

FOR FURTHER INFORMATION CONTACT: Ms. Gian Marshall, Drug and Alcohol Programs Division, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, *clearinghouse@dot.gov*, (202) 366-0928.

SUPPLEMENTARY INFORMATION: On October 7, 2021, FMCSA published a final rule (86 FR 55718) with an effective date of November 8, 2021, which amended 49 CFR 383.73(a) by adding a new paragraph (a)(3). FMCSA published another final rule on October 14, 2021 (86 FR 57060), General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations, which renumbered the paragraphs under § 383.73(a) such that the amendment from the October 7, 2021, final rule could not be made to the CFR upon its effective date. Through this document, FMCSA corrects the October 7, 2021, final rule to add the new paragraph to § 383.73(a) as paragraph (a)(8) instead of paragraph (a)(3).

In FR Doc. 2021-21928 appearing on page 55718 in the **Federal Register** of October 7, 2021, the following corrections are made:

§ 383.73 [Corrected]

■ 1. On page 55742, in the second column, in amendment 7a for § 383.73, the instruction “Adding paragraph (a)(3);” is corrected to read “Adding paragraph (a)(8);”.

§ 383.73 [Corrected]

■ 2. On page 55742, in the second column, in the regulatory text for § 383.73, in paragraph (a), “(3)” is corrected to read “(8)”.

Issued under authority delegated in 49 CFR 1.87 and redelegated in FMCSA Order 1101.1b.

Larry W. Minor,
Associate Administrator for Policy.
[FR Doc. 2021-23596 Filed 10-28-21; 8:45 am]
BILLING CODE 4910-EX-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 210325-0071; RTID 0648-XB447]

Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustment to the 2021 Specifications

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

ACTION: Temporary rule; inseason adjustment.

SUMMARY: NMFS increases the 2021 Atlantic herring annual catch limit and Area 1A sub-annual catch limit by 1,000 metric tons (mt). This action is required by the herring regulations when, based on data through October 1, the New Brunswick weir fishery lands less than 3,012 mt of herring. This notice informs the public of these catch limit changes.

DATES: Effective October 29, 2021, through December 31, 2021.

FOR FURTHER INFORMATION CONTACT: Maria Fenton, Fishery Management Specialist, (978) 281-9196; or *Maria.Fenton@noaa.gov*.

SUPPLEMENTARY INFORMATION: NMFS published final 2021 specifications for

the Atlantic Herring Fishery Management Plan on April 1, 2021 (86 FR 17081), establishing the 2021 annual catch limit (ACL) and area sub-ACLs. Table 1 shows the original herring specifications for 2021 and the specifications as revised by this action for the remainder of the calendar year.

The NMFS Regional Administrator tracks herring landings in the New Brunswick weir fishery each year. The regulations at 50 CFR 648.201(h) require that if the New Brunswick weir fishery landings through October 1 are determined to be less than 3,012 mt, then NMFS subtracts 1,000 mt from the management uncertainty buffer and reallocates that amount to the ACL and Area 1A sub-ACL. When such a determination is made, NMFS is required to notify the New England Fishery Management Council and publish the ACL and Area 1A sub-ACL adjustment in the **Federal Register**.

Information from Canada’s Department of Fisheries and Oceans indicates that the New Brunswick weir fishery landed 1,209 mt of herring through October 1, 2021. Therefore, the Regional Administrator determined that, effective October 29, 2021], 1,000 mt will be reallocated from the management uncertainty buffer to the Area 1A sub-ACL and the ACL. This 1,000 mt reallocation increases the Area 1A sub-ACL from 1,609 mt to 2,609 mt and the ACL from 4,128 mt to 5,128 mt. The revised specifications will be used to project when catch will reach 92 percent of the Area 1A sub-ACL or 95 percent of the ACL for the purpose of implementing a 2,000-pound (lb) (907-kilogram (kg)) herring possession limit in Area 1A or in all management areas, respectively.

TABLE 1—ATLANTIC HERRING SPECIFICATIONS FOR 2021

	Original specifications (mt)	Revised specifications (mt)
Overfishing Limit	23,423	23,423.
Acceptable Biological Catch	9,483	9,483.
Management Uncertainty	4,669	3,669.
Optimum Yield/ACL	4,128	5,128.
Domestic Annual Harvest	4,814	4,814.
Border Transfer	0	0.
Domestic Annual Processing	4,814	4,814.
U.S. At-Sea Processing	0	0.
Area 1A Sub-ACL (28.9%)	1,609	2,609.
Area 1B Sub-ACL (4.3%)	239	239.
Area 2 Sub-ACL (27.8%)	652	652.
Area 3 Sub-ACL (39%)	2,181	2,181.
Fixed Gear Set-Aside	30	30.
Research Set-Aside (RSA) *	0 percent of each sub-ACL ...	0 percent of each sub-ACL.

* Because RSA participants are not pursuing RSA in 2021, we did not deduct it from the sub-ACLs. RSA will be revisited for 2023–2025 specifications.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 648, which was issued pursuant to section 403(b), and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA, finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment on this in-season adjustment because it would be unnecessary and contrary to the public interest. This action allocates a portion of the management uncertainty buffer to the ACL and Area 1A sub-ACL for the remainder of the calendar year pursuant to a previously published regulation that provides no discretionary decision-making. This reallocation process was the subject of prior notice and comment rulemaking. The adjustment is routine and formulaic, required by regulation, and is expected by industry. The potential to re-allocate the management uncertainty buffer was also outlined in the final 2021 herring specifications that were published April 1, 2021, which were developed through public notice and comment. Further, this reallocation provides additional economic opportunity for the herring fleet. If implementation of this action is delayed to solicit public comment, the objective of the fishery management plan to achieve optimum yield in the fishery could be compromised. Deteriorating weather conditions during the latter part of the fishing year may reduce fishing effort, and could also prevent the ACL from being fully harvested. This would result in a negative economic impact on vessels permitted to fish in this fishery. Based on these considerations, NMFS further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reasons stated above.

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

Dated: October 26, 2021.

Jennifer M. Wallace,

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

[FR Doc. 2021-23598 Filed 10-28-21; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 660**

[Docket No. 211026-0217]

RIN 0648-BK94

Fisheries Off West Coast States; Emergency Action to Temporarily Extend the Sablefish Primary Fishery Season

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

ACTION: Temporary rule; emergency action; request for comments.

SUMMARY: This emergency rule temporarily extends the 2021 sablefish primary fishery for vessels using bottom longline gear from October 31, 2021, to December 31, 2021. This action is necessary to provide operational flexibility so that vessels in the sablefish primary fishery are able to fully harvest their tier limits despite high economic uncertainty in 2021. This action would also extend the incidental halibut retention allowance provision for the primary fishery north of Point Chehalis, Washington from October 31, 2021, to December 7, 2021.

DATES: Effective October 29, 2021, until December 31, 2021. Comments must be received by November 29, 2021.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2021-0095 by any of the following methods:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal.

Go to <https://www.regulations.gov> and enter NOAA-NMFS-2021-0095 in the Search box, click the "Comment" icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

Electronic Access

This emergency rule and supporting documents, including a Supplemental Information Report prepared for this action, are accessible via the internet at the Office of the Federal Register website at <https://www.federalregister.gov>. Background information and documents are also available at the NMFS West Coast Region website at <https://www.fisheries.noaa.gov/species/west-coast-groundfish> and at the Pacific Fishery Management Council's website at https://www.pccouncil.org/managed_fishery/groundfish/.

FOR FURTHER INFORMATION CONTACT: Abbie Moyer, phone: 206-305-9601, or email: Abbie.moyer@noaa.gov.

SUPPLEMENTARY INFORMATION: The primary sablefish fishery tier program is a limited access privilege program set up under Amendment 14 to the Pacific Coast Groundfish Fishery Management Plan (PCGFMP); which was approved by the Pacific Fishery Management Council (Council) in 2000 and was implemented by NMFS in 2001 (66 FR 41152, August 7, 2001). Participants hold limited entry permits with a pot gear and/or longline gear endorsement and a sablefish endorsement.

Under Amendment 14, as set out in 50 CFR 660.231, the permit holder of a sablefish-endorsed permit receives a tier limit, which is an annual share of the sablefish catch allocation to this sector. NMFS sets three different tier limits through the biennial harvest specifications and management measures process (for the 2021 limits, see 85 FR 79880, December, 11 2020); and up to three permits may be stacked at one time on a vessel participating in the fishery. Stacked tier limits are combined to provide a cumulative catch limit for that vessel. After vessels have caught their full tier limits, they are allowed to move into other fisheries for sablefish, specifically the daily trip limit (DTL) fishery or the open access fishery, or fisheries for other species.

Under Amendment 14, the sablefish primary season has historically been open from April 1 through October 31 of each year, though individual permit holders may only fish up to their tier limits so may be required to cease fishing prior to October 31. These season dates were put into regulation during the development and implementation of the fishery under Amendment 14. Prior to the implementation of Amendment 14, the sablefish fishery had operated as a 'derby' style fishery, with a season length lasting a few weeks to a few days. Under Amendment 14, the fishery began