

a significant portion of its range. Therefore, listing Susan's purse-making caddisfly as threatened or endangered under the Act is not warranted at this time.

We request that you submit any new information concerning the status of, or threats to, Susan's purse-making caddisfly to our Western Colorado Field Office (see **ADDRESSES**) whenever it becomes available. New information will help us monitor the caddisfly and encourage its conservation. If an emergency situation develops for the caddisfly, or any other species, we will act to provide immediate protection.

#### References Cited

A complete list of references cited is available on the Internet at <http://www.regulations.gov> and upon request from the Western Colorado Field Office (see **ADDRESSES**).

#### Authors

The primary authors of this notice are the staff members of the Western Colorado Field Office.

#### Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: April 12, 2010

**Daniel M. Ashe,**

*Deputy Director, U.S. Fish and Wildlife Service.*

[FR Doc. 2010-9458 Filed 4-26-10; 8:45 am]

**BILLING CODE 4310-55-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 0908191244-91427-02]

RIN 0648-XV91

#### Fisheries of the Northeastern United States; Summer Flounder 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 State of North Carolina is transferring a portion of its 2010 commercial summer flounder quota to the Commonwealth of Virginia. By this action, NMFS adjusts the quotas and announces the revised commercial quota for each state involved.

**DATES:** Effective April 22, 2010 through December 31, 2010.

**FOR FURTHER INFORMATION CONTACT:** Sarah Heil, Fishery Management Specialist, 978-281-9257.

#### SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder 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 North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.100.

The final rule implementing Amendment 5 to the Summer Flounder,

Scup, and Black Sea Bass Fishery Management Plan, which was published on December 17, 1993 (58 FR 65936), provided a mechanism for summer flounder quota to be transferred from one state to another. Two or more states, under mutual agreement and with the concurrence of the Administrator, Northeast Region, NMFS (Regional Administrator), can transfer or combine summer flounder commercial quota under § 648.100(d). The Regional Administrator is required to consider the criteria set forth in § 648.100(d)(3) in the evaluation of requests for quota transfers or combinations.

North Carolina has agreed to transfer 84,150 lb (38,170 kg) of its 2010 commercial quota to Virginia. This transfer was prompted by summer flounder landings of 12 North Carolina vessels that were granted safe harbor in Virginia due to mechanical problems and severe weather conditions between January 20, 2010, and February 27, 2010. The Regional Administrator has determined that the criteria set forth in § 648.100(d)(3) have been met. The revised quotas for calendar year 2010 are: North Carolina, 3,382,502 lb (1,534,277 kg); and Virginia, 2,897,955 lb (1,314,490 kg).

#### 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: April 21, 2010.

**James P. Burgess,**

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

[FR Doc. 2010-9725 Filed 4-22-10; 4:15 pm]

**BILLING CODE 3510-22-S**