

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: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0326 to read as follows:

§ 165.T09–0326 Safety Zone; Discovery World Fireworks, Milwaukee Harbor, Milwaukee, Wisconsin.

(a) *Location.* All waters of Milwaukee Harbor, including Lakeshore inlet and Discovery World Marina, within the arc of a circle with a 300-foot radius from the fireworks launch site located in approximate position 43°02′10.7″ N, 087°53′37.5″ W (NAD 83).

(b) *Effective Period.* This safety zone will be effective from July 10, 2013, until October 5, 2013. This safety zone will be enforced from 9 p.m. until 11 p.m. on July 10; August 3 and 22; and October 5, 2013.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port, Lake Michigan or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port, Lake Michigan or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port, Lake Michigan is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port, Lake Michigan to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Lake Michigan or his on-scene representative to obtain permission to do so. The Captain of the Port, Lake Michigan or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port, Lake Michigan, or his on-scene representative.

Dated: July 1, 2013.

M.W. Sibley,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

[FR Doc. 2013–16807 Filed 7–12–13; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2012–0799; FRL–9833–2]

Determination of Attainment for the Sacramento Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is taking final action to determine that the Sacramento nonattainment area in California has attained the 2006 24-hour fine particle (PM_{2.5}) National Ambient Air Quality Standard (NAAQS or standard). This determination is based upon complete, quality-assured, and certified ambient air monitoring data showing that this area has monitored attainment of the 2006 24-hour PM_{2.5} NAAQS based on the 2010–2012 monitoring period. Based on the above determination, the requirements for this area to submit an attainment demonstration, together with reasonably available control measures, a reasonable further progress (RFP) plan, and contingency measures for failure to meet RFP and attainment deadlines are suspended for so long as the area continues to attain the 2006 24-hour PM_{2.5} NAAQS.

DATES: *Effective Date:* This rule is effective on August 14, 2013.

ADDRESSES: EPA has established docket number EPA–R09–OAR–2012–0799 for this action. Generally, documents in the docket for this action are available electronically at www.regulations.gov and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at www.regulations.gov, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps, multi-volume reports), and some may not be publicly available in either location (e.g., Confidential Business Information). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in

the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: John Ungvarsky, (415) 972–3963, or by email at ungvarsky.john@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, wherever “we”, “us” or “our” are used, we mean EPA.

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I. Summary of EPA’s Proposed Action

On October 26, 2012 (77 FR 65346), EPA proposed to determine that the Sacramento nonattainment area in California has attained the 2006 24-hour NAAQS for fine particles (generally referring to particles less than or equal to 2.5 micrometers in diameter, PM_{2.5}). The 2006 24-hour PM_{2.5} NAAQS is 35 micrograms per cubic meter (µg/m³), based on a 3-year average of the 98th percentile of 24-hour concentrations. The Sacramento PM_{2.5} nonattainment area includes Sacramento County, the western portions of El Dorado and Placer counties, and the eastern portions of Solano and Yolo counties. Other than the El Dorado County portion of the nonattainment area, the Sacramento PM_{2.5} nonattainment area lies within the Sacramento Valley Air Basin.

In our proposed rule, we explained how EPA makes an attainment determination for the 2006 24-hour PM_{2.5} NAAQS by reference to complete, quality-assured data gathered at a State and Local Air Monitoring Station(s) (SLAMS) and entered into EPA’s Air Quality System (AQS) database and by reference to 40 CFR 50.13 (“National primary and secondary ambient air quality standards for PM_{2.5}”) and appendix N to [40 CFR] part 50 (“Interpretation of the National Ambient Air Quality Standards for PM_{2.5}”). EPA proposed the determination of attainment for the Sacramento nonattainment area based upon a review of the monitoring network and the ambient air quality data collected at the monitoring sites during the 2009–2011 period. The monitoring network in the area is operated by the California Air Resources Board (CARB) and three local air pollution control agencies in the area: Sacramento Metropolitan Air Quality Management District, Placer County Air Pollution Control District, and Yolo-Solano Air Quality Management District. Based on these reviews, EPA found that complete, quality-assured and certified data for the

Sacramento nonattainment area showed that the 24-hour design value for the 2009–2011 period was equal to or less than 35 $\mu\text{g}/\text{m}^3$ at all five SLAMs monitor sites.

Since publication of our October 26, 2012 proposal, CARB and the air districts within the Sacramento nonattainment area have entered data into AQS for the final two quarters of 2012 and the first quarter of 2013, and have certified the data for 2012.¹ Thus, we now have complete, quality-assured for 2010–2012.

Because we make determinations of attainment based on the most recent 3 years of complete, quality-assured and certified data, we have updated the proposed determination of attainment (which had been based on 2009–2011 data) to reflect the 2010–2012 period. Specifically, we have updated table 1 (shown below) from the proposed rule to reflect the data for 2012, including data from the newly established Auburn monitoring site. As shown in table 1, the design value (31 $\mu\text{g}/\text{m}^3$) in the Sacramento nonattainment area for the

2010–2012 period is less than 35 $\mu\text{g}/\text{m}^3$ and thus shows that the area has attained the 2006 24-hour $\text{PM}_{2.5}$ standard. Therefore, we are taking final action today to determine that the Sacramento nonattainment area has attained the 2006 24-hour $\text{PM}_{2.5}$ standard based on complete, quality-assured and certified data for 2010–2012. Preliminary data for 2013 (not shown in table 1 but included in the docket for this action) show that the area continues to attain the standard.

TABLE 1—2009–2012 24-HOUR $\text{PM}_{2.5}$ MONITORING SITES AND DESIGN VALUES FOR THE SACRAMENTO NONATTAINMENT AREA^c

| Monitoring site | AQS Site identification no. | 98th percentile ($\mu\text{g}/\text{m}^3$) | | | | Design values ($\mu\text{g}/\text{m}^3$) | |
|--------------------------------------|-----------------------------|--|------|------|------|--|-----------|
| | | 2009 | 2010 | 2011 | 2012 | 2009–2011 | 2010–2012 |
| Auburn ^a | 06–061–0003 | n/a | n/a | n/a | 15.7 | n/a | n/a |
| Roseville | 06–061–0006 | 21.3 | 20.3 | 23.0 | 14.9 | 22 | 19 |
| Sacramento—Del Paso Manor | 06–067–0006 | 38.7 | 27.0 | 39.8 | 27.1 | ^b 35 | 31 |
| Sacramento—1309 T Street | 06–067–0010 | 27.2 | 27.3 | 45.1 | 20.5 | 33 | 31 |
| Sacramento Health Dept—Stockton Blvd | 06–067–4001 | 34.9 | 26.5 | 44.8 | 20.5 | ^a 35 | 31 |
| Woodland | 06–113–1003 | 27.4 | 18.6 | 25.8 | 14.2 | 24 | 20 |

^a The Auburn site (AQS ID 06–061–0003) started operating in January, 2012 and, therefore, does not have a valid design value.

^b The average of the 98th percentile values for 2009–2011 equals 35.2 and 35.4 at the Del Paso Manor and Stockton Blvd. sites, respectively, but consistent with applicable rounding conventions in 40 CFR part 50, Appendix N, section 4.3, 24-hour standard design values are rounded to the nearest 1 $\mu\text{g}/\text{m}^3$ (decimals 0.5 and greater are rounded up to the nearest whole number, and any decimal lower than 0.5 is rounded down to the nearest whole number).

^c Source: Design Value Report, May 30, 2013 (in the docket to this final action).

In our proposed rule, based on the proposed determination of attainment, we also proposed to apply EPA's Clean Data Policy to the 2006 24-hour $\text{PM}_{2.5}$ NAAQS and thereby suspend the requirements for this area to submit an attainment demonstration and associated reasonably available control measures (RACM), a reasonable further progress (RFP) plan, and contingency measures for so long as the area continues to attain the 2006 24-hour $\text{PM}_{2.5}$ NAAQS. See pages 65348–65350 of our October 26, 2012 proposed rule. In proposing to apply the Clean Data Policy to the 2006 24-hour $\text{PM}_{2.5}$ NAAQS, we explained how we are applying the same statutory interpretation with respect to the implications of clean data determinations that the Agency has long applied in regulations for the 1997 8-

hour ozone and $\text{PM}_{2.5}$ NAAQS and in individual rulemakings for the 1-hour ozone, PM_{10} and lead NAAQS. See 77 FR 65346, at 65349 (October 26, 2012).

EPA notes that on January 4, 2013, in *Natural Resources Defense Council v. EPA*, the DC Circuit remanded to EPA the “Final Clean Air Fine Particle Implementation Rule” (72 FR 20586, April 25, 2007) and the “Implementation of the New Source Review (NSR) Program for Particulate Matter Less than 2.5 Micrometers ($\text{PM}_{2.5}$)” final rule (73 FR 28321, May 16, 2008) (collectively, “1997 $\text{PM}_{2.5}$ Implementation Rule” or “Implementation Rule”). 706 F.3d 428 (DC Cir. 2013). While the DC Circuit, in its January 4, 2013 decision, remanded the 1997 $\text{PM}_{2.5}$ Implementation Rule to EPA to re-promulgate the Implementation Rule pursuant to

subpart 4,² the court did not address the merits of that regulation, nor cast doubt on EPA's interpretation of the statutory provisions under its Clean Data Policy.

EPA has taken the Court's decision into consideration in evaluating the effects of a determination of attainment for the Sacramento nonattainment area under subpart 4, in addition to subpart 1.³ Pursuant to EPA's Clean Data Policy interpretation, a determination that the area has attained the standard suspends the State's obligation to submit attainment-related planning requirements of subpart 4 (as well as the applicable provisions of subpart 1) for so long as the area continues to attain the standard. These include requirements to submit an attainment demonstration, RFP, RACM, and contingency measures, because the purpose of these provisions is to help

¹ See letter from Sylvia Vanderspek, Chief, Air Quality Data Branch, Planning and Technical Support Division, CARB, to Jared Blumenfeld, Regional Administrator, U.S. EPA Region IX, certifying calendar year 2012 ambient air quality data and quality assurance data, May 16, 2013.

² EPA established the Implementation Rule pursuant to subpart 1 (“Nonattainment Areas in General”) of part D (“Plan Requirements for Nonattainment Areas”) of title I of the CAA. Subpart 4 (“Additional Provisions for Particulate Matter Nonattainment Areas”) includes more

prescriptive SIP nonattainment area requirements than those set forth in subpart 1.

³ For the purposes of evaluating the effects of this determination of attainment under subpart 4, we are considering Sacramento to be a “moderate” $\text{PM}_{2.5}$ nonattainment area. Under section 188 of the CAA, all areas designated nonattainment areas under subpart 4 would initially be classified by operation of law as “moderate” nonattainment areas, and would remain moderate nonattainment areas unless and until EPA reclassifies the area as a “serious” nonattainment area. Accordingly, the evaluation of

the potential impact of subpart 4 requirements is limited to those applicable to moderate nonattainment areas. Sections 189(a) and (c) of subpart 4 apply to moderate nonattainment areas and include: An attainment demonstration (section 189(a)(1)(B)); provisions for RACM (section 189(a)(1)(C)); and quantitative milestones demonstrating RFP toward attainment by the applicable attainment date (section 189(c)). In addition, EPA also evaluates the applicable requirements of subpart 1.

reach attainment, a goal that has already been achieved. Thus, under both subpart 1 and subpart 4, a determination of attainment suspends a state's obligations to submit attainment-linked planning requirements for so long as the area continues in attainment.

EPA has long applied its Clean Data interpretation under subpart 4 in implementing the PM₁₀ standard.⁴ In EPA's proposed and final rulemakings determining that the San Joaquin Valley nonattainment area attained the PM₁₀ standard, EPA set forth at length its rationale for applying the Clean Data Policy to subpart 4. The Ninth Circuit upheld EPA's final rulemaking, and specifically EPA's Clean Data Policy, in the context of subpart 4. *Latino Issues Forum v. EPA*, supra. Nos. 06–75831 and 08–71238 (9th Cir.), Memorandum Opinion, March 2, 2009. In rejecting petitioner's challenge to the Clean Data Policy under subpart 4 for PM₁₀, the Ninth Circuit stated, “As the EPA explained, if an area is in compliance with PM₁₀ standards, then further progress for the purpose of ensuring attainment is not necessary.”

EPA is determining, based on the most recent three years of complete, quality-assured data meeting the requirements of 40 CFR part 50, appendix N, that the Sacramento nonattainment area is currently attaining the 2006 24-hour PM_{2.5} NAAQS. In conjunction with and based upon our determination that Sacramento nonattainment area has attained and is currently attaining the standard, EPA is also determining that the obligation to submit the following attainment-related planning requirements is not applicable for so long as the area continues to attain the PM_{2.5} standard: The part D, subpart 4 obligations to provide an attainment demonstration pursuant to section 189(a)(1)(B); the RACM provisions of section 189(a)(1)(C); the RFP provisions of section 189(c); and the related attainment demonstration, RACM, RFP and contingency measure provisions requirements of subpart 1, section 172. This determination does not constitute

a redesignation to attainment under CAA section 107(d)(3).

Please see the October 26, 2012 proposed rule for more detailed information concerning the PM_{2.5} NAAQS, designations of PM_{2.5} nonattainment areas, the regulatory basis for determining attainment of the NAAQS, the Sacramento nonattainment area's PM_{2.5} monitoring network, and EPA's review and evaluation of the data.

II. Public Comments

EPA's proposed rule provided a 30-day public comment period. We received no comments.

III. EPA's Final Action

For the reasons provided in the proposed rule and summarized herein, EPA is taking final action to determine that the Sacramento nonattainment area in California has attained the 2006 24-hour PM_{2.5} NAAQS based on three years of complete, quality-assured, and certified data in AQS for 2010–2012. Preliminary data for 2013 show that this area continues to attain the NAAQS.

EPA is also taking final action, based on the above determination of attainment, to suspend the requirements for the Sacramento nonattainment area to submit an attainment demonstration and associated RACM, a RFP plan, contingency measures, and any other planning SIPs related to attainment of the 2006 24-hour PM_{2.5} NAAQS for so long as the area continues to attain the 2006 24-hour PM_{2.5} NAAQS. EPA's final action is consistent and in keeping with its long-held interpretation of CAA requirements, as well as with EPA's regulations for similar determinations for ozone (see 40 CFR 51.918) for the 1997 8-hour ozone and in individual rulemakings for the 1-hour ozone, PM₁₀ and lead NAAQS.

Today's final action does not constitute a redesignation of the Sacramento nonattainment area to attainment for the 2006 24-hour PM_{2.5} NAAQS under CAA section 107(d)(3) because we have not yet approved a maintenance plan for the Sacramento nonattainment area as meeting the requirements of section 175A of the CAA or determined that the area has met the other CAA requirements for redesignation. The classification and designation status in 40 CFR part 81 remain nonattainment for this area until such time as EPA determines that California has met the CAA requirements for redesignating the Sacramento nonattainment area to attainment.

If the Sacramento nonattainment area continues to monitor attainment of the 2006 24-hour PM_{2.5} NAAQS, the

requirements for the area to submit an attainment demonstration and associated RACM, a RFP plan, contingency measures, and any other planning requirements related to attainment of the 2006 24-hour PM_{2.5} NAAQS will remain suspended. If after today's action EPA subsequently determines, after notice-and-comment rulemaking in the **Federal Register**, that the area has violated the 2006 24-hour PM_{2.5} NAAQS, the basis for the suspension of the attainment planning requirements for the area would no longer exist, and the area would thereafter have to address such requirements.

IV. Statutory and Executive Order Reviews

This final action makes a determination of attainment based on air quality and suspends certain federal requirements, and thus, this action would not impose additional requirements beyond those imposed by state law. For this reason, the final action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible

⁴ See, e.g., 75 FR 6571 (February 10, 2010) (Baton Rouge, Louisiana area); 71 FR 6352 (February 8, 2006) (Ajo, Arizona area); 71 FR 13021 (March 14, 2006) (Yuma, Arizona area); 71 FR 40023 (July 14, 2006) (Weirton, West Virginia area); 71 FR 44920 (August 8, 2006) (Rillito, Arizona area); 71 FR 63642 (October 30, 2006) (San Joaquin Valley, California area); 72 FR 14422 (March 28, 2007) (Miami, Arizona area); and 75 FR 27944 (May 19, 2010) (Coso Junction, California area). Thus EPA has established that, under subpart 4, an attainment determination suspends the obligations to submit an attainment demonstration, RACM, RFP, contingency measures, and other measures related to attainment.

methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this final action does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP obligations discussed herein do not apply to Indian Tribes, and thus this action will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 13, 2013. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen oxides, Particulate Matter, Sulfur oxides, Reporting and recordkeeping requirements.

Dated: June 28, 2013.

Alexis Strauss,

Acting Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.247 is amended by adding paragraph (c) to read as follows:

§ 52.247 Control Strategy and Regulations: Fine Particle Matter.

* * * * *

(c) *Determination of Attainment:* Effective August 14, 2013, EPA has determined that, based on 2010 to 2012 ambient air quality data, the Sacramento PM_{2.5} nonattainment area has attained the 2006 24-hour PM_{2.5} NAAQS. This determination suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment for as long as this area continues to attain the 2006 24-hour PM_{2.5} NAAQS. If EPA determines, after notice-and-comment rulemaking, that this area no longer meets the 2006 24-hour PM_{2.5} NAAQS, the corresponding determination of attainment for that area shall be withdrawn.

[FR Doc. 2013-16785 Filed 7-12-13; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 120706221-2705-02]

RIN 0648-XC748

Atlantic Highly Migratory Species; Commercial Gulf of Mexico Aggregated Large Coastal Shark and Gulf of Mexico Hammerhead Shark Management Groups

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is closing the commercial management groups for aggregated large coastal sharks (LCS) and hammerhead sharks in the Gulf of Mexico region. This action is necessary because the commercial landings of Gulf of Mexico aggregated LCS for the 2012 fishing season has exceeded 80 percent of the available commercial quota as of July 5, 2013.

DATES: The commercial Gulf of Mexico aggregated LCS and Gulf of Mexico hammerhead shark management groups are closed effective 11:30 p.m. local

time, July 17, 2013, until the end of the 2013 fishing season on December 31, 2013 or if NMFS announces, via a notice in the **Federal Register**, that additional quota is available and the season is reopened.

FOR FURTHER INFORMATION CONTACT:

Karyl Brewster-Geisz or Peter Cooper 301-427-8503; fax 301-713-1917.

SUPPLEMENTARY INFORMATION: The Atlantic shark fisheries are managed under the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP), its amendments, and its implementing regulations (50 CFR part 635) issued under authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

Under § 635.5(b)(1), sharks that are first received by dealers from a vessel must be submitted electronically on a weekly basis through a NMFS-approved electronic reporting system by the dealer and received by NMFS no later than midnight, local time, of the first Tuesday following the end of the reporting week unless the dealer is otherwise notified by NMFS. Under § 635.28(b)(2), when NMFS calculates that the landings for any species and/or management group of a linked group has reached or is projected to reach 80 percent of the available quota, NMFS will file for publication with the Office of the Federal Register a notice of closure for all of the species and/or management groups in a linked group that will be effective no fewer than 5 days from date of filing. From the effective date and time of the closure until NMFS announces, via a notice in the **Federal Register**, that additional quota is available and the season is reopened, the fishery for all linked species and/or management groups is closed, even across fishing years.

On July 3, 2013 (78 FR 40318), NMFS announced the final rule for Amendment 5a to the Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP), which, among other things, established new, final adjusted 2013 quotas for aggregated LCS and hammerhead sharks in the Gulf of Mexico region. The Gulf of Mexico aggregated LCS management group quota is 157.5 metric tons (mt) dressed weight (dw) (347,317 lb dw), and the Gulf of Mexico hammerhead shark management group quota is 25.3 metric tons (mt) dressed weight (dw) (55,722 lb dw). Dealer reports recently received through July 5, 2013, indicate that 128.7 mt dw or 82 percent of the available Gulf of Mexico aggregated LCS quota has been landed, and that 9.2 mt