

accelerated relocation payments is responsible for relocating all of its associated incumbent earth stations and must outline the details of such relocation in the transition plan (unless an incumbent earth station owner elects to receive a lump sum payment and assumes responsibility for transitioning its own earth stations). Similarly, an incumbent space station operator that does not elect to receive accelerated relocation payments but nevertheless plans to assume responsibility for relocating its own associated incumbent earth stations must make that clear in its transition plan.

### **Incumbent Earth Station Lump Sum Payment Elections**

The *3.7 GHz Report and Order* provides an incumbent earth station operator with the option of accepting reimbursement payments for its reasonable relocation costs for the transition, or opting out of the formal relocation process and accepting a lump sum reimbursement payment for all of its incumbent earth stations based on the average, estimated costs of relocating all of their incumbent earth stations in lieu of actual relocation costs. The *3.7 GHz Report and Order* directs the Wireless Telecommunications Bureau to announce the lump sum that will be available per incumbent earth station as well as the process for electing lump sum payments and requires that no later than 30 days after this announcement, an incumbent earth station operator that wishes to receive a lump sum payment make an irrevocable lump sum payment election that will apply to all of its earth stations in the contiguous United States.

This information collection will serve as the starting point for planning and managing the process of efficiently and expeditiously clearing of the lower portion of the band, so that this spectrum can be auctioned for flexible-use service licenses.

Federal Communications Commission.

**Cecilia Sigmund,**

*Federal Register Liaison Officer.*

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## **DEPARTMENT OF COMMERCE**

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

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

[Docket No. 200325–0088; RTID 0648–XX056]

### **Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; 2020 Closure of the Northern Gulf of Maine Scallop Management Area to the Limited Access General Category Fishery**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS announces the closure of the Northern Gulf of Maine Scallop Management Area for the remainder of the 2020 fishing year for Limited Access General Category vessels. Regulations require this action once NMFS projects that 100 percent of the Limited Access General Category total allowable catch for the Northern Gulf of Maine Scallop Management Area will be harvested. This action is intended to prevent the overharvest of the 2020 total allowable catch allocated to the Limited Access General Category Fishery.

**DATES:** Effective 0001 hr local time, May 23, 2020, through March 31, 2021.

**FOR FURTHER INFORMATION CONTACT:** Shannah Jaburek, Fishery Management Specialist, (978) 282–8456.

**SUPPLEMENTARY INFORMATION:** The reader can find regulations governing fishing activity in the Northern Gulf of Maine (NGOM) Scallop Management Area in 50 CFR 648.54 and 648.62. These regulations authorize vessels issued a valid Federal scallop permit to fish in the NGOM Scallop Management Area under specific conditions, including a total allowable catch (TAC) of 206,282 lb (93,567 kg) for the Limited Access General Category (LAGC) fleet for the 2020 fishing year, and a State Waters Exemption Program for the State of Maine and Commonwealth of Massachusetts. Section 648.62(b)(2) requires the NGOM Scallop Management Area to be closed to scallop vessels issued Federal LAGC scallop permits, except as provided below, for the remainder of the fishing year once the NMFS Greater Atlantic Regional Administrator determines that 100 percent of the LAGC TAC for the fishing year is projected to be harvested. Any vessel that holds a Federal NGOM (LAGC B) or Individual Fishing Quota

(IFQ) (LAGC A) permit may continue to fish in the Maine or Massachusetts state waters portion of the NGOM Scallop Management Area under the State Waters Exemption Program found in § 648.54 provided it has a valid Maine or Massachusetts state scallop permit and fishes only in that state's respective waters.

Based on trip declarations by federally permitted LAGC scallop vessels fishing in the NGOM Scallop Management Area and analysis of fishing effort, we project that the 2020 LAGC TAC will be harvested as of May 23, 2020. Therefore, in accordance with § 648.62(b)(2), the NGOM Scallop Management Area is closed to all federally permitted LAGC scallop vessels as of May 23, 2020. As of this date, no vessel issued a Federal LAGC scallop permit may fish for, possess, or land scallops in or from the NGOM Scallop Management Area after 0001 local time, May 23, 2020, unless the vessel is fishing exclusively in state waters and is participating in an approved state waters exemption program as specified in § 648.54. Any federally permitted LAGC scallop vessel that has declared into the NGOM Scallop Management Area, complied with all trip notification and observer requirements, and crossed the vessel monitoring system demarcation line on the way to the area before 0001, May 23, 2020, may complete its trip and land scallops. This closure is in effect until the end of the 2020 scallop fishing year, through March 31, 2021. This closure does not apply to the Limited Access (LA) scallop fleet, which was allocated a separate TAC of 140,000 lb (63,503 kg) for the 2020 fishing year under Framework Adjustment 32 to the Atlantic Sea Scallop Fishery Management Plan. Vessels that are participating in the 2020 scallop Research Set-Aside Program and have been issued letters of authorization to conduct compensation fishing activities will harvest the 2020 LA TAC.

### **Classification**

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for fisheries, NOAA, finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest and impracticable. NMFS also finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reasons noted below. The NGOM Scallop Management Area opened for the 2020

fishing year on April 1, 2020. The regulations at § 648.60(b)(2) require this closure to ensure that federally permitted scallop vessels do not harvest more than the allocated LAGC TAC for the NGOM Scallop Management Area. NMFS can only make projections for the NGOM closure date as trips into the area occur on a real-time basis and as activity trends appear. As a result, NMFS can typically make an accurate projection only shortly before the TAC is harvested. A rapid harvest rate that has occurred in the last 2 weeks makes it more difficult to project a closure well in advance. To allow federally permitted LAGC scallop vessels to continue taking trips in the NGOM Scallop Management Area during the period necessary to publish and receive comments on a proposed rule would result in vessels harvesting more than the 2020 LAGC TAC for the NGOM Scallop Management Area. This would result in excessive fishing effort in the area thereby undermining conservation objectives of the Atlantic Sea Scallop Fishery Management Plan and requiring more restrictive future management measures to make up for the excessive harvest. Also, the public had prior notice and full opportunity to comment on this closure process when we put the final NGOM management provisions in place for the 2020 fishing year on March 31, 2020 (85 FR 17754).

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

Dated: May 21, 2020.

**Hélène M.N. Scalliet,**  
*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 660

[Docket No. 200505–0127; RTID 0648–XW028]

#### Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Action #6

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

**ACTION:** Inseason modification of 2020 management measures.

**SUMMARY:** NMFS announces one inseason action in the 2020 ocean

salmon fisheries. This inseason action modified the commercial salmon fishery in the area from the U.S./Canada border to Leadbetter Point, WA.

**DATES:** This inseason action became applicable on 0001 hours Pacific Daylight Time, May 6, 2020, and remains in effect until superseded or modified.

**FOR FURTHER INFORMATION CONTACT:** Peggy Mundy at 206–526–4323.

#### SUPPLEMENTARY INFORMATION:

##### Background

In the 2020 annual management measures for ocean salmon fisheries (85 FR 27317, May 8, 2020), NMFS announced management measures for the commercial and recreational fisheries in the area from Cape Falcon, OR, to the U.S./Mexico border, effective from 0001 hours Pacific Daylight Time (PDT), May 6, 2020, until the effective date of the 2021 management measures, as published in the **Federal Register**. NMFS is authorized to implement inseason management actions to modify fishing seasons and quotas as necessary to provide fishing opportunity while meeting management objectives for the affected species (50 CFR 660.409). Inseason actions in the salmon fishery may be taken directly by NMFS (50 CFR 660.409(a)—Fixed inseason management provisions) or upon consultation with the Pacific Fishery Management Council (Council) and the appropriate State Directors (50 CFR 660.409(b)—Flexible inseason management provisions). The state management agencies that participated in the consultation described in this document were: The Washington Department of Fish and Wildlife (WDFW) and the Oregon Department of Fish and Wildlife (ODFW).

##### Inseason Action

###### *Inseason Action #6*

**Description of the action:** Inseason action #6 made modifications to the landing restrictions for the commercial salmon fishery in the area from the U.S./Canada border to Leadbetter Point, WA. Prior to this action, vessels fishing or in possession of salmon north of Leadbetter Point could not land fish east of the Sekiu River, WA. Under this inseason action, fish cannot be landed east of Port Angeles, WA (approximately 50 miles, or 80 km, east of the Sekiu River). Additionally, for delivery to Washington ports east of the Sekiu River, vessels must notify WDFW at 360–249–1215 prior to crossing the Bonilla-Tatoosh line (Washington Administrative Code 220–300–360) with the area fished, total number of

Chinook, coho, and halibut catch aboard, and the vessel's destination and approximate time of delivery.

**Effective dates:** Inseason action #6 took effect on May 6, 2020, and remains in effect until modified by further inseason action.

**Reason and authorization for the action:** The commercial salmon fishery north of Leadbetter Point, WA, traditionally lands their catch at Neah Bay, WA, or La Push, WA. Currently, those ports, which are located on the reservations of the Makah Tribe and Quileute Nation, respectively, are closed to public access out of public health and safety concerns. The purpose of inseason action #6 was to provide the commercial salmon fishery access to open ports to land and deliver their catch north of Leadbetter Point. The addition of a telephone reporting provision is to monitor catch in the area in order to manage fishery impacts, consistent with preseason planning, on Puget Sound Chinook salmon, which are listed as threatened under the Endangered Species Act. The NMFS West Coast Regional Administrator (RA) considered public health and safety concerns, port access issues, and the need to monitor landings in the area, and determined that this inseason action was necessary to meet management and conservation objectives while accommodating public health and safety concerns. Inseason modification of landing boundaries is authorized by 50 CFR 660.409(b)(1)(v).

**Consultation date and participants:** Consultation on inseason action #6 occurred on May 5, 2020. Representatives from NMFS, WDFW, ODFW, and the Council participated in this consultation.

All other restrictions and regulations remain in effect as announced for the 2020 ocean salmon fisheries (85 FR 27317, May 8, 2020).

The RA determined that the above inseason action recommended by the state of Washington was warranted and based on the best available information, as presented by WDFW, and supported concerns regarding public health and safety, access to ports, and monitoring fishery impacts, as described above. The states manage the fisheries in state waters adjacent to the areas of the U.S. exclusive economic zone consistent with these Federal actions. As provided by the inseason notice procedures of 50 CFR 660.411, actual notice of the described regulatory action was given, prior to the time the action was effective, by telephone hotline numbers 206–526–6667 and 800–662–9825, and by U.S. Coast Guard Notice to Mariners