

Dated: August 31, 2023.

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

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

**PART 622—FISHERIES OF THE
CARIBBEAN, GULF OF MEXICO, AND
SOUTH ATLANTIC**

■ 1. The authority citation for part 622
continues to read as follows:

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

■ 2. In § 622.378, revise paragraph (a) to
read as follows:

**§ 622.378 Seasonal closures of the Gulf
migratory group king mackerel gillnet
fishery.**

(a) *Seasonal closure of the gillnet
component for Gulf migratory group
king mackerel.* The gillnet component
for Gulf migratory group king mackerel
in or from the southern zone is closed
each fishing year from July 1 until 6
a.m. eastern standard time on the day
after the Martin Luther King Jr. Federal
holiday. During the closure, a person
aboard a vessel using or possessing a
gillnet with a stretched-mesh size of
4.75 inches (12.1 cm) or larger in the
southern zone may not fish for or
possess Gulf migratory group king
mackerel. (See § 622.369(a)(1)(iii) for a
description of the southern zone.)

* * * * *

[FR Doc. 2023–19253 Filed 9–6–23; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
Administration**

50 CFR Part 648

[Docket No. 2021–27773; RTID 0648–XD333]

**Fisheries of the Northeastern United
States; Scup Fishery; Adjustment to
the 2023 Winter II Quota**

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

ACTION: Temporary rule; in-season
adjustment.

SUMMARY: NMFS adjusts the 2023
Winter II commercial scup quota and
per-trip Federal landing limit. This
action is necessary to comply with
regulations implementing Framework
Adjustment 3 to the Summer Flounder,

Scup, and Black Sea Bass Fishery
Management Plan that established the
rollover of unused commercial scup
quota from the Winter I to Winter II
period. This notification is intended to
inform the public of this quota and trip
limit change.

DATES: Effective October 1, 2023,
through December 31, 2023.

FOR FURTHER INFORMATION CONTACT:
Laura Deighan, Fishery Management
Specialist, (978) 281–9184; or
Laura.Deighan@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS
published a final rule for Framework
Adjustment 3 to the Summer Flounder,
Scup, and Black Sea Bass Fishery
Management Plan in the **Federal
Register** on November 3, 2003 (68 FR
62250), implementing a process to
increase the Winter II (October 1
through December 31) commercial scup
quota by the amount of the Winter I
(January 1 through April 30) under-
harvest and to adjust the Winter II
possession limits consistent with the
amount of the quota increase, based on
the possession limits established
through the annual specifications-
setting process.

For 2023, the initial Winter II quota is
2,233,194 lb (1,012,960 kg). The best
available landings information through
June 28, 2023, indicates that 804,630 lb
(364,974 kg) remain of the 6,319,911 lb
(2,866,663 kg) Winter I quota.
Consistent with Framework 3, the full
amount of unused 2023 Winter I quota
is being transferred to Winter II,
resulting in a revised 2023 Winter II
quota of 3,037,824 lb (1,377,934 kg).
Because the amount transferred is
between 0.5 and 1 million lb (226,796
and 453,592 kg), the Federal per-trip
possession limit will increase from
12,000 lb (5,443 kg) to 13,500 lb (6,123
kg), as outlined in the final rule that
established the possession limit and
quota rollover procedures for this year,
published on January 3, 2023 (88 FR
11). The new possession limit will be
effective October 1 through December
31, 2023. The possession limit will
revert back to 12,000 lb (5,443 kg) at the
start of the next fishing year, which
begins January 1, 2024.

Classification

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

Pursuant to 5 U.S.C. 553(b)(B), there
is good cause to waive prior notice and
an opportunity for public comment on
this action, as notice and comment

would be contrary to the public interest.
This action transfers unused quota from
the Winter I Period to the Winter II
Period to make it accessible to the
commercial scup fishery and increase
fishing opportunities. If the
implementation of this in-season action
is delayed to solicit prior public
comment, the objective of the fishery
management plan to achieve the
optimum yield from 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 annual quota
from being fully harvested. If this action
is delayed, it would reduce the amount
of time vessels have to realize the
benefits of this quota increase, which
would result in negative economic
impacts on vessels permitted to fish in
this fishery. Moreover, the rollover
process being applied here is routine
and formulaic and was the subject of
notice and comment rulemaking, and
the range of potential trip limit changes
were outlined in the final 2023 scup
specifications that were published on
January 3, 2023, which were developed
through public notice and comment.
The benefit of soliciting additional
public comment on this formulaic
adjustment would not outweigh the
benefits of making this additional quota
available to the fishery as quickly as
possible. Based on these considerations,
there is good cause under 5 U.S.C.
553(d)(3) to waive the 30-day delayed
effectiveness period for the reasons
stated above.

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

Dated: September 1, 2023.

Jennifer M. Wallace,

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

[FR Doc. 2023–19309 Filed 9–6–23; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
Administration**

50 CFR Part 679

[RTID 0648–XC845]

**Fisheries of the Exclusive Economic
Zone Off Alaska; Snow Crab
Rebuilding Plan in the Bering Sea and
Aleutian Islands**

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

ACTION: Notice of agency decision.