

13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### *E. Unfunded Mandates Reform Act*

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### *F. Environment*

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of safety zones to protect the public from hazards created by cable laying and burial operations, as well as the anchoring configurations, required for the operations of the CLB ULISSE. It is categorically excluded from further review under paragraph L60a of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

#### **List of Subjects in 33 CFR Part 165**

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### **PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS**

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

■ 2. Add § 165.T05–1093 to read as follows:

#### **§ 165.T05–1093 Safety Zone; Cable Laying Corridor, Atlantic Ocean, Virginia Beach, Virginia.**

(a) *Location.* The following area is a moving safety zone: Any navigable waters located within 1000 yards in all directions from the Cable Laying Barge (CLB) ULISSE while operating off the coast of Virginia Beach, Virginia while it conducts work within 12 nm of the shore. The CLB operations will occur within a perimeter enclosed by positions: 36°49′4.8″ N, 75°57′43.2″ W; 36°49′13.9″ N, 75°42′39.8″ W; 36°47′11.7″ N, 75°41′50.8″ W and 36°48′28.8″ N, 75°57′43.2″ W.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Sector Virginia (COTP) in the enforcement of the safety zone. The term also includes the master of a U.S.-flagged vessel, initially the Tug Washington, supporting the CLB ULISSE for the sole purpose of designating and establishing safe transit corridors, to permit passage into or through this safety zone, or to notify vessels and individuals of the actual hazards present if they have entered the safety zone and inform them of the safe direction to which they should depart. If the US flagged vessel supporting the CLB changes, updates will be provided in the District Five Local Notice to Mariners.

#### *(c) Regulations.*

(1) Under the general safety zone regulations in subpart C of this part, no vessel or person may enter or remain in any safety zone described in paragraph (a) of this section unless authorized by the COTP, or designated representative. If a vessel or person is notified by the COTP, or designated representative that they have entered one of these safety zones without permission, they are required to immediately depart in a safe manner following the directions given.

(2) Mariners requesting to transit this safety zone must first contact the designated representative who will be monitoring VHF–FM channels 13 and 16 while work is ongoing. If permission is granted, mariners must proceed at their own risk and strictly observe any and all instructions provided by the

COTP, or designated representative to the mariner regarding the conditions of entry to and exit from any location within the moving safety zone.

(d) *Enforcement.* The Sector Virginia COTP may enforce the regulations in this section and may be assisted by any Federal, State, county, or municipal law enforcement agency.

(e) *Enforcement period.* This section will be subject to enforcement from March 2, 2025, until March 1, 2026. If cable laying work is completed before March 1, 2026, or for a different reason the COTP determines the zone need no longer be enforced, they will issue a general permission to enter.

Dated: March 2, 2025.

**Peggy M. Britton,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector Virginia.*

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## **DEPARTMENT OF AGRICULTURE**

### **Forest Service**

#### **36 CFR Part 222**

**RIN 0596–AD67**

#### **Grazing Advisory Boards**

**AGENCY:** Forest Service, Agriculture (USDA).

**ACTION:** Final rule.

**SUMMARY:** The United States Department of Agriculture, Forest Service (Forest Service or Agency) is making purely technical, clarifying revisions to its existing regulations governing the establishment and maintenance of grazing advisory boards on National Forest System lands (NFS). The revisions remove the provisions for grazing advisory boards to ensure consistency of the existing regulations with governing statutes.

**DATES:** This rule is effective May 21, 2025.

**ADDRESSES:** Information on this final rule may be obtained via written request addressed to the Director, Natural Resources, USDA Forest Service, 201 14th Street NW, Washington, DC 20250–1124 or by email to [SM.FS.RngMgmtWO@usda.gov](mailto:SM.FS.RngMgmtWO@usda.gov).

#### **FOR FURTHER INFORMATION CONTACT:**

Myra Black, Rangeland Program Manager at 208–867–8783 or by mail at 201 14th St. SW, Suite 2CE–02L, Washington, DC 20250. Individuals who use telecommunications devices for the hearing impaired may call 711 to reach the Telecommunications Relay Service,

24 hours a day, every day of the year, including holidays.

**SUPPLEMENTARY INFORMATION:** This final rule makes purely technical, clarifying revisions to the Agency's existing regulations at 36 CFR 222.11 governing grazing advisory boards on NFS lands. 36 CFR 222.11 contains requirements for the establishment and maintenance of grazing advisory boards as provided by 43 U.S.C. 1753, which expired on December 31, 1985, see Public Law 94–579, Title IV, Section 403(f). Therefore, the provisions at 36 CFR 222.11 are obsolete. This technical, clarifying revision does not formulate standards, criteria, or guidelines applicable to Forest Service programs and therefore does not require public notice and opportunity to comment under section 14(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1612(a)).

### Regulatory Certifications

#### *Regulatory Planning and Review*

Executive Order (E.O.) 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will determine whether a regulatory action is significant as defined by E.O. 12866 and will review significant regulatory actions. OIRA has determined that this final rule is not significant as defined by E.O. 12866. E.O. 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 Department has developed the final rule consistent with E.O. 13563.

#### *Congressional Review Act*

Pursuant to Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (known as the Congressional Review Act) (5 U.S.C. 801 *et seq.*), OIRA has designated this final rule as not a major rule as defined by 5 U.S.C. 804(2).

#### *National Environmental Policy Act*

The final rule will remove the requirements for the establishment and maintenance of grazing advisory boards, which expired on December 31, 1985. Forest Service regulations at 36 CFR 220.6(d)(2) exclude from documentation in an environmental assessment or environmental impact statement “rules, regulations, or policies to establish servicewide administrative procedures, program processes, or instructions.” The Department's assessment is that this

final rule falls within this category of actions and that no extraordinary circumstances exist which will require preparation of an environmental assessment or environmental impact statement.

#### *Regulatory Flexibility Act*

The Department has considered this final rule under the Regulatory Flexibility Act (5 U.S.C. 602 *et seq.*). This final rule will not have any direct effect on small entities as defined by the Regulatory Flexibility Act. This final rule will not impose recordkeeping requirements on small entities; will not affect their competitive position in relation to large entities; and will not affect their cash flow, liquidity, or ability to remain in the market. Therefore, the Department has determined that this final rule will not have a significant economic impact on a substantial number of small entities pursuant to the Regulatory Flexibility Act.

#### *Federalism*

The Department has considered this final rule under the requirements of E.O. 13132, *Federalism*. The Department has determined that the final rule conforms with the federalism principles set out in this E.O.; will not impose any compliance costs on the States; and will not have substantial direct effects on the States, on the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, the Department has concluded that this final rule will not have federalism implications.

#### *Consultation and Coordination With Indian Tribal Governments*

E.O. 13175, *Consultation and Coordination with Indian Tribal Governments*, requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. This final rule will remove the requirements for the establishment and maintenance of grazing advisory boards, which expired on December 31, 1985. The Department has reviewed this final rule in accordance with the requirements of E.O. 13175 and has

determined that this final rule will not have substantial direct effects on Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. Therefore, consultation and coordination with Indian Tribal governments is not required for this proposed rule.

#### *Family Policymaking Assessment*

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277), requires Federal agencies to issue a Family Policymaking Assessment for a rule that may affect family well-being. The final rule will have no impact on the autonomy or integrity of the family as an institution. Accordingly, the Department has concluded that it is not necessary to prepare a Family Policymaking Assessment for the final rule.

#### *Takings Implications*

The Department has analyzed the final rule in accordance with the principles and criteria in E.O. 12630, *Governmental Actions and Interference with Constitutionally Protect Property Rights*. The Department has determined that the final rule will not pose the risk of a taking of private property.

#### *Energy Effects*

The Department has reviewed the final rule under E.O. 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*. The Department has determined that the final rule will not constitute a significant energy action as defined in E.O. 13211.

#### *Civil Justice Reform*

The Department has analyzed the final rule in accordance with the principles and criteria in E.O. 12988, *Civil Justice Reform*. Upon publication of the final rule, (1) all State and local laws and regulations that conflict with the final rule or that impede its full implementation will be preempted; (2) no retroactive effect will be given to this final rule; and (3) it will not require administrative proceedings before parties may file suit in court challenging its provisions.

#### *Unfunded Mandates*

Pursuant to Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Department has assessed the effects of the final rule on State, local, and Tribal governments and the private sector. The final rule will not

compel the expenditure of \$100 million or more, adjusted annually for inflation, in any 1 year by State, local, and Tribal governments in the aggregate or by the private sector. Therefore, a statement under section 202 of the Act is not required.

#### *Paperwork Reduction Act*

The final rule does not contain any recordkeeping or reporting requirements or other information collection requirements as defined in 5 CFR part 1320 that are not already required by law or not already approved for use. Accordingly, the review provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR part 1320 do not apply.

#### **List of Subjects**

##### **36 CFR Part 222**

National forests, Range management.

Therefore, for the reasons stated in the preamble, and under the authority of Public Law 94–579, Title IV, Section 403(f), the Department is amending 36 CFR part 222 as follows:

#### **PART 222—RANGE MANAGEMENT**

■ 1. The authority citation for part 222 continues to read:

**Authority:** 7 U.S.C. 1010–1012, 5101–5106; 16 U.S.C. 551, 572, 5801; 31 U.S.C. 9701; 43 U.S.C. 1751, 1752, 1901; E.O. 12548 (51 FR 5985).

##### **§ 222.11 [Removed]**

■ 2. Remove § 222.11.

**Kristin Sleeper,**

*Deputy Under Secretary Natural Resources and Environment.*

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#### **DEPARTMENT OF COMMERCE**

##### **National Oceanic and Atmospheric Administration**

##### **50 CFR Part 648**

**[Docket No. 250416–0069]**

**RIN 0648–BN45**

##### **Fisheries of the Northeastern United States; Framework Adjustment 39 to the Atlantic Sea Scallop Fishery Management Plan**

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

**ACTION:** Final rule.

**SUMMARY:** NMFS approves and implements Framework Adjustment 39 to the Atlantic Sea Scallop Fishery Management Plan that establishes specifications and other management measures for fishing years 2025 and 2026, including fishing effort allocation into access areas, modifying when areas open to optimize yield and minimize bycatch, and closures to protect juvenile scallops. Vessels with a limited access general category B permit may transit outside of the Northern Gulf of Maine with scallops onboard. Research set-aside program regulations are clarified. This action is necessary to prevent overfishing and improve resource yield-per-recruit and management of the fishery.

**DATES:** Effective on April 21, 2025.

**ADDRESSES:** The New England Fishery Management Council (Council) has prepared an environmental assessment (EA) for this action that describes the approved measures in Framework 39 and other considered alternatives and analyzes the impacts of the approved measures and alternatives. Copies of Framework 39, the EA, the initial regulatory flexibility analysis (IRFA), and information on the economic impacts of this rulemaking are available upon request from Dr. Cate O’Keefe, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950 and accessible via the internet in documents available at: <https://www.nefmc.org/library/scallop-framework-39>.

**FOR FURTHER INFORMATION CONTACT:** Emily Keiley, Fishery Policy Analyst, 978–281–9116, email: [emily.keiley@noaa.gov](mailto:emily.keiley@noaa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The Council adopted Framework Adjustment 39 to the Atlantic Sea Scallop Fishery Management Plan (FMP) at its December 2024 meeting. NMFS published a proposed rule for Framework 39 on March 18, 2025 (90 FR 12510). The proposed rule included a 15-day public comment period that closed on April 2, 2025. Except as explained below with respect to section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), NMFS is issuing this rule pursuant to the rulemaking authority at section 304(b)(1)(A) of the Act.

NMFS has approved all of the measures in Framework 39 recommended by the Council. This final rule implements Framework 39, which sets scallop specifications and other measures for fishing years 2025 and

2026, including changes to the catch, effort, and quota allocations and adjustments to the rotational area management program for fishing year 2025, and default specifications for fishing year 2026. The Magnuson-Stevens Act authorizes NMFS to approve, partially approve, or disapprove measures proposed by the Council based on whether the measures are consistent with the Atlantic Sea Scallop FMP, the Magnuson-Stevens Act and its National Standards, and other applicable law. Details concerning the development of these measures were contained in the preamble of the proposed rule and are not repeated here. This final rule also addresses regulatory text that is unclear pursuant to section 305(d) of the Magnuson-Stevens Act.

##### *Specification of Scallop Overfishing Limit (OFL), Acceptable Biological Catch (ABC), Annual Catch Limits (ACL), Annual Catch Targets (ACT), Annual Projected Landings (APL) and Set-Asides for the 2025 Fishing Year, and Default Specifications for Fishing Year 2026*

The OFL is based on a fishing mortality rate (F) of 0.61, equivalent to the F threshold updated through the Northeast Fisheries Science Center’s most recent scallop benchmark stock assessment that was completed in September 2020 (NEFSC, 2020). The ABC and the equivalent total ACL for each fishing year are based on an F of 0.45, which is the F associated with a 75-percent probability of not exceeding the OFL. The Council’s Scientific and Statistical Committee (SSC) recommended scallop fishery ABCs of 39.5 million pounds (lb; 17,901 metric tons (mt)) for 2025 and 39.1 million lb (17,745 mt) for the 2026 fishing year, after accounting for discards and incidental mortality. In support of the Council’s development of the next framework adjustment, the SSC will reevaluate the best available scientific information and, if warranted by the science at that time, the SSC may recommend modifications to the ABC for the 2026 fishing year.

Table 1 outlines the scallop fishery catch limits. After deducting the incidental target total allowable catch (TAC), the research set-aside (RSA), and the observer set-aside, the remaining ACL available to the fishery is allocated according to the following fleet proportions established in Amendment 11 to the Atlantic Sea Scallop FMP (72 FR 20090, April 14, 2008): 94.5 percent is allocated to the limited access scallop fleet (*i.e.*, the larger “trip boat” fleet); 5 percent is allocated to the limited access general category (LAGC) individual