

specifically regarding model aircraft.” *Id.* The FAA went on to clarify, however, “model aircraft that do not meet these statutory requirements are nonetheless unmanned aircraft, and as such, are subject to all existing FAA regulations, as well as future rulemaking action, and the FAA intends to apply its regulations to such unmanned aircraft.” *Id.* at 36173. Following the Notice of interpretation, the FAA published a Notice of Proposed Rulemaking, in which it proposed a new regulatory part to regulate small UAS (14 CFR part 107). 80 FR 9544 (Feb. 23, 2015).

### Conclusion

In light of recent regulatory and legislative actions and industry developments in the area of unmanned aircraft, the agency believes it is prudent to clarify our interpretation of the definitions codified at 49 CFR 830.2 and the notification requirements contained in § 830.5(a) (applicable to “aircraft accidents” and “serious incidents”).<sup>2</sup> In this regard, we remain consistent with our long-held practice of refraining from conducting investigations of any model aircraft accident or incident. We maintain this declination in our interpretation of our regulations within 49 CFR part 830, and we do not feel compelled to alter this practice in light of recently proposed regulatory changes from the FAA or Congress’s recent inclusion of a statutory definition of “model aircraft.”

The NTSB does not now propose a definition of model aircraft, but will consider as instructive the description of “model aircraft” within section 336 of the FAA Modernization and Reform Act of 2012, as described above in the section of this Notice entitled “Related Legislative and Regulatory Developments.”

The NTSB trusts operators will find this statement of interpretation helpful in understanding the NTSB’s definition of “unmanned aircraft accident.”

**Christopher A. Hart,**  
*Chairman.*

[FR Doc. 2015–22933 Filed 9–10–15; 8:45 am]

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<sup>2</sup> We recognize the aviation community is mindful of the Board’s decision in *Administrator v. Pirker*, NTSB Order No. EA–5730 (Nov. 18, 2014). In *Pirker*, the Board held the FAA could apply to UAS 14 CFR 91.13(a), which prohibits careless or reckless operation of aircraft. The respondent’s flight that gave rise to the FAA’s action in *Pirker* occurred prior to Congress’s enactment of the FAA Modernization and Reform Act of 2012, which addresses UAS, small UAS, and model aircraft. The NTSB considers these statutory definitions instructive in interpreting its regulations.

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 140117052–4402–02]

RIN 0648–XE162

#### Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer

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

**ACTION:** Temporary rule; quota transfer.

**SUMMARY:** NMFS announces that the Commonwealth of Virginia is transferring a portion of its 2015 commercial Atlantic bluefish quota to the Commonwealth of Massachusetts. This quota adjustment is necessary to comply with the Bluefish Fishery Management Plan quota transfer provisions. This announcement informs the public of the revised commercial quota for each state involved.

**DATES:** Effective September 8, 2015, through December 31, 2015.

**FOR FURTHER INFORMATION CONTACT:** Reid Lichwell, Fishery Management Specialist, (978) 281–9112.

#### SUPPLEMENTARY INFORMATION:

Regulations governing the bluefish fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned among the coastal states from Florida through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.162.

The final rule implementing Amendment 1 to the Bluefish Fishery Management Plan, published in the **Federal Register** on July 26, 2000 (65 FR 45844), provided a mechanism for transferring commercial bluefish quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the Administrator, Greater Atlantic Region, NMFS (Regional Administrator), can transfer or combine bluefish commercial quota under § 648.162(e). The Regional Administrator is required to consider the criteria in § 648.162(e)(1) in the evaluation of requests for quota transfers or combinations.

Virginia has agreed to transfer 50,000 lb (22,680 kg) of its 2015 commercial quota to Massachusetts. This transfer was prompted by state officials in Massachusetts to ensure their commercial bluefish quota is not

exceeded. The Regional Administrator has determined that the criteria set forth in § 648.162(e)(1) are met. The revised bluefish quotas for calendar year 2015 are: Virginia, 422,629 lb (191,701 kg); and Massachusetts, 602,036 lb (273,079 kg), based on the final 2015 Atlantic Bluefish Specifications published August 6, 2015 (80 FR 46848).

#### Classification

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

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

Dated: September 8, 2015.

**Emily H. Menashes,**

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

[FR Doc. 2015–22953 Filed 9–8–15; 4:15 pm]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 140918791–4999–02]

RIN 0648–XE180

#### Fisheries of the Exclusive Economic Zone Off Alaska; Reapportionment of the 2015 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories

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

**ACTION:** Temporary rule; reapportionment.

**SUMMARY:** NMFS is reapportioning the seasonal apportionments of the 2015 Pacific halibut prohibited species catch (PSC) limits for the trawl deep-water and shallow-water species fishery categories in the Gulf of Alaska. This action is necessary to account for the actual halibut PSC use by the trawl deep-water and shallow-water species fishery categories from May 15, 2015 through June 30, 2015. This action is consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), September 9, 2015 through 2400 hours, A.l.t., December 31, 2015.

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

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

Gulf of Alaska (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 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 final 2015 and 2016 harvest specifications for groundfish in the GOA (80 FR 10250, February 25, 2015) apportion the 2015 Pacific halibut PSC limit for trawl gear in the GOA to two trawl fishery categories: A deep-water species fishery and a shallow-water species fishery. The halibut PSC limit for these two trawl fishery categories is

further apportioned by season, including four seasonal apportionments to the shallow-water species fishery and three seasonal apportionments to the deep-water species fishery. The two fishery categories also are apportioned a combined, fifth seasonal halibut PSC limit. Unused seasonal apportionments are added to the next season apportionment during a fishing year.

Regulations at § 679.21(d)(4)(iii)(D) require NMFS to combine management of the available trawl halibut PSC limits in the second season (April 1 through July 1) deep-water and shallow-water species fishery categories for use in either fishery from May 15 through June 30 of each year. Furthermore, NMFS is required to reapportion the halibut PSC limit between the deep-water and shallow-water species fisheries after

June 30 to account for actual halibut PSC use by each fishery category during May 15 through June 30. As of September 1, 2015, NMFS has determined that the trawl deep-water and shallow-water fisheries used 75 metric tons (mt) and 1 mt of halibut PSC, respectively, from May 15 through June 30. Accordingly, pursuant to § 679.21(d)(4)(iii)(D), the Regional Administrator is reapportioning the combined first and second seasonal apportionments (836 mt) of halibut PSC limit between the trawl deep-water and shallow-water fishery categories to account for the actual PSC use in each fishery. Therefore, Table 16 of the final 2015 and 2016 harvest specifications for groundfish in the GOA (80 FR 10250, February 25, 2015) is revised consistent with this adjustment.

TABLE 16—FINAL 2015 APPORTIONMENT OF PACIFIC HALIBUT PSC TRAWL LIMITS BETWEEN THE TRAWL GEAR DEEP-WATER SPECIES FISHERY AND THE SHALLOW-WATER SPECIES FISHERY CATEGORIES

[Values are in metric tons]

Season	Shallow-water	Deep-water <sup>1</sup>	Total
January 20–April 1 .....	135	35 .....	170
April 1–July 1 .....	291	375 .....	666
Subtotal of combined first and second season limit (January 20–July 1) .....	426	410 .....	836
July 1–September 1 .....	352	176 .....	528
September 1–October 1 .....	132	Any remainder .....	132
Subtotal January 20–October 1 .....	910	586 .....	1,496
October 1–December 31 <sup>2</sup> .....	.....	.....	264
<b>Total</b> .....	.....	.....	<b>1,760</b>

<sup>1</sup> Vessels participating in cooperatives in the Central GOA Rockfish Program will receive 191 mt of the third season (July 1 through September 1) deep-water species fishery halibut PSC apportionment.

<sup>2</sup> There is no apportionment between trawl shallow-water and deep-water species fishery categories during the fifth season (October 1 through December 31).

**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 allow for harvests that exceed the originally specified apportionment of the halibut PSC limits to the deep-water and shallow-water fishery categories. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of September 3, 2015.

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 § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: September 8, 2015.

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

[FR Doc. 2015-22934 Filed 9-8-15; 4:15 pm]

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