

devices, and indoor access points in the 5.925–7.125 GHz band is prohibited on boats.

(iv) *Aircraft*. Standard power access points, fixed client devices, very low power devices, and indoor access points in the 5.925–7.125 GHz band are prohibited from operating on aircraft, except that very low power devices and indoor access points are permitted to operate in the 5.925–6.425 GHz bands in large aircraft while flying above 10,000 feet.

(v) *Unmanned aircraft systems*. Operation of transmitters in the 5.925–7.125 GHz band is prohibited for control of or communications with unmanned aircraft systems.

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(6) All U–NII transmitters, except for standard power access points, operating in the 5.925–7.125 GHz band must employ a contention-based protocol.

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(8) Very low power devices may not employ a fixed outdoor infrastructure. Such devices may not be mounted on outdoor structures, such as buildings or poles.

(9) Very low power devices must prioritize operations on frequencies above 6.105 GHz prior to operating on frequencies between 5.925 GHz and 6.105 GHz.

(10) Very low power devices operating in the 5.925–6.425 and 6.525–6.875 GHz bands shall employ a transmit power control (TPC) mechanism. A very low power device is required to have the capability to operate at least 6 dB below the maximum EIRP power spectral density (PSD) value of –5 dBm/MHz.

\* \* \* \* \*

(1) \* \* \*

(2) \* \* \*

(ii) The AFC system must use –6 dB I/N as the interference protection criteria in determining the size of the adjacent channel exclusion zone, where I (interference) is the signal from the standard power access point or fixed client device's out of channel emissions at the fixed microwave service receiver and N (noise) is background noise level at the fixed microwave service receiver. The adjacent channel exclusion zone

must be calculated based on the emissions requirements of paragraph (b)(7) of this section.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 221223–0282; RTID 0648–XD631]

#### Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer From North Carolina to Connecticut

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

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

**SUMMARY:** NMFS announces that the State of North Carolina is transferring a portion of its 2023 commercial summer flounder quota to the State of Connecticut. This adjustment to the 2023 fishing year quota is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) quota transfer provisions. This announcement informs the public of the revised 2023 commercial quotas for North Carolina and Connecticut.

**DATES:** Effective January 5, 2024.

**FOR FURTHER INFORMATION CONTACT:** Laura Deighan, Fishery Management Specialist, (978) 281–9184.

**SUPPLEMENTARY INFORMATION:** Regulations governing the summer flounder fishery are found in 50 CFR 648.100 through 648.111. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102 and final 2023 allocations were published on January 3, 2023 (88 FR 11).

The final rule implementing Amendment 5 to the Summer Flounder FMP, as published in the **Federal Register** on December 17, 1993 (58 FR 65936), provided a mechanism for transferring summer flounder commercial quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider three criteria in the evaluation of requests for quota transfers or combinations: (1) the transfer or combinations would not preclude the overall annual quota from being fully harvested; (2) the transfer addresses an unforeseen variation or contingency in the fishery; and (3) the transfer is consistent with the objectives of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Regional Administrator has determined these three criteria have been met for the transfer approved in this notification.

North Carolina is transferring 30,000 pounds (lb; 13,608 kilograms (kg)) to Connecticut through a mutual agreement between the states. This transfer was requested to ensure Connecticut would not exceed its 2023 quota. The revised summer flounder quotas for 2023 are North Carolina, 3,001,074 lb (1,361,264 kg), and Connecticut, 953,031 lb (432,288 kg).

#### Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 648.102(c)(2)(i) through (iv), which was issued pursuant to section 304(b), and is exempted from review under Executive Order 12866.

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

Dated: January 3, 2024.

**Everett Wayne Baxter,**

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

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