

correcting amendment, the longitudinal coordinate for point K will be corrected and the coordinates for points O and U, as published in the final rule implementing Amendment 17B, will be removed and replaced with new boundary coordinates to reflect the State/Federal boundary. These new coordinates and State/Federal boundary lines will be included in the revised depth closure table of coordinates. All other information remains unchanged and will not be repeated in this correction.

**Classification**

Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive prior notice and opportunity for additional public comment for this action because any delay of this action would be unnecessary and contrary to the public interest. This correcting amendment includes minor, non-substantive changes to regulatory text to clarify the boundaries of the snapper-grouper depth closure contained in the final rule for Amendment 17B to the FMP. These amendments do not modify, add or remove any rights, privileges or obligations of any individuals. Rather, one of the longitudinal coordinates published in the final rule was incorrect and two of the coordinates published in the final rule occurred in State waters. The new coordinates and State/Federal boundary lines published in this correcting amendment will alleviate unnecessary confusion for South Atlantic snapper-grouper fishermen. There will be no adverse affect on fishing stocks as a result of this amendment. However, by immediately implementing this correcting amendment, fishermen will better be able to plan their fishing trips by incorporating the correct boundary coordinates into their business plans. Because this is a minor technical amendment that will benefit the affected entities, public comment is both unnecessary and contrary to the public interest.

For the reasons stated above, the Assistant Administrator also finds good cause, pursuant to 5 U.S.C. 553(d), to waive the 30-day delay in effective date for this correction amendment. These revisions are minor, non-substantive changes and do not change operating practices in the South Atlantic snapper-grouper fishery. The immediate publication of the correct coordinates will provide fishermen the information they need to plan their fishing trips and alleviate confusion.

Because prior notice and opportunity for public comment are not required for

this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

This correcting amendment is exempt from review under Executive Order 12866.

**List of Subjects in 50 CFR Part 622**

Fisheries, Fishing, Puerto Rico, Reporting and recordkeeping requirements, Virgin Islands.

Dated: March 2, 2011.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

Accordingly, 50 CFR part 622 is corrected by making the following correcting amendments:

**PART 622—FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC**

■ 1. The authority citation for part 622 continues to read as follows:

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

■ 2. In § 622.35, the table in paragraph (o) is revised to read as follows:

**§ 622.35 Atlantic EEZ seasonal and/or area closures.**

\* \* \* \* \*

(o) \* \* \*

Point	North lat. 10	West long. 10
A .....	36°31'01"	74°48'10"
B .....	35°57'29"	74°55'49"
C .....	35°30'49"	74°49'17"
D .....	34°19'41"	76°00'21"
E .....	33°13'31"	77°17'50"
F .....	33°05'13"	77°49'24"
G .....	32°24'03"	78°57'03"
H .....	31°39'04"	79°38'46"
I .....	30°27'33"	80°11'39"
J .....	29°53'21"	80°16'01"
K .....	29°24'03"	80°13'28"
L .....	28°19'29"	80°00'27"
M .....	27°32'05"	79°58'49"
N .....	26°50'29"	79°59'05"
From point N follow the State/Federal boundary to point O.		
O .....	25°43'57"	80°04'46"
P .....	25°31'03"	80°04'55"
Q .....	25°13'44"	80°09'40"
R .....	24°59'09"	80°19'51"
S .....	24°42'06"	80°46'38"
T .....	24°33'53"	81°10'23"
U .....	24°29'10"	81°32'27"
From point U follow the State/Federal boundary to point V.		
V .....	24°26'28"	81°45'06"
W .....	24°25'53"	81°47'53"

Point	North lat. 10	West long. 10
From point W follow the State/Federal boundary to point X.		
X .....	24°25'32"	81°58'38"
Y .....	24°25'49"	82°11'17"
Z .....	24°21'35"	82°22'32"
AA .....	24°21'29"	82°42'33"
BB .....	24°25'37"	83°00'00"

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 101126521-0640-02]

RIN 0648-XA271

**Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 m) length overall (LOA) using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the limit of Pacific cod for catcher vessels less than 60 ft LOA using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area in the BSAI.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), March 3, 2011, through 2400 hrs, A.l.t., December 31, 2011.

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

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (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.

In accordance with § 679.22(a)(7)(i)(C), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that 113 metric tons of Pacific cod have been caught by catcher vessels less than 60 ft LOA using jig or hook-and-line gear in the Bogoslof exemption area described at § 679.22(a)(7)(i)(C)(1). Consequently, the Regional Administrator is prohibiting directed fishing for Pacific cod by catcher vessels less than 60 ft (18.3 m) LOA using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

#### 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 delay the closure of Pacific cod by catcher vessels less than 60 ft LOA using jig or hook-and-line gear in the Bogoslof Pacific cod exemption area. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 2, 2011.

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

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

Dated: March 3, 2011.

**Emily H. Menashes,**

*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. 101126521-0640-02]

RIN 0648-XA262

#### Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands

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

**ACTION:** Temporary rule.

**SUMMARY:** NMFS is reallocating the projected unused amounts of the Aleut Corporation's pollock directed fishing allowance and the Community Development Quota from the Aleutian Islands subarea to the Bering Sea subarea directed fisheries. These actions are necessary to provide opportunity for harvest of the 2011 total allowable catch of pollock, consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), March 8, 2011, until 2400 A.l.t., December 31, 2011, unless otherwise modified or superseded through publication of a notification in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Obren Davis, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the Bering Sea and Aleutian Islands (BSAI) exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council (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.

In the Aleutian Islands subarea, the portion of the 2011 pollock total allowable catch (TAC) allocated to the Aleut Corporation's directed fishing allowance (DFA) is 15,500 metric tons (mt) and the Community Development Quota (CDQ) is 1,900 mt as established by the final 2011 and 2012 harvest specifications for groundfish in the BSAI (76 FR 11139, March 1, 2011).

As of March 1, 2011, the Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that 12,500 mt of Aleut Corporation's DFA and 1,900 mt of pollock CDQ in the Aleutian Islands subarea will not be harvested. Therefore, in accordance with § 679.20(a)(5)(iii)(B)(4), NMFS reallocates 12,500 mt of Aleut Corporation's DFA and 1,900 mt of pollock CDQ from the Aleutian Islands subarea to the 2011 Bering Sea subarea allocations. The 1,900 mt of pollock CDQ is added to the 2011 Bering Sea CDQ DFA. The remaining 12,500 mt of pollock is apportioned to the Bering Sea subarea by AFA sector. The AFA Inshore sector receives 6,250 mt (50 percent), the AFA catcher/processor sector receives 5,000 mt (40 percent), and the AFA mothership sector receives 1,250 mt (10 percent). The 2011 pollock incidental catch allowance remains at 33,804 mt. As a result, the harvest specifications for pollock in the Aleutian Islands subarea included in the final harvest 2011 and 2012 specifications for groundfish in the BSAI (76 FR 11139, March 1, 2011) are revised as follows. For the Aleutian Islands subarea, 3,000 mt to Aleut Corporation's DFA and 0 mt to CDQ pollock. Furthermore, pursuant to § 679.20(a)(5), Table 3 of the final 2011 and 2012 harvest specifications for groundfish in the BSAI (76 FR 11139, March 1, 2011) is revised to make 2011 pollock allocations consistent with this reallocation. This reallocation results in proportional adjustments to the 2011 Aleut Corporation and CDQ pollock allocations established at § 679.20(a)(5).