional flexibility for vessel operators while continuing to provide the National Oceanic and Atmospheric Administration Office of Law Enforcement (NOAA OLE) with enhanced communication with HMS vessels at sea, improve enforcement capabilities of current regulations, and provide a secondary safety capability.

Timetable:

Action	Date	FR Cite
NPRM	08/29/13	78 FR 53397
Final Action	11/15/13	78 FR 68757

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD24

107. ABBREVIATED FRAMEWORK ACTION TO ESTABLISH FUNDING RESPONSIBILITIES FOR THE ELECTRONIC LOGBOOK PROGRAM IN THE SHRIMP FISHERY OF THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq

Abstract: Amendment 13 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico United States Waters established the requirement for the shrimp electronic logbook program. This action established a cost-sharing program that would allow NMFS to cover the costs of software development, data storage, effort estimation analysis, and archival activities, while the fishing industry would cover the costs of installing and maintaining the units and data transmission from the units to a NOAA server. A grant program has already covered the initial costs to purchase the new electronic logbook units for each of the shrimp permit holders in the Gulf.

Timetable:

Action	Date	FR Cite
NPRM	10/22/13	78 FR 62579
NPRM Comment Period End	11/06/13	
Final Action	12/27/13	78 FR 78776

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648–BD41

108. ELIMINATE THE EXPIRATION DATE CONTAINED IN THE FINAL RULE TO REDUCE THE THREAT OF SHIP COLLISIONS WITH NORTH ATLANTIC RIGHT WHALES

Legal Authority: 16 USC 1361 et seq; 16 USC 1531 et seq

Abstract: In 2008, National Marine Fisheries Service (NMFS) promulgated a regulation designed to reduce the likelihood of deaths and serious injuries to endangered North Atlantic right whales that result from collisions with ships. The rule implemented speed restrictions of no more than 10 knots applying to all vessels 65 feet long or greater in certain locations and times of the year along the east coast of the United States. To

resolve controversy over the rule, NMFS agreed to incorporate a sunset clause under which the rule would expire on December 9, 2013. NMFS has been monitoring compliance and effectiveness of the rule and has detected a considerable increase in the rate of compliance with the rule in the third year. There are only approximately 400 remaining North Atlantic right whales, and the rate of encounter is relatively low, so detecting a trend in the rate of ship-strike mortalities will require several additional years of data. NMFS believes the science that supports the rule is sound and that slowing vessels will save whales and contribute to species recovery. Therefore, NMFS published this action to remove the sunset provision and allow the rule to remain in place. Based on an evaluation of recent information, NMFS estimated economic impacts to be considerably less than was originally thought.

Timetable:

Action	Date	FR Cite
NPRM	06/06/13	78 FR 34024
NPRM Comment Period End	08/05/13	
Final Action	12/09/13	78 FR 73726

Regulatory Flexibility Analysis Required: Yes

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RIN: 0648-BB20

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