

offer to relinquish spectrum usage rights in exchange for an incentive payment, including any terms the offer must include and procedures pursuant to which the Commission may accept such an offer.

(b) *Information required from a licensee.* (1) The procedures for a licensee to provide any identifying information and or certifications that the Commission may require from any licensee that seeks to relinquish spectrum usage rights in the incentive auction.

(2) The procedures for a licensee that is relinquishing spectrum usage rights to provide any financial information that the Commission may require to facilitate the disbursement of any incentive payment.

PART 30—UPPER MICROWAVE FLEXIBLE USE SERVICE

■ 4. The authority citation for part 30 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 301, 303, 304, 307, 309, 310, 316, 332, 1302.

■ 5. Amend § 30.4 by redesignating paragraphs (b), (c), (d), and (e) as paragraphs (c), (d), (f), and (g) respectively, adding and reserving new paragraphs (b) and (e), and revising redesignated paragraphs (d)(1), (f), and (g) to read as follows:

§ 30.4 Frequencies.

* * * * *

(b) [Reserved]

* * * * *

(d) * * *

(1) New channel plan:

Channel No.	Frequency band limits (MHz)
1	38,600–38,700
2	38,700–38,800
3	38,800–38,900
4	38,900–39,000
5	39,000–39,100
6	39,100–39,200
7	39,200–39,300
8	39,300–39,400
9	39,400–39,500
10	39,500–39,600
11	39,600–39,700
12	39,700–39,800
13	39,800–39,900
14	39,900–40,000

* * * * *

(e) [Reserved]

(f) 37–38.6 GHz band: 37,600–37,700; 37,700–37,800 MHz; 37,800–37,900 MHz; 37,900–38,000 MHz; 38,000–38,100 MHz; 38,100–38,200 MHz; 38,200–38,300 MHz; 38,300–38,400 MHz; 38,400–38,500 MHz, and 38,500–38,600 MHz. The 37,000–37,600 MHz

band segment shall be available on a site-specific, coordinated shared basis with eligible Federal entities.

(g) 47.2–48.2 GHz band—47.2–47.3 GHz; 47.3–47.4 GHz; 47.4–47.5 GHz; 47.5–47.6 GHz; 47.6–47.7 GHz; 47.7–47.8 GHz; 47.8–47.9 GHz; 47.9–48.0 GHz; 48.0–48.1 GHz; and 48.1–48.2 GHz.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140722613–4908–02]

RIN 0648–XG734

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region; Commercial Closure for Spanish Mackerel

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure (AM) for commercial Spanish mackerel in the Atlantic southern zone of the exclusive economic zone (EEZ) through this temporary rule. NMFS has determined that the commercial quota for Spanish mackerel in the Atlantic southern zone will be reached by February 5, 2019. Therefore, NMFS closes the Atlantic southern zone of the EEZ to commercial harvest of Spanish mackerel on February 5, 2019. This closure is necessary to protect the Spanish mackerel resource in the Atlantic.

DATES: The closure is effective at 6:00 a.m., local time, on February 5, 2019, until 12:01 a.m., local time, on March 1, 2019.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727–824–5305, or email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish includes king mackerel, Spanish mackerel, and cobia, and is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region (FMP). The FMP was prepared by the Gulf of Mexico and South

Atlantic Fishery Management Councils and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All weights described for Spanish mackerel in the Atlantic EEZ apply as either round or gutted weight. The fishing year for the Atlantic migratory group of Spanish mackerel (Atlantic Spanish mackerel) is March through the end of February each year.

Framework Amendment 1 to the FMP (79 FR 69058; November 20, 2014) implemented a commercial annual catch limit (equal to the commercial quota) of 3.33 million lb (1.51 million kg) for Atlantic Spanish mackerel. Atlantic Spanish mackerel are divided into a northern and southern zone for management purposes. The southern zone consists of Federal waters off South Carolina, Georgia, and the east coast of Florida. The northern boundary for the southern zone for Atlantic Spanish mackerel extends from the state border of North Carolina and South Carolina along a line beginning at 33°51′07.9″ N lat. and 78°32′32.6″ W long. and extending in a direction of 135°34′55″ from true north to the intersection point with the outward boundary of the EEZ. The southern boundary for the southern zone is 25°20′24″ N lat., which is the boundary between Miami-Dade and Monroe Counties, Florida.

The southern zone commercial quota for Atlantic Spanish mackerel is 2,667,330 lb (1,209,881 kg). Seasonally variable commercial trip limits are based on an adjusted commercial quota of 2,417,330 lb (1,096,482 kg), with the adjusted commercial quota calculated to allow continued harvest in the southern zone at a set rate for the remainder of the current fishing year, in accordance with 50 CFR 622.385(b)(2). Regulations at 50 CFR 622.385(b)(1)(ii) require NMFS to reduce the commercial trip limit for Atlantic Spanish mackerel in the southern zone when specified percentages of the adjusted commercial quota are reached or are projected to be reached. Accordingly, on December 27, 2018, NMFS published a temporary rule in the **Federal Register** to reduce the commercial trip limit from 3,500 lb (1,588 kg) to 1,500 lb (680 kg) for Atlantic Spanish mackerel in the southern zone (83 FR 66635). On January 28, 2019, NMFS published a subsequent temporary rule in the **Federal Register** that further reduced the commercial trip limit for Atlantic Spanish mackerel in the southern zone to 500 lb (227 kg) (84 FR 407).

Regulations at 50 CFR 622.388(d)(1)(i) require NMFS to close the commercial sector for Atlantic Spanish mackerel in the southern zone when the commercial quota is reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS has determined the commercial quota of 2,667,330 lb (1,209,881 kg) for Atlantic Spanish mackerel in the southern zone will be reached by February 5, 2019. Accordingly, the commercial sector for Atlantic Spanish mackerel in the southern zone is closed effective at 6:00 a.m., local time, on February 5, 2019, through February 28, 2019, the end of the current fishing year. Commercial harvest of Atlantic Spanish mackerel for the 2019–2020 fishing year begins on March 1, 2019.

During the commercial closure, a person on board a vessel that has been issued a valid Federal permit to harvest Atlantic Spanish mackerel may continue to retain this species in the southern zone under the recreational bag and possession limits specified in 50 CFR 622.382(a)(1)(iii) and (a)(2), as long as the recreational sector for Atlantic Spanish mackerel is open (50 CFR 622.384(e)(1)).

Also during the closure, Atlantic Spanish mackerel from the closed zone, including those harvested under the bag and possession limits, may not be purchased or sold. This prohibition does not apply to Atlantic Spanish mackerel from the closed zone that were harvested, landed ashore, and sold prior to the closure and were held in cold storage by a dealer or processor (50 CFR 622.384(e)(2)).

Classification

The RA for the NMFS Southeast Region has determined this temporary rule is necessary for the conservation and management of Atlantic Spanish mackerel and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.8, 622.384(e), and 622.388(d)(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 opportunity for comment.

This action responds to the best scientific information available. The Assistant Administrator for NOAA Fisheries (AA) finds good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth at 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 quota and the associated AM has already been subject to notice and public comment, and all that remains is to notify the public of the closure. Additionally, allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action to protect the Atlantic Spanish mackerel stock, because the capacity of the fishing fleet allows for rapid harvest of the commercial quota. Prior notice and opportunity for public comment would require time and could potentially result in a harvest well in excess of the established commercial quota.

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

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

Dated: January 31, 2019.

Karen H. Abrams,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 180921861–8861–01]

RIN 0648–XG503

Revisions to Framework Adjustment 57 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2018

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

ACTION: Final rule; adjustment to specifications.

SUMMARY: Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), this final rule adjusts the 2018 fishing year allocations to sectors and the common pool specified in Framework Adjustment 57 to the Northeast Multispecies Fishery Management Plan; makes other minor adjustments based on final 2017 catch information; and distributes sector

allocation carried over from fishing year 2017 into fishing year 2018 as required by the sector regulations. The revisions are necessary to account for changes to 2018 sub-annual catch limits based on final 2018 sector rosters. These adjustments are routine and formulaic and are intended to ensure that final allocations are based on the best scientific information available.

DATES: Effective February 4, 2019, through April 30, 2019.

FOR FURTHER INFORMATION CONTACT: Claire Fitz-Gerald, Fishery Management Specialist, (978) 281–9255.

SUPPLEMENTARY INFORMATION: We recently approved Framework Adjustment 57, which set annual catch limits for 20 groundfish stocks for the 2018 fishing year. This action became effective on May 1, 2018 (83 FR 18985; May 1, 2018). Framework 57 included preliminary allocations for sectors and the common pool based on final sector enrollment for the 2017 fishing year. A sector receives an allocation of each stock, or annual catch entitlement (referred to as ACE, or allocation), based on its members' catch histories. State-operated permit banks also receive an allocation that can be transferred to qualifying sector vessels. The sum of all sector and state-operated permit bank allocations is referred to as the sector sub-annual catch limit (sub-ACL). The groundfish allocations remaining after sectors and state-operated permit banks receive their allocations are then allocated to the common pool (*i.e.*, vessels not enrolled in a sector), which is referred to as the common pool sub-ACL.

The MSA at section 305(d) gives us the responsibility and authority to carry out fishery management plans. Using this authority, this rule adjusts the 2018 fishing year sector and common pool sub-ACLs and sector ACEs based on final sector membership as of May 1, 2018. Permits enrolled in a sector and the vessels associated with those permits have until April 30, the last day prior to the beginning of a new fishing year, to withdraw from a sector and fish in the common pool. As a result, the actual sector enrollment for the new fishing year is unknown when the final specifications are published. Each year, we subsequently publish an adjustment rule modifying sector and common pool allocations based on final sector enrollment. The Framework 57 proposed and final rules both explained that sector enrollments may change and that there would be a need to adjust the sub-ACLs and sector ACEs accordingly. Table 1 shows the changes to the sub-