

TABLE 1 TO § 25.228(j)(3)—APPLICABLE RADIO ASTRONOMY SERVICE (RAS) FACILITIES AND ASSOCIATED COORDINATION DISTANCES—Continued

Observatory	Latitude (north)	Longitude (west)	Radius (km) of coordination zone
Very Large Array, near Socorro, NM .....	34°04'44"	107°37'06"	160.
Pisgah Astronomical Research Institute, Rosman, NC .....	35°11'59"	82°52'19"	160.
U of Michigan Radio Astronomy Observatory, Stinchfield Woods, MI .....	42°23'56"	83°56'11"	160.
Very Long Baseline Array (VLBA) stations:			
Owens Valley, CA .....	37°13'54"	118°16'37"	160*.
Mauna Kea, HI .....	19°48'05"	155°27'20"	50.
Brewster, WA .....	48°07'52"	119°41'00"	50.
Kitt Peak, AZ .....	31°57'23"	111°36'45"	50.
Pie Town, NM .....	34°18'04"	108°07'09"	50.
Los Alamos, NM .....	35°46'30"	106°14'44"	50.
Fort Davis, TX .....	30°38'06"	103°56'41"	50.
North Liberty, IA .....	41°46'17"	91°34'27"	50.
Hancock, NH .....	42°56'01"	71°59'12"	50.
St. Croix, VI .....	17°45'24"	64°35'01"	50.

\* Owens Valley, CA operates both a VLBA station and single-dish telescopes.

(4) When NTIA seeks to provide similar protection to future RAS sites that have been coordinated through the IRAC Frequency Assignment Subcommittee process, NTIA will notify the Commission's International Bureau that the site is nearing operational status. Upon public notice from the International Bureau, all Ku-band ESIMs licensees must cease operations in the 14.47–14.5 GHz band within the relevant geographic zone (160 kms for single-dish radio observatories and Very Large Array antenna systems and 50 kms for Very Long Baseline Array antenna systems for ESVs and VMESs, radio line of sight for ESAAs) of the new RAS site until the licensees complete coordination for the new RAS facility. Licensees must notify the International Bureau once they have completed coordination for the new RAS site and must submit the coordination agreement to the Commission. Upon receipt of such notification from a licensee, the International Bureau will issue a public notice stating that the licensee may commence operations within the coordination zone in 30 days if no party opposed the operations. The ESIMs licensee then will be permitted to commence operations in the 14.47–14.5 GHz band within the relevant coordination distance around the new RAS site, subject to any operational constraints developed in the coordination process.

(5) ESIMs licensees must use Global Positioning Satellite-related or other similar position location technology to ensure compliance with the provisions of subparagraphs 1–3 of this paragraph.

■ 24. Amend § 25.258 by revising paragraph (b) to read as follows:

**§ 25.258 Sharing between NGSO MSS feeder-link stations and GSO FSS services in the 29.25–29.5 GHz band.**

\* \* \* \* \*

(b) Licensed GSO FSS earth stations in the vicinity of operational NGSO MSS feeder-link earth station complexes must, to the maximum extent possible, operate with frequency/polarization selections that will minimize unacceptable interference with reception of GSO FSS and NGSO MSS uplink transmissions in the 29.25–29.5 GHz band. Earth station licensees operating with GSO FSS systems shall be capable of providing earth station locations to support coordination of NGSO MSS feeder link stations under paragraphs (a) and (c) of this section. Operation of ubiquitously deployed GSO FSS earth stations in the 29.25–29.5 GHz frequency band must conform to the rules contained in § 25.218(i).

\* \* \* \* \*

**§ 25.287 [Amended]**

- 25. Amend § 25.287 by removing paragraph (d).
- 26. Add § 25.290 to subpart D to read as follows:

**§ 25.290 Responsibility of licensee for blanket-licensed earth station operation.**

The holder of an FCC blanket earth station license is responsible for operation of any earth station under that license. Operators of satellite networks and systems must not transmit communications to or from such earth stations in the United States unless such communications are authorized under a service contract with the holder of a pertinent FCC blanket earth station license or under a service contract with another party with authority for such

operation delegated by such a blanket licensee.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 180713633–9174–02]

RIN 0648–XY040

**Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel in the Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Temporary rule; reallocation.

**SUMMARY:** NMFS is reallocating the projected unused amount of the 2019 Atka mackerel incidental catch allowance (ICA) for the Bering Sea subarea and Eastern Aleutian district (BS/EAI) to the Amendment 80 cooperative allocation in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the 2019 total allowable catch of Atka mackerel in the BSAI to be fully harvested.

**DATES:** Effective 12 hrs Alaska local time (A.l.t.), October 4, 2019 through 2400 hrs, A.l.t., December 31, 2019.

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the

BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2019 Atka mackerel ICA for the BS/EAI is 800 metric tons (mt) and the

2019 Atka mackerel total allowable catch allocated to the Amendment 80 cooperative is 18,452 mt as established by the final 2019 and 2020 harvest specifications for groundfish in the BSAI (84 FR 9000, March 13, 2019).

The Administrator, Alaska Region, NMFS, has determined that 400 mt of the Atka mackerel ICA for the BS/EAI will not be harvested. Therefore, in accordance with § 679.91(f), NMFS reallocates 400 mt of Atka mackerel from the BS/EAI ICA to the Amendment 80 cooperative in the BSAI. In

accordance with § 679.91(f), NMFS will reissue cooperative quota permit for the reallocated Atka mackerel following the procedures set forth in § 679.91(f)(3).

The harvest specifications for Atka mackerel included in the harvest specifications for groundfish in the BSAI (84 FR 9000, March 13, 2019) are revised as follows: 400 mt of Atka mackerel for the BS/EAI ICA and 18,842 mt of Atka mackerel for the Amendment 80 cooperative allocations in the BS/EAI. Table 6 is revised and republished in its entirety as follows:

TABLE 6—FINAL 2019 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC

[Amounts are in metric tons]

Sector <sup>1</sup>	Season <sup>2,3,4</sup>	2019 allocation by area		
		Eastern Aleutian District/ Bering Sea	Central Aleutian district <sup>5</sup>	Western Aleutian district
TAC	n/a	23,970	14,390	19,591
CDQ reserve	Total	2,565	1,540	2,096
	A	1,282	770	1,048
	Critical Habitat	n/a	462	629
	B	1,282	770	1,048
	Critical Habitat	n/a	462	629
Non-CDQ TAC	n/a	21,405	12,850	17,495
ICA	Total	400	75	20
Jig <sup>7</sup>	Total	103		
BSAI trawl limited access	Total	2,050	1,278	
	A	1,025	639	
	Critical Habitat	n/a	383	
	B	1,025	639	
	Critical Habitat	n/a	383	
Amendment 80 sector	Total	18,852	11,498	17,475
	A	9,426	5,749	8,737
	Critical Habitat	n/a	3,449	5,242
	B	9,426	5,749	8,737
	Critical Habitat	n/a	3,449	5,242

<sup>1</sup> Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, jig gear allocation, and ICAs, to the Amendment 80 and BSAI trawl limited access sectors. The allocation of the ITAC for Atka mackerel to the Amendment 80 and BSAI trawl limited access sectors is established in Table 33 to 50 CFR part 679 and § 679.91. The CDQ reserve is 10.7 percent of the TAC for use by CDQ participants (see §§ 679.20(b)(1)(ii)(C) and 679.31).

<sup>2</sup> Sections 679.20(a)(8)(ii)(A) and 679.22(a) establish temporal and spatial limitations for the Atka mackerel fishery.

<sup>3</sup> The seasonal allowances of Atka mackerel are 50 percent in the A season and 50 percent in the B season.

<sup>4</sup> Section 679.23(e)(3) authorizes directed fishing for Atka mackerel with trawl gear during the A season from January 20 to June 10 and the B season from June 10 to December 31.

<sup>5</sup> Section 679.20(a)(8)(ii)(C)(1)(i) limits no more than 60 percent of the annual TACs in Areas 542 and 543 to be caught inside of Steller sea lion critical habitat; § 679.20(a)(8)(ii)(C)(1)(ii) equally divides the annual TACs between the A and B seasons as defined at § 679.23(e)(3); and § 679.20(a)(8)(ii)(C)(2) requires the TAC in Area 543 shall be no more than 65 percent of ABC in Area 543.

<sup>6</sup> Section 679.20(a)(8)(i) requires that up to 2 percent of the Eastern Aleutian District and the Bering Sea subarea TAC be allocated to jig gear after subtracting the CDQ reserve and the ICA. NMFS sets the amount of this allocation for 2019 at 0.5 percent. The jig gear allocation is not apportioned by season.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

This will enhance the socioeconomic well-being of harvesters dependent upon Atka mackerel in this area. The Regional Administrator considered the following factors in reaching this decision: (1) The current catch of Atka mackerel ICA in the BS/EAI, (2) the harvest capacity and stated intent on future harvesting patterns of the Amendment 80 cooperative that participates in this BS/EAI fishery.

**Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement 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 requirement is impracticable and contrary to the public

interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the reallocation of Atka mackerel from the BS/EAI ICA to the Amendment 80 cooperative in the BSAI. Since the fishery is currently open, it is important to immediately inform the industry as to the revised allocations. Immediate

notification is necessary to allow for the orderly conduct and efficient operation of this fishery, to allow the industry to plan for the fishing season, and to avoid potential disruption to the fishing fleet as well as processors. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of September 26, 2019.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.91 and is exempt from review under Executive Order 12866.

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

Dated: October 2, 2019.

**Jennifer M. Wallace,**

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

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