

*Penalties Inflation Adjustment Act Improvements Act of 2015* (Dec. 14, 2018); OMB, M–18–03, *Implementation of Penalty Inflation Adjustments for 2018, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (Dec. 15, 2017). Accordingly, this final rule reflects the NTSB’s 2018 and 2019 annual inflation adjustments, which were due on January 15, 2018 and January 15, 2019, respectively. This final rule updates the maximum civil penalty established by the October 12, 2017 IFR.

No violations will be assessed at the 2018 inflation adjustment amount. Nevertheless, the 2018 adjustment was used to calculate the 2019 maximum penalty amount, which ultimately increased the maximum civil penalty from \$1,617 to \$1,692.

## II. The 2018 and 2019 Annual Adjustments

The 2018 and 2019 annual adjustments are calculated by multiplying the applicable maximum civil penalty amount by the cost-of-living adjustment multiplier, which is based on the Consumer Price Index (CPI-U), and rounding to the nearest dollar. OMB, M–19–04, *Implementation of Penalty Inflation Adjustments for 2019, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (Dec. 14, 2018); OMB, M–18–03, *Implementation of Penalty Inflation Adjustments for 2018, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (Dec. 15, 2017). The OMB annually publishes guidance on the adjustment multiplier to assist agencies in calculating the mandatory annual adjustments for inflation.

For the 2018 annual adjustment, the December 15, 2017 OMB annual guidance states that the cost-of-living adjustment multiplier for 2018 is 1.02041. Multiplying \$1,617 (the 2017 inflation adjustment amount) by 1.02041 equals \$1,650.00297, which rounded to the nearest dollar equals \$1,650. As explained above, no violations will be assessed at this amount.

For the 2019 adjustment, the December 14, 2018 OMB annual guidance states that the CPI-U multiplier for 2019 is 1.02522. Multiplying \$1,650 (the 2018 inflation adjustment amount) by 1.02522 equals \$1,691.613, which rounded to the nearest dollar equals \$1,692. This updated maximum penalty applies only to civil penalties assessed after the effective date of this final rule. The next

adjustment for inflation will be calculated by January 15, 2020.

## III. Regulatory Analysis

The Office of Information and Regulatory Affairs (OIRA) Administrator has determined agency regulations that exclusively implement the annual adjustment are consistent with OMB’s annual guidance, and have an annual impact of less than \$100 million are generally not significant regulatory actions under Executive Order (E.O.) 12866. OMB, M–19–04, *Implementation of Penalty Inflation Adjustments for 2019, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (Dec. 14, 2018). An assessment of its potential costs and benefits under E.O. 12866, *Regulatory Planning and Review* and E.O. 13563, *Improving Regulation and Regulatory Review* is not required because this final rule is not a “significant regulatory action.”

Likewise, this rule does not require analyses under the Unfunded Mandates Reform Act of 1995 and E.O. 13771, *Reducing Regulation and Controlling Regulatory Costs* because this final rule is nonsignificant.

The NTSB does not anticipate this rule will have a substantial direct effect on state government or will preempt state law. Accordingly, this rule does not have implications for federalism under E.O. 13132, *Federalism*.

This NTSB also evaluated this rule under E.O. 13175, *Consultation and Coordination with Indian Tribal Governments*. The agency has concluded that this final rule will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

The Paperwork Reduction Act of 1995 is inapplicable because the final rule imposes no new information reporting or recordkeeping necessitating clearance by OMB.

The Regulatory Flexibility Act of 1980 does not apply because, as a final rule, this action is not subject to prior notice and comment. *See* 5 U.S.C. 604(a).

The NTSB has concluded that this final rule neither violates nor requires further consideration under the aforementioned Executive Orders and acts.

## List of Subjects in 49 CFR Part 831

Aircraft accidents, Aircraft incidents, Aviation safety, Hazardous materials transportation, Highway safety, Investigations, Marine safety, Pipeline safety, Railroad safety.

Accordingly, for the reasons stated in the Preamble, the NTSB amends 49 CFR part 831, as follows:

## PART 831—INVESTIGATION PROCEDURES

■ 1. The authority citation for part 831 continues to read as follows:

**Authority:** 49 U.S.C. 1113(f).

Section 831.15 also issued under Pub. L. 101–410, 104 Stat. 890, amended by Pub. L. 114–74, sec. 701, 129 Stat. 584 (28 U.S.C. 2461 note).

### § 831.15 [Amended]

■ 2. Amend § 831.15 by removing the dollar amount “\$1,617” and add in its place “\$1,692”.

**Robert L. Sumwalt, III,**  
*Chairman.*

[FR Doc. 2019–18780 Filed 8–29–19; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 160426363–7275–02]

RIN 0648–XS010

### Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region; Commercial Trip Limit Reduction for King Mackerel in the Atlantic Southern Zone

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

**ACTION:** Temporary rule; trip limit reduction.

**SUMMARY:** NMFS reduces the commercial trip limit for Atlantic migratory group king mackerel (Atlantic king mackerel) in or from Federal waters in the Atlantic southern zone off the Florida east coast between the border of Flagler and Volusia Counties and the border of Miami-Dade and Monroe Counties to 50 fish per day. This commercial trip limit reduction is necessary to protect the Atlantic king mackerel resource.

**DATES:** This temporary rule is effective from September 1, 2019, through September 30, 2019.

**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 fishery for coastal migratory pelagic fish

includes king mackerel, Spanish mackerel, and cobia in the Gulf of Mexico and off the east coast of Florida, 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 Atlantic migratory group king mackerel (Atlantic king mackerel) apply as either round or gutted weight.

On April 11, 2017, NMFS published a final rule to implement Amendment 26 to the FMP in the **Federal Register** (82 FR 17387). Among other measures, that final rule adjusted the management boundaries, zones, and annual catch limits for Atlantic king mackerel. The commercial quota for Atlantic king mackerel in the southern zone is 3,617,120 lb (1,640,698 kg) for the current fishing year, March 1, 2019, through February 29, 2020 (50 CFR 622.384(b)(2)(ii)). The seasonal quotas in the southern zone are 2,170,272 lb (984,419 kg) for the period March 1 through September 30 (50 CFR 622.384(b)(2)(ii)(A)), and 1,446,848 lb (656,279 kg) for October 1 through the end of February (50 CFR 622.384(b)(2)(ii)(B)).

The southern zone for Atlantic king mackerel encompasses an area of Federal waters south of a line extending from the state border of North Carolina and South Carolina, as specified in 50 CFR 622.2, and north of a line extending due east from the border of Miami-Dade and Monroe Counties, Florida (50 CFR 622.369(a)(2)(ii)). The area of the southern zone in which this temporary rule applies is in Federal waters south of 29°25' N lat., which is a line that extends due east from the border of Flagler and Volusia Counties, Florida, and north of 25°20'24' N lat., which is a line that extends due east from the border of Miami-Dade and Monroe Counties, Florida (50 CFR 622.385(a)(1)(ii)).

From April 1 through September 30, the commercial trip limit for Atlantic king mackerel in Federal waters off the east coast of Florida between the border of Flagler and Volusia Counties, and the border of Miami-Dade and Monroe Counties that may be possessed on board or landed from a federally permitted vessel is 75 fish per day (50 CFR 622.385(a)(1)(ii)(B)). However, if during this period NMFS determines

that 75 percent of the commercial quota in the Atlantic southern zone specified in 50 CFR 622.384(b)(2)(ii)(A) has been harvested, then the commercial trip limit for king mackerel in or from this area that may be possessed on board or landed from a federally permitted vessel is reduced to 50 fish per day (50 CFR 622.385(a)(1)(ii)(B)).

NMFS has determined that for the 2019–2020 fishing year, 75 percent of the March 1 through the September 30 commercial quota for Atlantic king mackerel in the southern zone will be harvested by September 1, 2019. Accordingly, a 50-fish commercial trip limit applies to vessels fishing for king mackerel in or from Federal waters south of 29°25' N lat. and north of 25°20'24' N lat. off the east coast of Florida in the Atlantic southern zone effective from September 1, 2019, through September 30, 2019. On October 1, 2019, the new seasonal commercial quota will be in effect and a commercial trip limit of 50 fish will continue for this area.

#### Classification

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

This action is taken under 50 CFR 622.385(a)(1)(ii)(B) 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 commercial trip limit reduction 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), because prior notice and opportunity for public comment on this temporary rule is unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule establishing the commercial trip limits has already been subject to notice and comment, and all that remains is to notify the public of the trip limit reduction. Such procedures are contrary to the public interest because of the need to immediately implement this action to protect the Atlantic king mackerel stock. The capacity of the fishing fleet allows for more rapid

harvest of the commercial quota under the greater trip limit. Prior notice and opportunity for public comment would require time and could potentially result in a harvest 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, pursuant to 5 U.S.C. 553(d)(3).

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

Dated: August 27, 2019.

**Jennifer M. Wallace,**

*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 679

[Docket No. 180831813–9170–02]

RIN 0648–XG996

#### Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the Central Regulatory Area of the Gulf of Alaska

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting retention of sablefish by vessels using trawl gear and not participating in the cooperative fishery of the Rockfish Program in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary because the 2019 total allowable catch of sablefish allocated to vessels using trawl gear and not participating in the cooperative fishery of the Rockfish Program in the Central Regulatory Area of the GOA has been reached.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), August 28, 2019, through 2400 hours, A.l.t., December 31, 2019.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing