either owned and/or managed by
impacts on small businesses that are
also represent disproportionate adverse
if the disproportionate adverse impacts
impacts on fishermen who use pots and
gear costs to mitigate for potential
incur the greatest increases in fuel, bait,
costs of producing the landings
from those landings will be the same as
scenario, annual landings and revenues
and/or gear costs so that they catch
increasing fishing time and any bait
loss and additional trip costs will not be
caught. The magnitudes of the revenue
loss and additional trip costs will not be
distributed equally among parrotfish
harvest methods. Because pot-and-trap
fishermen have landed the greatest
percentage of smaller parrotfish
disproportionate adverse economic impacts. Also among the
considered, but rejected, alternatives
were establishing minimum size limits for parrotfish in the areas of the EEZ off
Puerto Rico and St. Thomas/St. John,
USVI, which would have increased the
number of small businesses regulated and
the magnitude of the adverse
economic impacts.
Section 212 of the Small Business
Regulatory Enforcement Fairness Act of
1996 states that, for each rule or group
of related rules for which an agency is
required to prepare a FRFA, the agency
shall publish one or more guides to
assist small entities in complying with
the rule, and shall designate such
publications as small entity compliance
guides. As part of the rulemaking
process, NMFS prepared a fishery
bulletin, which also serves as a small
centity compliance guide. The fishery
bulletin will be sent to all interested
parties.

List of Subjects in 50 CFR Part 622
Fisheries, Fishing, Minimum size
limit, Parrotfish, St. Croix, Virgin
Islands.

Dated: July 25, 2013.

Alan D. Risenhoover,
Director, Office of Sustainable Fisheries,
performing the functions and duties of the
Deputy Assistant Administrator for
Regulatory Programs, National Marine
Fisheries Service.

For the reasons set out in the
preamble, 50 CFR part 622 is amended
as follows:

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

§ 622.436 Size limits.
(a) Yellowtail snapper. The minimum
size limit for yellowtail snapper is 12
inches (30.5 cm), TL.
(b) Parrotfishes. The minimum size
limit for parrotfishes, except for redband
parrotfish, in the St. Croix Management
Area only (as defined in Table 2 of
Appendix E to Part 622) is 9 inches
(22.9 cm), fork length. See §622.434(c)
for the current prohibition on the
harvest and possession of midnight
parrotfish, blue parrotfish, or rainbow
parrotfish.

(c) Redband parrotfish. The minimum
size limit for red band parrotfish in the
St. Croix Management Area only (as
defined in Table 2 of Appendix E to Part
622) is 8 inches (20.3 cm), fork length.

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric
Administration
50 CFR Part 648

[Docket No. 120109034–2171–01]
RIN 0648–XC782

Fisheries of the Northeastern United
States; Northeast Multispecies
Fishery; Trimester Closure for the
Common Pool Fishery

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

ACTION: Temporary rule; closure.

SUMMARY: This action closes the Georges
Bank (GB) cod Trimester Total
Allowable Catch (TAC) Area for the
remainder of Trimester 1, through
August 31, 2013. Based on our
projection, the common pool fishery has
captured 90 percent of its GB cod
Trimester 1 TAC triggering the
regulatory requirement to close the TAC
area for the remainder of the trimester.
This action is intended to prevent an
overage of the common pool’s GB cod quota.

DATES: This action is effective July 30,
2013, through August 31, 2013.

FOR FURTHER INFORMATION CONTACT:
Sarah Heil, Fishery Policy Analyst,

SUPPLEMENTARY INFORMATION: The
regulations at § 648.82(n)(2)(ii) require the
Regional Administrator to close the
Trimester TAC Area for a stock when 90
percent of the Trimester TAC is
projected to be caught. The fishing year
(FY) 2013 common pool quota for GB
cod is 32 mt (70,547.9 lb), which is
divided into Trimester TACs. The
Trimester 1 TAC is 8.0 mt (17,600 lb).
Based on the most recent data, which
include vessel trip reports (VTRs),
dealer reported landings, and vessel
monitoring system (VMS) information,
we projected that 90 percent of the

45896 Federal Register / Vol. 78, No. 146 / Tuesday, July 30, 2013 / Rules and Regulations
Trimester 1 TAC for GB cod was caught by July 27, 2013. Therefore, effective July 30, 2013, the GB cod Trimester TAC Area is closed for the remainder of Trimester 1, through August 31, 2013, to all common pool vessels fishing with trawl gear, sink gillnet gear, and longline/hook gear. The GB cod Trimester TAC Area includes statistical areas 521, 522, 525, and 561. The GB cod Trimester TAC Area will reopen to common pool vessels fishing with trawl, sink gillnet, and longline/hook gear at the beginning of Trimester 2, on September 1, 2013.

We are required to deduct any overages of the GB cod Trimester 1 and 2 TACs from the Trimester 3 TAC. If the Trimester 1 or 2 TACs are not fully caught, the remaining portions will be carried over to Trimester 3. At the end of FY 2013, we will evaluate total common pool catch, and if the common pool fishery exceeds its annual quota for any stock, we are required to deduct the overage from the respective common pool quota for FY 2014. Uncaught portions of the common pool’s annual quota may not be carried over to the next fishing year. Weekly quota monitoring reports for the common pool fishery can be found on our Web site at: http://www.nero.noaa.gov/ro/fsomultimonre.htm. We will continue to monitor common pool catch through VTRs, dealer-reported landings, VMS catch reports, and other available information, and if necessary, we will make additional adjustments to common pool management measures.

Classification

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

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d)(3) to waive prior notice and the opportunity for public comment and the 30-day delayed effectiveness period because it would be impracticable and contrary to the public interest.

The regulations require the Regional Administrator to close a trimester TAC area to the common pool fishery when 90 percent of the Trimester TAC for a stock has been caught. Updated catch information only recently became available indicating that the common pool fishery would catch 90 percent of its Trimester 1 TAC for GB cod by July 27, 2013. The time necessary to provide for prior notice and comment, and a 30-day delay in effectiveness, would prevent the immediate closure of the GB cod Trimester 1 TAC area, and would increase the likelihood that the common pool fishery exceeds its quota of GB cod to the detriment of this stock.

Any overage of the Trimester 1 TAC is required to be deducted from the Trimester 3 TAC, which could cause the premature closure of Trimester 3, and have negative economic impacts on the common pool fishery. Any overage of the Trimester 1 TAC would also increase the likelihood that the common pool fishery exceeds its total annual quota for GB cod, which would trigger accountability measures in the 2014 fishing year. Overages would not only have negative economic impacts on the common pool fishery, but would also undermine the conservation objectives of the Northeast Multispecies Fishery Management Plan. As a result, immediate implementation of this action is necessary to help ensure that the common pool fishery does not exceed its GB cod quota.

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

Dated: July 26, 2013.

James P. Burgess,
Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2013–18408 Filed 7–29–13; 8:45 am]
BILLING CODE 3510–22–P