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Classification

The Assistant Administrator for Fisheries, NOAA (AA), finds that good cause exists for this notification to be issued without affording prior notice and opportunity for public comment under 5 U.S.C. 553(b)(B) because such notification would be impracticable. As previously noted, actual notice of the regulatory actions was provided to fishers through telephone hotline and radio notification. These actions comply with the requirements of the annual management measures for ocean salmon fisheries (75 FR 24482, May 5, 2010), the West Coast Salmon Plan, and regulations implementing the West Coast Salmon Plan 50 CFR 660.409 and 660.411. Prior notice and opportunity for public comment was impracticable because NMFS and the state agencies had insufficient time to provide for prior notice and the opportunity for public comment between the time the fishery catch and effort data were collected to determine the extent of the fisheries, and the time the fishery modifications had to be implemented in order to ensure that fisheries are managed based on the best available scientific information, thus allowing fishers access to the available fish at the time the fish were available while ensuring that quotas are not exceeded. The AA also finds good cause to waive the 30-day delay in effectiveness required under U.S.C. 553(d)(3), as a delay in effectiveness of these actions would allow fishing at levels inconsistent with the goals of the Salmon Fishery Management Plan and the current management measures.

These actions are authorized by 50 CFR 660.409 and 660.411 and are exempt from review under Executive Order 12866.

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

Dated: March 23, 2011.

Margo Schulze-Haugen,

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

[FR Doc. 2011-7242 Filed 3-25-11; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 101126521-0640-02]

RIN 0648-XZ90

Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2011 and 2012 Harvest Specifications for Groundfish; Correction

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

ACTION: Final rule; closures; correction.

SUMMARY: The National Marine Fisheries Service (NMFS) is correcting a final rule that published on March 1, 2011, implementing the final 2011 and 2012 harvest specifications and prohibited species catch allowances for the groundfish fishery of the Bering Sea and Aleutian Islands Management Area (BSAI). Two tables within the document contained errors.

DATES: Effective from 1200 hrs, Alaska local time (A.l.t.), March 1, 2011, through 2400 hrs, A.l.t., December 31, 2012.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907-586-7269.

SUPPLEMENTARY INFORMATION:

Need for Correction

NMFS published the Final 2011 and 2012 BSAI Harvest Specifications in the **Federal Register** on Tuesday, March 1, 2011 (76 FR 11139). Tables providing information on 2011 and 2012 Directed Fishing Closures (Table 10) and the Final 2011 and 2012 American Fisheries Act Catcher Vessel BSAI Groundfish Sideboard Limits (Table 13) contained a number of minor errors. In Table 10 on page 11154, NMFS inadvertently listed an incidental catch allowance (ICA) of rock sole at “10,000” metric tons (mt), instead of the correct number of “5,000” mt. In addition, **Federal Register** formatting issues caused misalignment

in Tables 10 and 13 and affected the information contained in those tables. In Table 10 on page 11154, the **Federal Register** listed the phrase “ICA rock sole” in the “sector” column rather than the “species” column. In Table 13 on page 11156, the **Federal Register** shifted seven lines upward by one row in the following columns: “Ratio of 1995–1997 TAC”; “2011 initial TAC”; “2011 AFA catcher vessel sideboard limits”; “2012 initial TAC”; and “2012 AFA catcher vessel sideboard limits”. As a result of this error, Table 13 contains incorrect information on Pacific cod sideboard limits for the following gears and seasons: “Jig gear”; “Hook and line Catcher Vessels (CV)” for “Jan 1–Jun 10”; “Pot gear CV” for “Jan 1–Jun 10”; and “Trawl gear CV” for “Jan 20–Apr 1”. Table 13 also contains incorrect information on Atka mackerel sideboard limits for the following areas and seasons: “Eastern AI/BS” for “Jan 1–Jun 10”; “Central AI” for “Jan 1–Jun 10”; and “Central AI” for “Jan 1–Jun 10”. NMFS’ corrections to Table 10 and Table 13 are listed below.

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 correction notice makes only minor changes and does not change operating practices in the fisheries. Corrections should be made as soon as possible to avoid confusion for participants in the fisheries.

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.

Correction

On pages 11153, 11154, and 11156, Tables 10 and 13 are corrected to read as follows:

TABLE 10—2011 AND 2012 DIRECTED FISHING CLOSURES ¹
[Groundfish and halibut amounts are in metric tons. Crab amounts are in number of animals]

Area	Sector	Species	2011 Incidental catch allowance	2012 Incidental catch allowance
Bogoslof District	All	Pollock	150	150
Aleutian Islands subarea	All	ICA pollock	1,600	1,600
		“Other rockfish”	425	425
Eastern Aleutian District/Bering Sea.	Non-amendment 80 and BSAI trawl limited access.	ICA Atka mackerel	75	75

TABLE 10—2011 AND 2012 DIRECTED FISHING CLOSURES¹—Continued
 [Groundfish and halibut amounts are in metric tons. Crab amounts are in number of animals]

Area	Sector	Species	2011 Incidental catch allowance	2012 Incidental catch allowance	
Eastern Aleutian District/Bering Sea.	All	Rougheye rockfish	234	240	
Eastern Aleutian District	Non-amendment 80 and BSAI trawl limited access.	ICA Pacific ocean perch	100	100	
Central Aleutian District	Non-amendment 80 and BSAI trawl limited access.	ICA Atka mackerel	75	75	
Western Aleutian District	Non-amendment 80 and BSAI trawl limited access.	ICA Pacific ocean perch	75	75	
		ICA Atka mackerel	40	40	
Central and Western Aleutian Districts.	All	ICA Pacific ocean perch	10	10	
Bering Sea subarea	All	Rougheye rockfish	220	225	
Bering Sea and Aleutian Islands	All	Pacific ocean perch	4,854	4,854	
		"Other rockfish"	500	500	
		ICA pollock	45,072	45,132	
		Northern rockfish	4,000	4,000	
		Shortraker rockfish	393	393	
		Squids	361	361	
		Skates	14,025	14,025	
		Sharks	43	43	
		Octopuses	128	128	
		Sculpins	4,420	4,420	
		Hook-and-line and pot gear	ICA Pacific cod	500	500
		Non-amendment 80	ICA flathead sole	5,000	5,000
		ICA rock sole	5,000	5,000	5,000
		Non-amendment 80 and BSAI trawl limited access.	ICA yellowfin sole	2,000	2,000
		BSAI trawl limited access	Rock sole/flathead sole/other flatfish—halibut mortality, red king crab zone 1, <i>C. opilio</i> COBLZ, <i>C. bairdi</i> Zone 1 and 2.	0	0
	Turbot/arrowtooth/sablefish—halibut mortality, red king crab zone 1, <i>C. opilio</i> COBLZ, <i>C. bairdi</i> Zone 1 and 2.	0	0		
	Rockfish—red king crab zone 1	0	0		

¹ Maximum retainable amounts may be found in Table 11 to 50 CFR part 679.

TABLE 13—FINAL 2011 AND 2012 AMERICAN FISHERIES ACT CATCHER VESSEL BSAI GROUND FISH SIDEBOARD LIMITS
 [Amounts are in metric tons]

Species	Fishery by area/gear/season	Ratio of 1995–1997 AFA CV catch to 1995–1997 TAC	2011 initial TAC ¹	2011 AFA catcher vessel sideboard limits	2012 initial TAC ¹	2012 AFA catcher vessel sideboard limits
Pacific cod	BSAI					
	Jig gear	0	n/a	0	n/a	0
	Hook-and-line CV					
	Jan 1–Jun 10	0.0006	207	0	208	0
	Jun 10–Dec 31	0.0006	199	0	200	0
	Pot gear CV					
	Jan 1–Jun 10	0.0006	8,685	5	8,749	5
	Sept 1–Dec 31	0.0006	8,345	5	8,406	5
	CV < 60 feet LOA using hook-and-line or pot gear.	0.0006	4,055	2	4,084	2
	Trawl gear CV					
Jan 20–Apr 1	0.8609	33,290	28,659	33,532	28,868	
Apr 1–Jun 10	0.8609	4,949	4,261	4,985	4,292	
Jun 10–Nov 1	0.8609	6,748	5,809	6,797	5,852	
Sablefish	BS trawl gear	0.0906	1,211	110	1,109	100
Atka mackerel	AI trawl gear	0.0645	404	26	370	24
	Eastern AI/BS					
	Jan 1–Jun 10	0.0032	17,994	58	16,431	53
	Jun 10–Nov 1	0.0032	17,994	58	16,431	53
	Central AI					
	Jan 1–Jun 10	0.0001	5,037	1	4,596	0
	Jun 10–Nov 1	0.0001	5,037	1	4,596	0
	Western AI					
	Jan 1–Jun 10	0	n/a	0	n/a	0

TABLE 13—FINAL 2011 AND 2012 AMERICAN FISHERIES ACT CATCHER VESSEL BSAI GROUND FISH SIDEBOARD LIMITS—
Continued
[Amounts are in metric tons]

Species	Fishery by area/gear/season	Ratio of 1995–1997 AFA CV catch to 1995–1997 TAC	2011 initial TAC ¹	2011 AFA catcher vessel sideboard limits	2012 initial TAC ¹	2012 AFA catcher vessel sideboard limits
	Jun 10–Nov 1	0	n/a	0	n/a	0
Rock sole	BSAI	0.0341	75,905	2,588	75,905	2,588
Greenland turbot	BS	0.0645	2,975	192	2,975	192
	AI	0.0205	1,318	27	1,233	25
Arrowtooth flounder	BSAI	0.069	22,015	1,519	22,015	1,519
Kamchatka flounder	BSAI	0.069	15,045	1,038	15,045	1,038
Alaska plaice	BSAI	0.0441	13,600	600	13,600	600
Other flatfish	BSAI	0.0441	2,550	112	2,550	112
Flathead sole	BS trawl gear	0.0505	37,102	1,874	37,102	1,874
Pacific ocean perch	BS	0.1	4,854	485	4,854	485
	Eastern AI	0.0077	5,054	39	5,054	39
	Central AI	0.0025	4,429	11	4,429	11
	Western AI	0	n/a	0	n/a	0
Northern rockfish	BSAI	0.0084	4,000	34	4,000	34
Shortraker rockfish	BSAI	0.0037	393	1	393	1
Rougheye rockfish	EBS/EAI	0.0037	234	1	240	1
	CAI/WAI	0.0037	220	1	225	1
Other rockfish	BS	0.0048	500	2	500	2
	AI	0.0095	425	4	425	4
Squids	BSAI	0.3827	361	138	361	138
Skates	BSAI	0.0541	14,025	759	14,025	759
Sharks	BSAI	0.0541	43	2	43	2
Octopuses	BSAI	0.0541	128	7	128	7
Sculpins	BSAI	0.0541	4,420	239	4,420	239

¹ Aleutian Islands Pacific ocean perch, and BSAI Atka mackerel, flathead sole, and rock sole are multiplied by the remainder of the TAC of that species after the subtraction of the CDQ reserve under § 679.20(b)(1)(ii)(C).

Dated: March 23, 2011.

Samuel D. Rauch III,
Deputy Assistant Administrator for
Regulatory Programs, National Marine
Fisheries Service.

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