The following safety zone will be enforced from 5:00 p.m. on July 11, 2015 through 1:00 a.m. on July 12, 2015:

<table>
<thead>
<tr>
<th>Event name</th>
<th>Location</th>
<th>Latitude</th>
<th>Longitude</th>
<th>Radius (yards)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mercer Island Celebration</td>
<td>Mercer Island</td>
<td>47°35.517’ N</td>
<td>122°13.233’ W</td>
<td>250</td>
</tr>
</tbody>
</table>

The special requirements listed in 33 CFR 165.1332, which published in the Federal Register on June 15, 2010 (75 FR 33700), apply to the activation and enforcement of these safety zones. All vessel operators who desire to enter the safety zone must obtain permission from the Captain of the Port or their Designated Representative by contacting the Coast Guard Sector Puget Sound Joint Harbor Operations Center (JHOC) on VHF Ch 13 or Ch 16 or via telephone at (206) 217–6002.

The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This document is issued under authority of 33 CFR 165.1332 and 33 CFR part 165 and 5 U.S.C. 552(a). In addition to this document, the Coast Guard will provide the maritime community with extensive advanced notification of the safety zones via the Local Notice to Mariners and marine information broadcasts on the day of the events.

Dated: May 1, 2015.

M.W. Raymond,
Captain, U.S. Coast Guard, Captain of the Port, Puget Sound.

[FR Doc. 2015–19397 Filed 5–15–15; 8:45 am]
BILLING CODE 9110–04–P

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

[Docket No. FWS–R7–SM–2013–0065; FXFR13350700640–156–FF07J00000; FBMS#4500076030]

RIN 1018–AZ67

Subsistence Management Regulations for Public Lands in Alaska—2015–16 and 2016–17 Subsistence Taking of Fish Regulations

AGENCY: Forest Service, Agriculture; Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This final rule establishes regulations for seasons, harvest limits, methods, and means related to taking of fish for subsistence uses in Alaska during the 2015–2016 and 2016–2017 regulatory years. The Federal Subsistence Board (Board) completes the biennial process of revising subsistence hunting and trapping regulations in even-numbered years and subsistence fishing and shellfish regulations in odd-numbered years; public proposal and review processes take place during the preceding year. The Board also addresses customary and traditional use determinations during the applicable biennial cycle.

DATES: This rule is effective May 18, 2015.

ADDRESSES: The Board meeting transcripts are available for review at the Office of Subsistence Management, 1011 East Tudor Road, Mail Stop 121, Anchorage, AK 99503, or on the Office of Subsistence Management Web site (http://www.doi.gov/subsistence/index.cfm).

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o USDA, Forest Service; and Chair, Federal Subsistence Board, c/o USDA, Forest Service, Alaska Region, 1011 East Tudor Road, Mail Stop 121, Anchorage, AK 99503, or on the Office of Subsistence Management Web site (http://www.doi.gov/subsistence/index.cfm).

SUPPLEMENTARY INFORMATION:

Background

Under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111–3126), the Secretary of the Interior and the Secretary of Agriculture (Secretaries) jointly implement the Federal Subsistence Management Program. This program provides a preference for take of fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. The Secretaries published temporary regulations to carry out this program in the Federal Register on June 29, 1990 (55 FR 27114), and published final regulations in the Federal Register on May 29, 1992 (57 FR 22940). The Program has subsequently amended these regulations a number of times. Because this program is a joint effort between Interior and Agriculture, these regulations are located in two titles of the Code of Federal Regulations (CFR): Title 36, “Parks, Forests, and Public Property,” and Title 50, “Wildlife and Fisheries,” at 36 CFR 242.1–242.28 and 50 CFR 100.1–100.28, respectively. The regulations contain subparts as follows: Subpart A, General Provisions; Subpart B, Program Structure; Subpart C, Board Determinations; and Subpart D, Subsistence Taking of Fish and Wildlife.

Consistent with subpart B of these regulations, the Secretaries established a Federal Subsistence Board to administer the Federal Subsistence Management Program. The Board comprises:

• A Chair appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture;
• The Alaska Regional Director, U.S. Fish and Wildlife Service;
• The Alaska Regional Director, U.S. National Park Service;
• The Alaska State Director, U.S. Bureau of Land Management;
• The Alaska Regional Director, U.S. Bureau of Indian Affairs;
• The Alaska Regional Forester, U.S. Forest Service; and
• Two public members appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture.

Through the Board, these agencies participate in the development of regulations for subparts C and D, which, among other things, set forth program eligibility and specific harvest seasons and limits.

In administering the program, the Secretaries divided Alaska into subsistence resource regions, each of which is represented by a Regional Advisory Council. The Regional Advisory Councils provide a forum for rural residents with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal public lands in Alaska. The Council members represent varied geographical, cultural, and user interests within each region.
The Board addresses customary and traditional use determinations during the applicable biennial cycle. Section 2.24 (customary and traditional use determinations) was originally published in the Federal Register on May 29, 1992 (57 FR 22940). The regulations at 36 CFR 242.4 and 50 CFR 100.4 define “customary and traditional use” as “a long-established, consistent pattern of use, incorporating beliefs and customs which have been transmitted from generation to generation. . . .” Since 1992, the Board has made a number of customary and traditional use determinations at the request of affected subsistence users. Those modifications, along with some administrative corrections, were published in the Federal Register as follows:

### MODIFICATIONS TO § 2.24

<table>
<thead>
<tr>
<th>Federal Register citation</th>
<th>Date of publication</th>
<th>Rule made changes to the following provisions of § 2.24</th>
</tr>
</thead>
<tbody>
<tr>
<td>59 FR 27462 ...</td>
<td>May 27, 1994</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>59 FR 51855 ...</td>
<td>October 13, 1994</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>60 FR 10317 ...</td>
<td>February 24, 1995</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>61 FR 39698 ...</td>
<td>July 30, 1996</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>62 FR 29016 ...</td>
<td>May 29, 1997</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>63 FR 35332 ...</td>
<td>June 29, 1998</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>63 FR 46148 ...</td>
<td>August 28, 1998</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>64 FR 1276 ...</td>
<td>January 8, 1999</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>64 FR 35776 ...</td>
<td>July 1, 1999</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>65 FR 40730 ...</td>
<td>June 30, 2000</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>66 FR 10142 ...</td>
<td>February 13, 2001</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>66 FR 33744 ...</td>
<td>June 25, 2001</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>67 FR 5890 ...</td>
<td>February 7, 2002</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>67 FR 43710 ...</td>
<td>June 28, 2002</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>68 FR 7276 ...</td>
<td>February 12, 2003</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>69 FR 5018 ...</td>
<td>February 3, 2004</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>69 FR 40174 ...</td>
<td>July 1, 2004</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>70 FR 13377 ...</td>
<td>March 21, 2005</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>70 FR 36268 ...</td>
<td>June 22, 2005</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>71 FR 15569 ...</td>
<td>March 29, 2006</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>71 FR 37642 ...</td>
<td>June 30, 2006</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>72 FR 12676 ...</td>
<td>March 16, 2007</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>72 FR 73426 ...</td>
<td>December 27, 2007</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>73 FR 35726 ...</td>
<td>June 26, 2008</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>74 FR 14049 ...</td>
<td>March 30, 2009</td>
<td>Wildlife and Fish/Shellfish.</td>
</tr>
<tr>
<td>75 FR 37918 ...</td>
<td>June 30, 2010</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>76 FR 12564 ...</td>
<td>March 8, 2011</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>77 FR 35482 ...</td>
<td>June 13, 2012</td>
<td>Wildlife.</td>
</tr>
<tr>
<td>79 FR 35232 ...</td>
<td>June 19, 2014</td>
<td>Wildlife.</td>
</tr>
</tbody>
</table>

### Current Rule

The Departments published a proposed rule on January 10, 2014 (79 FR 1791), to amend the fish section of subparts C and D of 36 CFR part 242 and 50 CFR part 100. The proposed rule opened a comment period, which closed on March 28, 2014. The Departments advertised the proposed rule by mail, radio, and newspaper, and comments were submitted via www.regulations.gov to Docket No. FWS–R7–SM–2013–0065. During that period, the Regional Councils met and, in addition to other Regional Council business, received suggestions for proposals from the public. The Board received a total of 18 proposals for changes to subparts C and D; this included one proposal that the Board had deferred from the previous regulatory cycle. After the comment period closed, the Board prepared a booklet describing the proposals and distributed it to the public. The proposals were also available online. The public then had an additional 30 days in which to comment on the proposals for changes to the regulations.

The 10 Regional Advisory Councils met again, received public comments, and formulated their recommendations to the Board on proposals for their respective regions. The Regional Advisory Councils had a substantial role in reviewing the proposed rule and making recommendations for the final rule. Moreover, a Council Chair, or a designated representative, presented each Council’s recommendations at the Board’s public meeting of January 21–23, 2015. These final regulations reflect Board review and consideration of Regional Advisory Council recommendations and public comments. The public received extensive opportunity to review and comment on all changes.

Of the 18 proposals, 10 were on the Board’s regular agenda and 8 were on the consensus agenda. The consensus agenda is made up of proposals for which there is agreement among the affected Subsistence Regional Advisory Councils, a majority of the Interagency Staff Committee members, and the Alaska Department of Fish and Game concerning a proposed regulatory action. Any Board member may request that the Board remove a proposal from the consensus agenda and place it on the non-consensus (regular) agenda. The Board votes en masse on the consensus agenda after deliberation and action on all other proposals.

Of the proposals on the consensus agenda, the Board adopted one, adopted one with modification, took no action on one, and rejected five. The adopted consensus proposals are reflected in the rule portion of this document and consist of the addition of a definition to § 2.25 and the addition of the last two subparagraphs in § 2.27 (e)(13)(xx) and (xxi)). Analysis and justification for each action are available for review at the Office of Subsistence Management, 1011 East Tudor Road, Mail Stop 121, Anchorage, AK 99503, or on the Office of Subsistence Management Web site (http://www.doi.gov/subsistence/).
Councils unless noted below.

Summary of Non-Consensus Proposals Not Adopted by the Board

The Board rejected or took no action on five non-consensus proposals. The rejected proposals were recommended for rejection by one or more of the Regional Advisory Councils unless noted below.

Yukon—Northern Area

The Board rejected a proposal to restrict the use of driftnets in selected districts of the Yukon River. This action would have been unnecessarily restrictive to subsistence users and was not supported by substantial evidence. This action was supported by three Councils and contrary to the recommendation of one Council.

Southeastern Alaska Area

The Board rejected a proposal to require the immediate recording of harvested Steelhead on Prince of Wales Island, because the in-season manager could include the provision as a permit condition.

The Board took no action on two proposals for the Stikine River. One proposal requested to change the subsistence Sockeye salmon annual guideline harvest level, and the second requested a requirement to check the nets every 2 hours. These decisions were based on its earlier action on a similar proposal requiring nets to be checked twice daily and eliminating the harvest level.

Summary of Non-Consensus Proposals Adopted by the Board

The Board adopted or adopted with modification five non-consensus proposals. Modifications were suggested by the affected Regional Council(s), developed during the analysis process, or developed during the Board’s public deliberations. All of the adopted proposals were recommended for adoption by at least one of the Regional Councils unless noted below.

Kuskokwim Area

The Board adopted a proposal to allow the use of dipnets for the harvest of salmon on the Kuskokwim River. This action provides subsistence users an additional gear type that could be used when gillnet restrictions are in place for conservation concerns.

Cook Inlet Area

The Board adopted a proposal with modification to establish an experimental community gillnet fishery on the Kaslof River for the residents of Ninilchik. This action provides additional opportunity for subsistence users.

The Board adopted a proposal to establish a community gillnet fishery on the Kenai River for the residents of Ninilchik. This action provides additional opportunity for subsistence users.

Southeastern Alaska Area

The Board adopted a proposal to close Federal public waters to non-Federally qualified users in the Makhnati Island area to the harvest of herring and herring spawn. This closure was enacted for potential conservation concerns and to protect subsistence uses. This action varied from the Council recommendation, yet met its intent.

These final regulations reflect Board review and consideration of Regional Council recommendations and public and Tribal comments. Because this rule concerns public lands managed by an agency or agencies in both the Departments of Agriculture and the Interior, identical text will be incorporated into 36 CFR part 242 and 50 CFR part 100.
## Subsistence Management Regulations for Public Lands in Alaska, Subparts A, B, and C: Federal Register Documents Pertaining to the Final Rule

<table>
<thead>
<tr>
<th>Federal Register Citation</th>
<th>Date of publication</th>
<th>Category</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>57 FR 22940</td>
<td>May 29, 1992</td>
<td>Final Rule</td>
<td>“Subsistence Management Regulations for Public Lands in Alaska; Final Rule” was published in the Federal Register. Amended the regulations to include subsistence activities occurring on inland navigable waters in which the United States has a reserved water right and to identify specific Federal land units where reserved water rights exist. Extended the Federal Subsistence Board’s management to all Federal lands selected under the Alaska Native Claims Settlement Act and the Alaska Statehood Act and situated within the boundaries of a Conservation System Unit, National Recreation Area, National Conservation Area, or any new national forest or forest addition, until conveyed to the State of Alaska or to an Alaska Native Corporation. Specified and clarified the Secretary’s authority to determine when hunting, fishing, or trapping activities taking place in Alaska off the public lands interfere with the subsistence priority.</td>
</tr>
<tr>
<td>64 FR 1276</td>
<td>January 8, 1999</td>
<td>Final Rule</td>
<td></td>
</tr>
<tr>
<td>66 FR 31533</td>
<td>June 12, 2001</td>
<td>Interim Rule</td>
<td>Expanded the authority that the Board may delegate to agency field officials and clarified the procedures for enacting emergency or temporary restrictions, closures, or openings.</td>
</tr>
<tr>
<td>67 FR 30559</td>
<td>May 7, 2002</td>
<td>Final Rule</td>
<td>Amended the operating regulations in response to comments on the June 12, 2001, interim rule. Also corrected some inadvertent errors and oversights of previous rules.</td>
</tr>
<tr>
<td>68 FR 7703</td>
<td>February 18, 2003</td>
<td>Direct Final Rule</td>
<td>Clarified how old a person must be to receive certain subsistence use permits and removed the requirement that Regional Councils must have an odd number of members.</td>
</tr>
<tr>
<td>68 FR 23035</td>
<td>April 30, 2003</td>
<td>Affirmation of Direct Final Rule.</td>
<td>Because no adverse comments were received on the direct final rule (67 FR 30559), the direct final rule was adopted.</td>
</tr>
<tr>
<td>69 FR 60957</td>
<td>October 14, 2004</td>
<td>Final Rule</td>
<td>Clarified the membership qualifications for Regional Advisory Council’s membership and relocated the definition of “regulatory year” from subpart A to subpart D of the regulations.</td>
</tr>
<tr>
<td>70 FR 76400</td>
<td>December 27, 2005</td>
<td>Final Rule</td>
<td>Revised jurisdiction in marine waters and clarified jurisdiction relative to military lands.</td>
</tr>
<tr>
<td>71 FR 49997</td>
<td>August 24, 2006</td>
<td>Final Rule</td>
<td>Revised the jurisdiction of the subsistence program by adding submerged lands and waters in the area of Makhnati Island, near Sitka, AK. This allowed subsistence users to harvest marine resources in this area under seasons, harvest limits, and methods specified in the regulations.</td>
</tr>
<tr>
<td>72 FR 25688</td>
<td>May 7, 2007</td>
<td>Final Rule</td>
<td>Revised nonrural determinations.</td>
</tr>
<tr>
<td>75 FR 63088</td>
<td>October 14, 2010</td>
<td>Final Rule</td>
<td>Amended the regulations for accepting and addressing special action requests and the role of the Regional Advisory Councils in the process.</td>
</tr>
<tr>
<td>76 FR 56109</td>
<td>September 12, 2011</td>
<td>Final Rule</td>
<td>Revised the composition of the Federal Subsistence Board by expanding the Board by two public members who possess personal knowledge of and direct experience with subsistence uses in rural Alaska.</td>
</tr>
<tr>
<td>77 FR 12477</td>
<td>March 1, 2012</td>
<td>Final Rule</td>
<td>Extended the compliance date for the final rule (72 FR 25688) that revised nonrural determinations until the Secretarial program review is complete or in 5 years, whichever comes first.</td>
</tr>
</tbody>
</table>

A 1997 environmental assessment dealt with the expansion of Federal jurisdiction over fisheries and is available at the office listed under FOR FURTHER INFORMATION CONTACT. The Secretary of the Interior, with concurrence of the Secretary of Agriculture, determined that expansion of Federal jurisdiction does not constitute a major Federal action significantly affecting the human environment and, therefore, signed a Finding of No Significant Impact.

**Section 810 of ANILCA**

An ANILCA section 810 analysis was completed as part of the FEIS process on the Federal Subsistence Management Program. The intent of all Federal subsistence regulations is to accord subsistence uses of fish and wildlife on public lands a priority over the taking of fish and wildlife on such lands for other purposes, unless restriction is necessary to conserve healthy fish and wildlife populations. The final section 810 analysis determination appeared in the April 6, 1992, ROD and concluded that the Program, under Alternative IV with an annual process for setting subsistence regulations, may have some local impacts on subsistence uses, but will not likely restrict subsistence uses significantly. During the subsequent environmental assessment process for extending fisheries jurisdiction, an evaluation of the effects of this rule was conducted in accordance with section 810. That evaluation also supported the Secretaries’ determination that the rule will not reach the “may significantly restrict” threshold that would require notice and hearings under ANILCA section 810(a).

**Paperwork Reduction Act**

An agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. This rule does not contain any new collections of...
information that require OMB approval. OMB has reviewed and approved the collections of information associated with the subsistence regulations at 36 CFR part 242 and 50 CFR part 100, and assigned OMB Control Number 1018–0075, which expires February 29, 2016.

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will review all significant rules. OIRA has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation’s regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.) requires preparation of flexibility analyses for rules that will have a significant effect on a substantial number of small entities, which include small businesses, organizations, or governmental jurisdictions. In general, the resources to be harvested under this rule are already being harvested and consumed by the local harvester and do not result in an additional dollar benefit to the economy. However, we estimate that two million pounds of meat are harvested by subsistence users annually and, if given an estimated dollar value of $3.00 per pound, this amount would equate to about $6 million in food value Statewide. Based upon the amounts and values cited above, the Departments certify that this rulemaking will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Small Business Regulatory Enforcement Fairness Act

Under the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801 et seq.), this rule is not a major rule. It does not have an effect on the economy of $100 million or more, will not cause a major increase in costs or prices for consumers, and does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Executive Order 12630

Title VIII of ANILCA requires the Secretaries to administer a subsistence priority on public lands. The scope of this Program is limited by definition to certain public lands. Likewise, these regulations have no potential takings of private property implications as defined by Executive Order 12630.

Unfunded Mandates Reform Act

The Secretaries have determined and certify pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 et seq., that this rulemaking will not impose a cost of $100 million or more in any given year on local or State governments or private entities. The implementation of this rule is by Federal agencies and there is no cost imposed on any State or local entities or tribal governments.

Executive Order 12988

The Secretaries have determined that these regulations meet the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988, regarding civil justice reform.

Executive Order 13132

In accordance with Executive Order 13132, the rule does not have sufficient Federalism implications to warrant the preparation of a Federalism summary impact statement. Title VIII of ANILCA precludes the State from exercising subsistence management authority over fish and wildlife resources on Federal lands unless it meets certain requirements.

Executive Order 13175

The Alaska National Interest Lands Conservation Act, Title VIII, does not provide specific rights to tribies for the subsistence taking of wildlife, fish, and shellfish. However, the Board provided Federally recognized Tribes and Alaska Native corporations opportunities to consult on this rule. Consultation with Alaska Native corporations are based on Public Law 108–199, div. H, Sec. 161, Jan. 23, 2004; 118 Stat. 452, as amended by Public Law 109–447, div. H, title V, Sec. 518, Dec. 8, 2004; 118 Stat. 3267, which provides that: “The Director of the Office of Management and Budget and all Federal agencies shall hereafter consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order No. 13175.”

The Secretaries, through the Board, provided a variety of opportunities for consultation: Commenting on proposed changes to the existing rule; engaging in dialogue at the Regional council meetings; engaging in dialogue at the Board’s meetings; and providing input in person, by mail, email, or phone at any time during the rulemaking process. On January 21, 2015, the Board provided Federally recognized Tribes and Alaska Native Corporations a specific opportunity to consult on this rule prior to the start of its public regulatory meeting. Federally recognized Tribes and Alaska Native Corporations were notified by mail and telephone and were given the opportunity to attend in person or via teleconference.

Executive Order 13211

This Executive Order requires agencies to prepare Statements of Energy Effects when undertaking certain actions. However, this rule is not a significant regulatory action under E.O. 13211, affecting energy supply, distribution, or use, and no Statement of Energy Effects is required.

Drafting Information

Theo Matuskowitz drafted these regulations under the guidance of Eugene R. Peltola, Jr. of the Office of Subsistence Management, Alaska Regional Office, U.S. Fish and Wildlife Service, Anchorage, Alaska. Additional assistance was provided by

- Daniel Sharp, Alaska State Office, Bureau of Land Management;
- Mary McBurney, Alaska Regional Office, National Park Service;
- Dr. Glenn Chen, Alaska Regional Office, Bureau of Indian Affairs;
- Trevor T. Fox, Alaska Regional Office, U.S. Fish and Wildlife Service; and

List of Subjects

• 36 CFR Part 242
  Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

• 50 CFR Part 100
  Administrative practice and procedure, Alaska, Fish, National
is fully committed to the Tustumena Lake boat launch July 1–31. The experimental community gillnet fishery will expire 5 years after approval of the first operational plan.  

(1) Only one community gillnet can be operated on the Kasilof River. The gillnet cannot be over 10 fathoms in length, and may not obstruct more than half of the river width with stationary fishing gear. Subsistence stationary gillnet gear may not be set within 200 feet of other subsistence stationary gear.  

(2) One registration permit will be available and will be awarded by the Federal in-season fishery manager, in consultation with the Kenai National Wildlife Refuge manager, based on the merits of the operational plan. The registration permit will be issued to an organization that, as the community gillnet owner, will be responsible for its use in consultation with the Federal fishery manager. The experimental community gillnet will be subject to compliance with Kenai National Wildlife Refuge regulations and restrictions.  

(i) Prior to the season, provide a written operational plan to the Federal fishery manager including a description of fishing method, mesh size requirements, fishing time and location, and how fish will be offered and distributed among households and residents of Ninilchik;  

(ii) After the season, provide written documentation of required evaluation information to the Federal fishery manager including, but not limited to, persons or households operating the gear, hours of operation, and number of each species caught and retained or released.  

(3) The gillnet owner (organization) may operate the net for subsistence purposes on behalf of residents of Ninilchik by requesting a subsistence fishing permit that:  

(i) Identifies a person who will be responsible for fishing the gillnet;  

(ii) Includes provisions for recording daily catches, the household to whom the catch was given, and other information determined to be necessary for effective resource management by the Federal fishery manager.  

(4) Fishing for Sockeye, Chinook, Coho, and Pink salmon with a gillnet in the Federal public waters of the Kenai River. Residents of Ninilchik may retain other species incidentally caught in the Kenai River except for Rainbow trout and Dolly Varden 18 inches or longer. Rainbow trout and Dolly Varden 18 inches or greater must be released.  

(1) Only one community gillnet can be operated on the Kenai River. The gillnet cannot be over 10 fathoms in length to take salmon, and may not obstruct more than half of the river width with stationary fishing gear. Subsistence stationary gillnet gear may not be set within 200 feet of other subsistence stationary gear.  

(2) One registration permit will be available and will be awarded by the Federal in-season fishery manager, in consultation with the Kenai National Wildlife Refuge manager, based on the merits of the operational plan. The registration permit will be issued to an organization that, as the community gillnet owner, will be responsible for its use and removal in consultation with the Federal fishery manager. As part of the permit, the organization must:  

(i) Prior to the season, provide a written operational plan to the Federal fishery manager including a description of how fishing time and fish will be offered and distributed among households and residents of Ninilchik;
After the season, provide written documentation of required evaluation information to the Federal fishery manager including, but not limited to, persons or households operating the gear, hours of operation, and number of each species caught and retained or released.  

(3) The gillnet owner (organization) may operate the net for subsistence purposes on behalf of residents of Ninilchik by requesting a subsistence fishing permit that:

(i) Identifies a person who will be responsible for fishing the gillnet;

(ii) Includes provisions for recording daily catches, the household to whom the catch was given, and other information determined to be necessary for effective resource management by the Federal fishery manager.  

(4) Fishing will be allowed from June 15 through August 15 on the Kenai River unless closed or otherwise restricted by Federal special action.  

(5) Salmon taken in the gillnet fishery will be included as part of the dip net/rod and reel fishery annual total harvest limits for the Kenai River and as part of dip net/rod and reel household annual limits of participating households.  

(6) Fishing for each salmon species end and the fishery will be closed by Federal special action prior to regulatory end dates if the annual total harvest limit for that species is reached or superseded by Federal special action.  

(xvi) The Klawock River drainage is closed to the use of seines and gillnets against the guideline for that species.  

(xvii) * * *  

(E) Fishing nets must be checked at least twice each day. The total annual guideline harvest level for the Stikine River fishery is 125 Chinook, 600 Sockeye, and 400 Coho salmon. All salmon harvested, including incidentally taken salmon, will count against the guideline for that species.  

(xxv) * * *  

(xxvi) The Federal public waters in the Makhnati Island area, as defined in § 281.3(b)(5) of this part, will be included in the harvest of herring and herring spawn except by Federally qualified users.  


Eugene R. Peltola, Jr.,  
Assistant Regional Director, U.S. Fish and Wildlife Service, Acting Chair, Federal Subsistence Board.  


Thomas Whitford,  
Subsistence Program Leader, USDA—Forest Service.  

Environmental Protection Agency  
40 CFR Part 52  
Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Utah County—Trading of Motor Vehicle Emission Budgets for PM10 Transportation Conformity  
AGENCY: Environmental Protection Agency.  

ACTION: Direct final rule.  

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve a State Implementation Plan (SIP) revision submitted by the State of Utah. On March 9, 2015, the Governor of Utah submitted a revision to the Utah SIP, adding a new rule regarding trading of motor vehicle emission budgets (MVEB) for Utah County. The rule allows trading from the motor vehicle emissions budget for primary particulate matter of 10 microns or less in diameter (PM10) to the motor vehicle emissions budget for nitrogen oxides (NOx), which is a PM10 precursor. The resulting motor vehicle emissions budgets for NOx and PM10 may then be used to demonstrate transportation conformity with the SIP. The EPA is taking this action under section 110 of the Clean Air Act (CAA).  

DATES: This rule is effective on July 17, 2015 without further notice, unless EPA receives adverse comment by June 17, 2015. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect.  

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2015–0027, by one of the following methods:  

• http://www.regulations.gov. Follow the on-line instructions for submitting comments.  
• Email: russ.tim@epa.gov  
• Fax: (303) 312–6064 (please alert the individual listed in the FOR FURTHER INFORMATION CONTACT section if you are faxing comments).  
• Mail: Carl Daly, Director, Air Program, EPA, Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129.  

Hand Delivery: Carl Daly, Director, Air Program, EPA, Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129. Such deliveries are only accepted through Friday, 8:00 a.m. to 4:30 p.m., excluding federal holidays. Special arrangements should be made for deliveries of boxed information.  

Instructions: Direct your comments to Docket ID No. EPA–R08–OAR–2015–0027. EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at http://www.regulations.gov, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through http://www.regulations.gov or email. The http://www.regulations.gov Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA, without going through http://www.regulations.gov, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to Section I, General Information of the SUPPLEMENTARY INFORMATION section of this document.  

Docket: All documents in the docket are listed in the http://www.regulations.gov index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly-available docket materials are available either electronically in http://www.regulations.gov or in hard copy at the Air Program, EPA, Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129. EPA requests that if at all possible, you contact the individual listed in the FOR FURTHER INFORMATION CONTACT section to view the hard copy of the docket. You may view the hard copy of the docket...