

relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

*National Technology Transfer and Advancement Act (Technical Standards)*

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through OMB, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) are standards that are developed or adopted by voluntary consensus standards bodies. This final rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

*Environment (NEPA, CAA, Environmental Justice)*

FMCSA analyzed this final rule for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and determined that this action is categorically excluded from further analysis and documentation in an environmental assessment or environmental impact statement under FMCSA Order 5610.1 (69 FR 9680, March 1, 2004), Appendix 2, paragraph (6b), concerning editorial and procedural regulations. The CE is available for inspection or copying in the *Regulations.gov* Web site listed under **ADDRESSES**.

FMCSA also analyzed this action under the Clean Air Act, as amended (CAA), section 176(c) (42 U.S.C. 7401 *et seq.*), and implementing regulations promulgated by the Environmental Protection Agency. Approval of this action is exempt from the CAA's general conformity requirement since it does not affect direct or indirect emissions of criteria pollutants.

Under E.O. 12898, each Federal agency must identify and address, as appropriate, "disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations" in the United States, its possessions, and territories. FMCSA evaluated the environmental justice effects of this rule in accordance with the E.O., and has determined that no

environmental justice issue is associated with this rule, nor is there any collective environmental impact that would result from its promulgation.

**List of Subjects in 49 CFR Part 384**

Administrative practice and procedure, Alcohol abuse, Drug abuse, Highway safety, Motor carriers.

In consideration of the foregoing, FMCSA amends 49 CFR part 384 as follows:

**PART 384—STATE COMPLIANCE WITH COMMERCIAL DRIVER'S LICENSE PROGRAM**

■ 1. The authority citation for part 384 continues to read as follows:

**Authority:** 49 U.S.C. 31136, 31301, *et seq.*, and 31502; secs. 103 and 215 of Pub.L. 106–59, 113 Stat. 1753, 1767; and 49 CFR 1.87.

■ 2. In § 384.209, add paragraph (c) to read as follows:

**§ 384.209 Notification of traffic violations.**

\* \* \* \* \*

(c) Notification of traffic violations must be made within 10 days of the conviction.

Issued under the authority of delegation in 49 CFR 1.87: June 22, 2015.

**T.F. Scott Darling, III,**  
*Chief Counsel.*

[FR Doc. 2015–15906 Filed 6–26–15; 8:45 am]

**BILLING CODE 4910–EX–P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

**[Docket No. 130403322–4454–02]**

**RIN 0648–XE017**

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Re-Opening of Commercial Sector for Atlantic Dolphin**

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

**ACTION:** Temporary rule; re-opening.

**SUMMARY:** NMFS announces the re-opening of the commercial sector for Atlantic dolphin (dolphin) in the exclusive economic zone (EEZ) off the Atlantic states (Maine through the east coast of Florida) through this temporary rule. The most recent landings for dolphin indicate the commercial annual catch limit (ACL) has not yet been

reached. Therefore, NMFS re-opens the commercial sector for dolphin at 4:15 p.m., local time, June 24, 2015, and it will close at 12:01 a.m., local time, June 30, 2015 in the exclusive economic zone (EEZ) of the Atlantic. A June 30, 2015, closure will minimize the risk of the commercial ACL being exceeded and provides more sufficient notice to fishermen of the closure.

**DATES:** This rule is effective at 4:15 p.m., local time, June 24, 2015, until 12:01 a.m., local time, June 30, 2015.

**FOR FURTHER INFORMATION CONTACT:** Catherine Hayslip, NMFS Southeast Regional Office, telephone: 727–824–5305, email: [catherine.hayslip@noaa.gov](mailto:catherine.hayslip@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The dolphin and wahoo fishery off the Atlantic states is managed under the Fishery Management Plan for the Dolphin and Wahoo Fishery of the Atlantic (FMP). The FMP was prepared by the South Atlantic Fishery Management Council, in cooperation with the Mid-Atlantic and New England Fishery Management Councils, and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

The commercial ACL for dolphin is 1,157,001 lb (524,807 kg), round weight. Under 50 CFR 622.280(a)(1)(i), NMFS is required to close the commercial sector for dolphin when the commercial ACL has been reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS previously determined that the commercial ACL would be reached and that the commercial sector for dolphin should close on June 24, 2015. Therefore, NMFS published a temporary rule to implement accountability measures (AMs) to close the commercial sector for dolphin in the EEZ off the Atlantic states (Maine through the east coast of Florida), effective at 12:01 a.m., local time, June 24, 2015 (80 FR 36249, June 24, 2015).

However, the most recent landings for dolphin indicate the commercial ACL has not been reached. Consequently and in accordance with 50 CFR 622.8(c), NMFS temporarily re-opens the commercial sector for dolphin on June 24, 2015, and closes the commercial sector on June 30, 2015. A closure on June 30, 2015, minimizes the risk of the commercial ACL for dolphin from being exceeded and provides sufficient notice to fishermen of the closure.

The operator of a vessel with a valid commercial vessel permit for dolphin on board must have landed and

bartered, traded, or sold such species prior to the closure at 12:01 a.m., local time, June 30, 2015. During the closure, the bag and possession limits specified in 50 CFR 622.277(a)(1) apply to all harvest or possession of dolphin in or from the Atlantic EEZ. Additionally, these bag and possession limits apply in the Atlantic EEZ (Maine through the east coast of Florida) on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for dolphin and wahoo has been issued, without regard to where such species were harvested, *i.e.*, in state or Federal waters. During the closure, the sale or purchase of dolphin taken from the EEZ is prohibited. The commercial sector for dolphin will re-open on January 1, 2016, the beginning of the 2016 commercial fishing season.

#### Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of dolphin off the Atlantic states and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.8(c) and 622.280(a)(1)(i) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available. The Assistant Administrator for Fisheries, NOAA (AA), finds that the need to immediately implement this action to temporarily re-open the commercial sector for dolphin constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B), as such procedures are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule implementing the commercial ACL and AMs has been subject to notice and comment, and all that remains is to notify the public of the re-opening. Such procedures are contrary to the public interest because of the need to immediately implement this action to allow vessels with dolphin to transit safely and land dolphin harvested in the EEZ by June 30, 2015, while minimizing the risk of exceeding the commercial ACL. Prior notice and opportunity for public comment would require time, would delay the re-opening of the commercial sector, and would

potentially result in the discard of dolphin already harvested legally prior to June 24, 2015.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: June 24, 2015.

**Jennifer M. Wallace,**

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

[FR Doc. 2015-15863 Filed 6-24-15; 4:15 pm]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 150428405-5539-02]

RIN 0648-XD927

#### Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement annual management measures and harvest specifications to establish the allowable catch levels (*i.e.* annual catch limit (ACL)/harvest guideline (HG)) for the northern subpopulation of Pacific sardine (hereafter, simply Pacific sardine), in the U.S. exclusive economic zone (EEZ) off the Pacific coast for the fishing season of July 1, 2015, through June 30, 2016. These specifications were determined according to the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). This action includes a prohibition on directed non-tribal Pacific sardine commercial fishing for Pacific sardine off the coasts of Washington, Oregon and California, which is required because the estimated 2015 biomass of Pacific sardine has dropped below the cutoff threshold in the HG control rule. Under this action Pacific sardine may still be harvested as part of either the live bait or tribal fishery or incidental to other fisheries; the incidental harvest of Pacific sardine will initially be limited to 40-percent by weight of all fish per trip when caught with other CPS or up to 2 metric tons (mt) when caught with non-CPS. The ACL for 2015–2016 Pacific sardine fishing year is 7,000 mt. This rule is

intended to conserve and manage the Pacific sardine stock off the U.S. West Coast.

**DATES:** Effective July 1, 2015 through June 30, 2016.

#### FOR FURTHER INFORMATION CONTACT:

Joshua Lindsay, West Coast Region, NMFS, (562) 980-4034.

**SUPPLEMENTARY INFORMATION:** NMFS manages the Pacific sardine fishery in the U.S. EEZ off the Pacific coast (California, Oregon, and Washington) in accordance with the CPS FMP. Annual specifications published in the **Federal Register** establish the allowable harvest levels (*i.e.* over fishing limit (OFL)/ACL/HG) for each Pacific sardine fishing year. The purpose of this final rule is to implement these annual catch reference points for the 2015–2016 fishing year. This final rule adopts, without changes, the reference points that NMFS proposed in the rule published on May 21, 2015 (80 FR 29296), including an OFL and an ABC that takes into consideration uncertainty surrounding the current estimate of biomass for Pacific sardine in the U.S. EEZ off the Pacific coast.

The FMP and its implementing regulations require NMFS to set these annual catch levels for the Pacific sardine fishery based on the annual specification framework and control rules in the FMP. These control rules include the HG control rule, which in conjunction with the OFL and ABC rules in the FMP, are used to manage harvest levels for Pacific sardine, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.* According to the FMP, the quota for the principle commercial fishery is determined using the FMP-specified HG formula. The HG formula in the CPS FMP is  $HG = [(Biomass - CUTOFF) * FRACTION * DISTRIBUTION]$  with the parameters described as follows:

1. **Biomass.** The estimated stock biomass of Pacific sardine age one and above. For the 2015–2016 management season this is 96,688 mt.

2. **CUTOFF.** This is the biomass level below which no HG is set. The FMP established this level at 150,000 mt.

3. **DISTRIBUTION.** The average portion of the Pacific sardine biomass estimated in the EEZ off the Pacific coast. The FMP established this at 87 percent.

4. **FRACTION.** The temperature-varying harvest fraction is the percentage of the biomass above 150,000 mt that may be harvested.

As described above, the Pacific sardine HG control rule, the primary mechanism for setting the annual