

inform and minimize impact on all affected entities, including small entities.

### B. Paperwork Reduction Analysis

19. The Second Report and Order does not contain any new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198.

### C. Congressional Review Act

20. The Commission will send a copy of the Second Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act (CRA).

### III. Ordering Clauses

21. *It is ordered* that pursuant to sections 4(i), 4(j), 11, 201–205 and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 161, 201–205 and 303(r), the Second Report and Order *is adopted*.

22. *It is further ordered* that the actions taken in the Second Report and Order *will become effective* April 12, 2019.

23. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of the Second Report and Order, including the Final Regulatory Flexibility Analysis to the Chief Counsel for Advocacy of the Small Business Administration.

24. *It is further ordered* that the Second Report and Order *shall be sent* to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 120404257–3325–02]

RIN 0648–XG850

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2019 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS implements an accountability measure for the commercial longline component for golden tilefish in the exclusive economic zone (EEZ) of the South Atlantic. Commercial longline landings for golden tilefish are projected to reach the longline component's commercial quota on March 14, 2019. Therefore, NMFS closes the commercial longline component of golden tilefish in the South Atlantic EEZ on March 14, 2019, at 12:01 a.m., local time. This closure is necessary to protect the golden tilefish resource.

**DATES:** This temporary rule is effective from 12:01 a.m., local time, March 14, 2019, until 12:01 a.m., local time, January 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Mary Vara, NMFS Southeast Regional Office, telephone: 727–824–5305, email: [mary.vara@noaa.gov](mailto:mary.vara@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The snapper-grouper fishery of the South Atlantic includes golden tilefish and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council (Council) 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.

The commercial golden tilefish sector has two components, each with its own quota: The longline and hook-and-line components (50 CFR 622.190(a)(2)). The commercial tilefish annual catch limit (ACL) is allocated 75 percent to the longline component and 25 percent to the hook-and-line component. On January 2, 2018, NMFS published a final temporary rule to implement interim

measures reduce overfishing of golden tilefish in Federal waters of the South Atlantic (83 FR 65). These interim measures, which were originally effective through July 1, 2018, and were extended through January 3, 2019, (83 FR 28387; June 16, 2018), reduced the total ACL, the commercial and recreational ACLs, and the commercial quotas for the hook-and-line and longline components. On December 4, 2018, NMFS published a final rule (83 FR 62508) that implemented Regulatory Amendment 28 to the FMP, which revised the commercial and recreational ACLs for golden tilefish. The commercial ACL was revised from 323,000 lb (146,510 kg) gutted weight, to 331,740 lb (150,475 kg) gutted weight, and the longline component quota was revised from 234,982 (106,586 kg) to 248,805 lb (112,856 kg) gutted weight. Although these ACL revisions are increases over the ACLs set by the interim rule, they are still decreases relative to the ACLs that were in effect before the interim rule.

Under 50 CFR 622.193(a)(1)(ii), NMFS is required to close the commercial longline component for golden tilefish when the longline component's commercial quota has been reached or is projected to be reached by filing a notification to that effect with the Office of the Federal Register. After the commercial quota for the longline component is reached or is projected to be reached, golden tilefish may not be commercially fished or possessed by a vessel with a golden tilefish longline endorsement. NMFS has determined that the commercial quota for the golden tilefish longline component in the South Atlantic will be reached on March 14, 2019. Accordingly, the commercial longline component of South Atlantic golden tilefish is closed effective at 12:01 a.m., local time, March 14, 2019.

During the commercial longline closure, golden tilefish may still be harvested commercially using hook-and-line gear. However, a vessel with a golden tilefish longline endorsement is not eligible to fish for or possess golden tilefish using hook-and-line gear under the hook-and-line commercial trip limit, as specified in 50 CFR 622.191(a)(2)(ii). The operator of a vessel with a valid Federal commercial vessel permit for South Atlantic snapper-grouper and a valid commercial longline endorsement for golden tilefish with golden tilefish on board must have landed and bartered, traded, or sold such golden tilefish prior to 12:01 a.m., local time, on March 14, 2019. During the commercial longline closure, the recreational bag limit and possession limits specified in 50 CFR

622.187(b)(2)(iii) and (c)(1), respectively, apply to all harvest or possession of golden tilefish in or from the South Atlantic EEZ by a vessel with a golden tilefish longline endorsement. The sale or purchase of longline-caught golden tilefish taken from the South Atlantic EEZ is prohibited during the commercial longline closure. The prohibition on sale or purchase does not apply to the sale or purchase of longline-caught golden tilefish that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, on March 14, 2019, and those that were held in cold storage by a dealer or processor. Additionally, the recreational bag and possession limits and the sale and purchase provisions of the commercial closure apply to a person on board a vessel with a golden tilefish longline endorsement, regardless of whether the golden tilefish are harvested in state or Federal waters, as specified in 50 CFR 622.190(c)(1).

**Classification**

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

This action is taken under 50 CFR 622.193(a)(1)(ii) 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 NOAA Fisheries (AA) finds that the need to immediately implement this action to close the commercial longline component for golden tilefish 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 for this temporary rule would be unnecessary and contrary to the public

interest. Such procedures are unnecessary, because the regulations at 50 CFR 622.193(a)(1)(ii) have already been subject to notice and comment, and all that remains is to notify the public of the closure. Prior notice and opportunity for public comment on this action are contrary to the public interest, because there is a need to immediately implement this action to protect the golden tilefish resource since the capacity of the fishing fleet allows for rapid harvest of the commercial quota for the longline component. Prior notice and opportunity for public comment would require time and would potentially result in a harvest well in excess of the established commercial quota for the longline component.

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: March 8, 2019.

**Alan D. Risenhoover,**  
*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. 151211999-6343-02]

**RIN 0648-XG836**

**Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Gulf of Maine Cod and Witch Flounder Trip Limit Increases for the Common Pool Fishery**

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

**ACTION:** Temporary rule; inseason adjustment.

**SUMMARY:** This action increases the possession and trip limits of Gulf of Maine cod and witch flounder for Northeast multispecies common pool vessels for the remainder of the 2019 fishing year, in order to provide the common pool fishery greater opportunity to harvest, but not exceed, its annual quota for these stocks.

**DATES:** These possession and trip limit adjustments are effective March 13, 2019, through April 30, 2019.

**FOR FURTHER INFORMATION CONTACT:** Spencer Talmage, Fishery Management Specialist, 978-281-9232.

**SUPPLEMENTARY INFORMATION:**

**Possession and Trip Limit Increase for Georges Bank Cod**

The regulations at § 648.86(o) authorize the Regional Administrator to adjust the possession and trip limits for common pool vessels in order to help avoid overharvest or underharvest of the common pool quotas.

Based on most recent catch information, the common pool fishery has caught 5.3 mt of Gulf of Maine (GOM) cod, or approximately 44.9 percent of its 11.9 mt annual quota. Additionally, the common pool fishery has caught 5.2 mt of witch flounder, or approximately 28.2 percent of its 18.3 mt annual quota. At the current rate of fishing, the common pool fishery is not projected to fully harvest its annual quota for either stock by the end of the 2019 fishing year. Providing vessels an opportunity to possess and land greater amounts of catch should provide greater incentive to fish and more opportunity to catch available quota. Based on our review of past fishing effort, we project that a moderate increase in the possession and trip limit for each stock should provide additional fishing opportunities and flexibility to catch available quota while ensuring that the common pool does not exceed its annual quotas.

Effective March 13, 2019, the possession and trip limits of GOM cod and witch flounder are increased, as summarized in Table 1.

**TABLE 1—CURRENT AND NEW POSSESSION AND TRIP LIMITS**

Stock	Permit	Current	New
GOM cod	A DAS	50 lb (23 kg) per DAS, up to 100 lb (45 kg) per trip.	100 lb (45 kg) per DAS, up to 200 lb (91 kg) per trip.
	Handgear A	50 lb (23 kg) per trip	100 lb (45 kg) per trip.
	Handgear B	25 lb (11 kg) per trip	25 lb (11 kg) per trip.
	Small Vessel Category *	50 lb (23 kg) per trip	100 lb (45 kg) trip.
Witch flounder	A DAS	400 lb (181 kg) per trip	600 lb (272 kg) per trip.
	Handgear A.		
	Handgear B.		