

Dated: March 30, 2006.

**Mark B. McClellan,**  
Administrator, Centers for Medicare & Medicaid Services.

Approved: June 12, 2006.

**Michael O. Leavitt,**  
Secretary.  
[FR Doc. 06-7886 Filed 9-21-06; 8:45 am]  
BILLING CODE 4120-01-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 49 CFR Part 40

[Docket OST-2006-24112]

RIN 2105-AD57

#### Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Corrections to the Federal Register

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** The Department of Transportation published in the **Federal Register** of August 23, 2006, a final rule (effective September 22, 2006) which added state-licensed or certified marriage and family therapists to the list of credentialed professionals eligible to serve as substance abuse professionals under subpart O of 49 CFR part 40. The final rule also made a series of technical amendments to its drug and alcohol testing procedural rule. This notice corrects a misspelling in the final rule and adds text that was discussed in the preamble but omitted in the rule text.

**DATES:** This correction is effective September 22, 2006.

**FOR FURTHER INFORMATION CONTACT:** Bohdan Baczara, Office of Drug and Alcohol Policy and Compliance, 400 Seventh Street, SW., Washington, DC 20590; 202-366-3784 (voice), 202-366-3897 (fax), or [bohdan.baczara@dot.gov](mailto:bohdan.baczara@dot.gov) (e-mail).

**SUPPLEMENTARY INFORMATION:** The Office of Drug & Alcohol Policy & Compliance published a final rule in the **Federal Register** (71 FR 49382). In this rule, there was a typographical error and an omission of text. This notice will correct these oversights.

■ In rule FR Doc. E6-13956 published on August 23, 2006 (71 FR 49382) make the following corrections.

#### § 40.3 [Corrected]

■ 1. On page 49384, in the second column, third line, replace the word "Material" with "Materials".

#### § 40.281 [Corrected]

■ 2. On page 49384, in the third column, add a new instruction 10a following the amendment to § 40.281 to read as follows:

■ "10a. Section 40.281 is further amended in the introductory text after the word 'drug' by adding the text 'and alcohol'."

Dated: September 14, 2006.

**Jim L. Swart,**  
Acting Director, Office of Drug and Alcohol Policy and Compliance, United States Department of Transportation.

[FR Doc. E6-15617 Filed 9-21-06; 8:45 am]  
BILLING CODE 4910-9X-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 060216045-6045-01; I.D. 091806A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Adjustment of Pacific Cod Total Allowable Catch Amount in the Bering Sea and Aleutian Islands

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

**ACTION:** Temporary rule; inseason adjustment; request for comments.

**SUMMARY:** NMFS is adjusting the 2006 Pacific cod total allowable catch (TAC) amount in the Bering Sea and Aleutian Islands Management Area (BSAI). This action is necessary to allow harvest of Pacific cod that will not be harvested under the State of Alaska's guideline harvest level (GHL) for the Aleutian Islands subarea state waters Pacific cod fishery. This action is consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the BSAI (FMP).

**DATES:** Effective September 19, 2006, through 2400 hrs, Alaska local time (A.l.t.), December 31, 2007.

Comments must be received at the following address no later than 4:30 p.m., A.l.t., October 4, 2006.

**ADDRESSES:** Send comments to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Walsh. Comments may be submitted by:

• Mail to: P.O. Box 21668, Juneau, AK 99802;

• Hand delivery to the Federal Building, 709 West 9th Street, Room 420A, Juneau, Alaska;  
• FAX to 907-586-7557;  
• E-mail to [statepcodrelb@noaa.gov](mailto:statepcodrelb@noaa.gov) and include in the subject line of the e-mail comment the document identifier: statepcodrelb (E-mail comments, with or without attachments, are limited to 5 megabytes); or  
• Webform at the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions at that site for submitting comments.

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

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the 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.

The 2006 and 2007 final harvest specifications for groundfish in the BSAI (71 FR 10894, March 3, 2006) established the 2006 and 2007 Pacific cod acceptable biological catches (ABC) as 194,000 metric tons (mt) and 148,000 mt, respectively. The TACs were set equal to the ABCs for Pacific cod in the BSAI. On March 14, 2006, NMFS reduced the Pacific cod TAC in the BSAI after the Alaska Department of Fish and Game (ADF&G) announced by emergency regulation a Pacific cod GHL, west of 170 degrees west longitude in the Aleutian Islands subarea, equal to three percent of the Pacific cod ABC in the BSAI (71 FR 13777, March 17, 2006).

On August 28, 2006, ADF&G announced the closure of the 2006 state waters Pacific cod fishery, west of 170 degrees west longitude in the Aleutian Islands subarea, effective 11:59 a.m. A.l.t., September 1, 2006. As of September 1, 2006, the Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that ADF&G is making available 1,588 mt of unharvested Pacific cod from the Aleutian Islands state waters Pacific cod fishery to the federal Pacific cod fisheries. As a result, the Regional Administrator has determined, using the best scientific information available, that the current 2006 TAC is incorrectly specified because the transfer of unharvested state waters GHL in the Aleutian Islands subarea to the federally managed fisheries requires an increase to the 2006 TAC of Pacific cod in the BSAI. This action will not exceed the

2006 ABC of Pacific cod in the BSAI established in the 2006 and 2007 final harvest specifications for groundfish in the BSAI (71 FR 10894, March 3, 2006). Therefore, in accordance with § 679.25(a)(1)(iii), (a)(2)(i)(B) and

(a)(2)(iv), the Regional Administrator adjusts the 2006 Pacific cod TAC in the BSAI.

Pursuant to § 679.20(a)(7), Tables 1, 2, 5, 12, and 14 of the 2006 and 2007 final harvest specifications for groundfish in

the BSAI (71 FR 10894, March 3, 2006) and adjustment (71 FR 13777, March 17, 2006) are revised for the 2006 Pacific cod TAC consistent with this adjustment.

TABLE 1—2006 AND 2007 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), AND CDQ RESERVE ALLOCATION OF GROUNDFISH IN THE BSAI<sup>1</sup>

[Amounts are in metric tons]

Species	Area	2006					2007				
		OFL	ABC	TAC	ITAC <sup>2</sup>	CDQ <sup>3</sup>	OFL	ABC	TAC	ITAC <sup>2</sup>	CDQ <sup>3</sup>
Pollock <sup>4</sup>	BS <sup>5</sup> .....	2,090,000	1,930,000	1,485,000	1,336,500	148,500	1,930,000	1,790,000	1,500,000	1,350,000	150,000
	AI <sup>2</sup> .....	39,100	29,400	19,000	17,100	1,900	39,100	29,400	19,000	17,100	1,900
	Bogoslof .....	50,600	5,500	10	10	n/a	50,600	5,500	10	10	n/a
Pacific cod	BSAI .....	230,000	194,000	189,768	161,302	14,233	176,000	148,000	143,560	122,026	10,767
Sablefish <sup>5</sup>	BS .....	3,680	3,060	2,820	2,327	388	3,260	2,700	2,700	1,148	101
	AI .....	3,740	3,100	3,000	2,438	499	3,300	2,740	2,740	582	51
Atka mackerel	BSAI .....	130,000	110,000	63,000	53,550	4,725	107,000	91,000	63,000	53,550	4,725
	EAI/BS .....	n/a	21,780	7,500	6,375	563	n/a	18,020	7,500	6,375	563
	CAI .....	n/a	46,860	40,000	34,000	3,000	n/a	38,760	38,000	32,300	2,850
	WAI .....	n/a	41,360	15,500	13,175	1,163	n/a	34,220	17,500	14,875	1,313
Yellowfin sole	BSAI .....	144,000	121,000	95,701	81,346	7,178	137,000	116,000	107,641	91,495	8,073
Rock sole	BSAI .....	150,000	126,000	41,500	35,275	3,113	145,000	122,000	44,000	37,400	3,300
Greenland turbot	BSAI .....	14,200	2,740	2,740	2,329	206	13,400	2,630	2,630	2,236	197
	BS .....	n/a	1,890	1,890	1,607	142	n/a	1,815	1,815	1,543	136
	AI .....	n/a	850	850	723	64	n/a	815	815	693	61
Arrowtooth flounder	BSAI .....	166,000	136,000	13,000	11,050	975	174,000	142,000	18,000	15,300	1,350
Flathead sole	BSAI .....	71,800	59,800	19,500	16,575	1,463	67,900	56,600	22,000	18,700	1,650
Other flatfish <sup>6</sup>	BSAI .....	24,200	18,100	3,500	2,975	263	24,200	18,100	5,000	4,250	375
Alaska plaice	BSAI .....	237,000	188,000	8,000	6,800	600	231,000	183,000	15,000	12,750	1,125
Pacific ocean perch	BSAI .....	17,600	14,800	12,600	10,710	945	17,600	14,800	14,800	12,580	1,110
	BS .....	n/a	2,960	1,400	1,190	105	n/a	2,960	2,960	2,516	222
	EAI .....	n/a	3,256	3,080	2,618	231	n/a	3,256	3,256	2,768	244
	CAI .....	n/a	3,212	3,035	2,580	228	n/a	3,212	3,212	2,730	241
	WAI .....	n/a	5,372	5,085	4,322	381	n/a	5,375	5,372	4,566	403
Northern rockfish	BSAI .....	10,100	8,530	4,500	3,825	338	9,890	8,320	5,000	4,250	375
Shortraker rockfish	BSAI .....	774	580	580	493	44	774	580	580	493	44
Rougheye rockfish	BSAI .....	299	224	224	190	17	299	224	224	190	17
Other rockfish <sup>7</sup>	BSAI .....	1,870	1,400	1,050	893	79	1,870	1,400	1,400	1,190	105
	BS .....	n/a	810	460	391	35	n/a	810	810	689	61
	AI .....	n/a	590	590	502	44	n/a	590	590	502	44
Squid	BSAI .....	2,620	1,970	1,275	1,084	n/a	2,620	1,970	1,275	1,084	n/a
Other species <sup>8</sup>	BSAI .....	89,404	58,882	29,000	24,650	2,175	89,404	62,950	27,000	22,950	2,025
TOTAL	.....	3,476,987	3,013,086	1,995,768	1,771,423	187,641	3,224,217	2,799,914	1,995,560	1,769,284	187,290

<sup>1</sup>These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea (BS) subarea includes the Bogoslof District.

<sup>2</sup>Except for pollock and the portion of the sablefish TAC allocated to hook-and-line and pot gear, 15 percent of each TAC is put into a reserve. The ITAC for each species is the remainder of the TAC after the subtraction of these reserves.

<sup>3</sup>Except for pollock, squid and the hook-and-line or pot gear allocation of sablefish, one half of the amount of the TACs placed in reserve, or 7.5 percent of the TACs, is designated as a CDQ reserve for use by CDQ participants (see §§ 679.20(b)(1)(iii) and 679.31).

<sup>4</sup>Pursuant to § 679.20(a)(5)(i)(A)(1), the annual Bering Sea pollock TAC after subtraction for the CDQ directed fishing allowance - 10 percent and the ICA - 3.35 percent, is further allocated by sector for a directed pollock fishery as follows: inshore - 50 percent; catcher/processor - 40 percent; and motherships - 10 percent. Pursuant to § 679.20(a)(5)(iii)(B)(2)(i) and (j), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance - 10 percent and second for the ICA - 1,800 mt, is allocated to the Aleut Corporation for a directed pollock fishery.

<sup>5</sup>Twenty percent of the sablefish TAC allocated to hook-and-line gear or pot gear and 7.5 percent of the sablefish TAC allocated to trawl gear is reserved for use by CDQ participants (see § 679.20(b)(1)(iii)).

<sup>6</sup>"Other flatfish" includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder and Alaska plaice.

<sup>7</sup>"Other rockfish" includes all *Sebastes* and *Sebastes* species except for Pacific ocean perch, northern, shortraker, and rougheye rockfish.

<sup>8</sup>"Other species" includes sculpins, sharks, skates and octopus. Forage fish, as defined at § 679.2, are not included in the "other species" category.

TABLE 2—2006 AND 2007 APPORTIONMENT OF RESERVES TO ITAC CATEGORIES

[Amounts are in metric tons]

Species—area or subarea	2006 Reserve amount	2006 Final ITAC	2007 Reserve amount	2007 Final ITAC
Atka mackerel--Eastern Aleutian District and Bering Sea subarea	563	6,938	563	6,938
Atka mackerel--Central Aleutian District	3,000	37,000	2,850	35,150
Atka mackerel--Western Aleutian District	1,163	14,338	1,313	16,188
Pacific ocean perch--Eastern Aleutian District	231	2,849	244	3,012
Pacific ocean perch--Central Aleutian District	228	2,808	241	2,971
Pacific ocean perch--Western Aleutian District	381	4,703	403	4,969
Pacific cod--BSAI	14,233	175,535	10,767	132,793
Shortraker rockfish BSAI	44	537	44	537
Rougheye rockfish BSAI	17	207	17	207
Northern rockfish--BSAI	338	4,163	375	4,625
Other rockfish--Bering Sea subarea	35	426	61	750
Total	20,233	249,504	16,878	208,140

TABLE 5—2006 AND 2007 GEAR SHARES AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD ITAC

[Amounts are in metric tons]

Gear Sector	Per-cent	2006 Share of gear sector total	2006 Sub-total per-cent-ages for gear sectors	2006 Share of gear sector total	2006 Seasonal apportion-ment <sup>1</sup>		2007 Share of gear sector total	2007 Sub-total per-cent-ages for gear sectors	2007 Share of gear sector total	2007 Seasonal apportion-ment <sup>1</sup>	
					Date	Amount				Date	Amount
Total hook-and-line/pot gear	51	89,523	n/a	n/a	n/a	n/a	67,724	n/a	n/a	n/a	n/a
Hook-and-line/pot ICA	n/a	n/a	n/a	500	n/a	n/a	n/a	n/a	500	n/a	n/a
Hook-and-line/pot sub-total	n/a	89,023	n/a	n/a	n/a	n/a	67,224	n/a	n/a	n/a	n/a
Hook-and-line C/P	n/a	n/a	80	71,218	Jan 1–Jun 10 Jun 10–Dec 31	42,731 28,487	n/a	80	53,780	Jan 1–Jun 10 Jun 10–Dec 31	32,268 21,512
Hook-and-line CV	n/a	n/a	0.3	267	Jan 1–Jun 10 Jun 10–Dec 31	160 107	n/a	0.3	202	Jan 1–Jun 10 Jun 10–Dec 31	121 81
Pot C/P	n/a	n/a	3.3	2,938	Jan 1–Jun 10 Sept 1–Dec 31	1,763 1,175	n/a	3.3	2,218	Jan 1–Jun 10 Sept 1–Dec 31	1,331 887
Pot CV	n/a	n/a	15	13,354	Jan 1–Jun 10 Sept 1–Dec 31	8,012 5,342	n/a	15	10,084	Jan 1–Jun 10 Sept 1–Dec 31	6,050 4,033
CV < 60 feet LOA using Hook-and-line or Pot gear	n/a	n/a	1.4	1,246	n/a	n/a	n/a	1.4	941	n/a	n/a
Total Trawl Gear	47	82,502	n/a	n/a	n/a	n/a	62,413	n/a	n/a	n/a	n/a
Trawl CV			50	41,251	Jan 20–Apr 1	28,876		50	31,206	Jan 20–Apr 1	21,844
				n/a	Apr 1–Jun 10	4,125			n/a	Apr 1–Jun 10	3,121
				n/a	Jun 10–Nov 1	8,250			n/a	Jun 10–Nov 1	6,241
Trawl CP			50	41,251	Jan 20–Apr 1	20,626		50	31,206	Jan 20–Apr 1	15,603
				n/a	Apr 1–Jun 10	12,375			n/a	Apr 1–Jun 10	9,362
				n/a	Jun 10–Nov 1	8,250			n/a	Jun 10–Nov 1	6,241

TABLE 5—2006 AND 2007 GEAR SHARES AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD  
ITAC—Continued

[Amounts are in metric tons]

Gear Sector	Per- cent	2006 Share of gear sector total	2006 Sub- total per- cent- ages for gear sectors	2006 Share of gear sector total	2006 Seasonal apportion- ment <sup>1</sup>		2007 Share of gear sector total	2007 Sub- total per- cent- ages for gear sectors	2007 Share of gear sector total	2007 Seasonal apportion- ment <sup>1</sup>	
					Date	Amount				Date	Amount
Jig	2	3,510	n/a	n/a	Jan 1–Apr 30	1,405	2,656	n/a	n/a	Jan 1–Apr 30	1,062
			n/a	n/a	Apr 30–Aug 31	701		n/a	n/a	Apr 30–Aug 31	531
			n/a	n/a	Aug 31–Dec 31	1,404		n/a	n/a	Aug 31–Dec 31	1,062
Total	100	175,535	n/a	n/a	n/a	n/a	132,793	n/a	n/a	n/a	n/a

<sup>1</sup>For most non-trawl gear the first season is allocated 60 percent of the ITAC and the second season is allocated 40 percent of the ITAC. For jig gear, the first season and third seasons are each allocated 40 percent of the ITAC and the second season is allocated 20 percent of the ITAC. No seasonal harvest constraints are imposed for the Pacific cod fishery by catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear. For trawl gear, the first season is allocated 60 percent of the ITAC and the second and third seasons are each allocated 20 percent of the ITAC. The trawl catcher vessels' allocation is further allocated as 70 percent in the first season, 10 percent in the second season and 20 percent in the third season. The trawl catcher/processors' allocation is allocated 50 percent in the first season, 30 percent in the second season and 20 percent in the third season. Any unused portion of a seasonal Pacific cod allowance will be reapportioned to the next seasonal allowance.

TABLE 12—2006 AND 2007 LISTED BSAI AMERICAN FISHERIES ACT CATCHER/PROCESSOR GROUND FISH  
SIDEBOARD LIMITS

[Amounts are in metric tons]

Target species	Area	1995 - 1997			2006 ITAC available to trawl C/Ps	2006 C/P sideboard limit	2007 ITAC available to trawl C/Ps	2007 C/P sideboard limit
		Retained catch	Total catch	Ratio of retained catch to total catch				
Pacific cod trawl	BSAI .....	12,424	48,177	0.258	41,251	10,643	31,206	8,051
Sablefish trawl	BS .....	8	497	0.016	1,199	19	1,148	18
	AI .....	0	145	0.000	638	0	582	0
Atka mackerel	Central AI .....	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	A season <sup>1</sup> ....	n/a	n/a	0.115	18,500	2,128	17,575	2,021
	HLA limit <sup>2</sup> ...	n/a	n/a	n/a	11,100	1,277	10,545	1,213
	B season <sup>1</sup> ....	n/a	n/a	0.115	18,500	2,128	17,575	2,021
	HLA limit <sup>2</sup> ...	n/a	n/a	n/a	11,100	1,277	10,545	1,213
	Western AI .....	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	A season <sup>1</sup> ....	n/a	n/a	0.200	7,169	1,434	8,094	1,619
	HLA limit <sup>2</sup> ...	n/a	n/a	n/a	4,301	860	4,856	971
	B season <sup>1</sup> ....	n/a	n/a	0.200	7,169	1,434	8,094	1,619
	HLA limit <sup>2</sup> ...	n/a	n/a	n/a	4,301	860	4,856	971
Yellowfin sole	BSAI .....	100,192	435,788	0.230	81,346	18,710	91,495	21,044
Rock sole	BSAI .....	6,317	169,362	0.037	35,275	1,305	37,400	1,384
Greenland turbot	BS .....	121	17,305	0.007	1,607	11	1,543	11
	AI .....	23	4,987	0.005	723	4	693	3
Arrowtooth flounder	BSAI .....	76	33,987	0.002	11,050	22	15,300	31
Flathead sole	BSAI .....	1,925	52,755	0.036	16,575	597	18,700	673
Alaska plaice	BSAI .....	14	9,438	0.001	6,800	7	12,750	13
Other flatfish	BSAI .....	3,058	52,298	0.058	2,975	173	4,250	247
Pacific ocean perch	BS .....	12	4,879	0.002	1,190	2	2,516	5
	Eastern AI .....	125	6,179	0.020	2,849	57	3,012	60
	Central AI .....	3	5,698	0.001	2,808	3	2,971	3
	Western AI .....	54	13,598	0.004	4,703	19	4,969	20
Northern rockfish	BSAI .....	91	13,040	0.007	4,163	29	4,625	32
Shortraker rockfish	BSAI .....	50	2,811	0.018	537	10	537	10
Rougheye rockfish	BSAI .....	50	2,811	0.018	207	4	207	4
Other rockfish	BS .....	18	621	0.029	426	12	750	22
	AI .....	22	806	0.027	502	14	502	14
Squid	BSAI .....	73	3,328	0.022	1,084	24	1,084	24
Other species	BSAI .....	553	68,672	0.008	24,650	197	22,950	184

<sup>1</sup>The seasonal apportionment of Atka mackerel in the open access fishery is 50 percent in the A season and 50 percent in the B season. Listed AFA catcher/processors are limited to harvesting no more than zero in the Eastern Aleutian District and Bering Sea subarea, 20 percent of the annual ITAC specified for the Western Aleutian District, and 11.5 percent of the annual ITAC specified for the Central Aleutian District.

<sup>2</sup> Harvest Limit Area (HLA) limit refers to the amount of each seasonal allowance that is available for fishing inside the HLA (see § 679.2). In 2006 and 2007, 60 percent of each seasonal allowance is available for fishing inside the HLA in the Western and Central Aleutian Districts.

TABLE 14—2006 AND 2007 BSAI AMERICAN FISHERIES ACT CATCHER VESSEL SIDEBOARD LIMITS

[Amounts are in metric tons]

Species	Fishery by area/season/processor/gear	Ratio of 1995–1997 AFA CV catch to 1995–1997 TAC	2006 initial TAC	2006 Catcher vessel sideboard limits	2007 initial TAC	2007 Catcher vessel sideboard limits
Pacific cod	BSAI .....	n/a	n/a	n/a	n/a	n/a
	Jig gear .....	0.0000	3,510	0	2,656	0
	Hook-and-line CV .....	n/a	n/a	n/a	n/a	n/a
	Jan 1 - Jun 10 .....	0.0006	160	0	121	0
	Jun 10 - Dec 31 .....	0.0006	107	0	81	0
	Pot gear CV .....	n/a	n/a	n/a	n/a	n/a
	Jan 1 - Jun 10 .....	0.0006	8,013	5	6,050	4
	Sept 1 - Dec 31 .....	0.0006	5,341	3	4,033	2
	CV < 60 feet LOA using hook-and-line or pot gear .....	0.0006	1,245	1	941	1
	Trawl gear CV .....	n/a	n/a	n/a	n/a	n/a
	Jan 20 - Apr 1 .....	0.8609	28,876	24,859	21,844	18,805
	Apr 1 - Jun 10 .....	0.8609	4,125	3,551	3,121	2,687
	Jun 10 - Nov 1 .....	0.8609	8,250	7,102	6,241	5,373
	BS trawl gear .....	0.0906	1,199	109	1,148	104
Sablefish	AI trawl gear .....	0.0645	638	41	582	38
Atka mackerel	Eastern AI/BS .....	n/a	n/a	n/a	n/a	n/a
	Jig gear .....	0.0031	69	0	69	0
	Other gear .....	n/a	n/a	n/a	n/a	n/a
	Jan 1 - Apr 15 .....	0.0032	3,434	11	3,434	11
	Sept 1 - Nov 1 .....	0.0032	3,434	11	3,434	11
	Central AI .....	n/a	n/a	n/a	n/a	n/a
	Jan - Apr 15 .....	0.0001	18,500	2	17,575	2
	HLA limit .....	0.0001	11,100	1	10,545	1
	Sept 1 - Nov 1 .....	0.0001	18,500	2	17,575	2
	HLA limit .....	0.0001	11,100	1	10,545	1
	Western AI .....	n/a	n/a	n/a	n/a	n/a
	Jan - Apr 15 .....	0.0000	7,169	0	8,094	0
	HLA limit .....	n/a	4,301	0	4,856	0
	Sept 1 - Nov 1 .....	0.0000	7,169	0	8,094	0
	HLA limit .....	n/a	4,301	0	4,856	0
Yellowfin sole	BSAI .....	0.0647	81,346	5,263	91,495	5,920
Rock sole	BSAI .....	0.0341	35,275	1,203	37,400	1,275
Greenland Turbot	BS .....	0.0645	1,607	104	1,543	100
	AI .....	0.0205	723	15	693	14
Arrowtooth flounder	BSAI .....	0.0690	11,050	762	15,300	1,056
Alaska plaice	BSAI .....	0.0441	6,800	300	12,750	562
Other flatfish	BSAI .....	0.0441	2,975	131	4,250	187
Pacific ocean perch	BS .....	0.1000	1,190	119	2,516	252
	Eastern AI .....	0.0077	2,849	22	3,012	23
	Central AI .....	0.0025	2,808	7	2,971	7
	Western AI .....	0.0000	4,703	0	4,969	0
Northern rockfish	BSAI .....	0.0084	4,163	35	4,625	39
Shortraker rockfish	BSAI .....	0.0037	537	2	537	2
Rougheye rockfish	BSAI .....	0.0037	207	1	207	1
Other rockfish	BS .....	0.0048	426	2	750	4
	AI .....	0.0095	502	5	502	5
Squid	BSAI .....	0.3827	1,084	415	1,084	415
Other species	BSAI .....	0.0541	24,650	1,334	22,950	1,242
Flathead Sole	BS trawl gear .....	0.0505	16,575	837	18,700	944

### 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 adjustment of the 2006 Pacific cod TAC in the BSAI. ADF&G announced the closure of the state

waters Pacific cod fishery in the Aleutian Islands subarea, effective 11:59 a.m., A.L.t, September 1, 2006. Since the 2006 fisheries are currently underway, it is necessary to immediately adjust the TACs to allow harvest of additional Pacific cod in the BSAI. Immediate adjustment is necessary to allow for the orderly conduct and efficient operation of this fishery, allow the industry to

plan for the remainder of the 2006 fishing season, and avoid potential disruption to the fishing fleet and processors.

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.

Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until October 4, 2006.

This action is required by § 679.20 and § 679.25 and is exempt from review under Executive Order 12866.

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

Dated: September 18, 2006.

**James P. Burgess,**

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

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