

(Magnuson-Stevens Act) by regulations at 50 CFR part 622.

On April 27, 2000, NMFS implemented the final rule (65 FR 16336, March 28, 2000) that divided the Florida west coast subzone of the Gulf of Mexico eastern zone into northern and southern subzones, and established their separate quotas. The king mackerel quota for the hook-and-line component of the commercial sector in the southern Florida west coast subzone is 520,312 lb (236,010 kg) (50 CFR 622.42(c)(1)(i)(A)(2)(i)).

In accordance with 50 CFR 622.44(a)(2)(ii)(B)(2), from the date that 75 percent of the southern Florida west coast subzone's hook-and-line gear quota has been harvested until a closure of the subzone's hook-and-line component has been effected or the fishing year ends, king mackerel in or from the EEZ may be possessed on board or landed from a permitted vessel in amounts not exceeding 500 lb (227 kg) per day.

NMFS has determined that 75 percent of the quota for the hook-and-line component of the commercial sector for Gulf group king mackerel from the southern Florida west coast subzone has been reached. Accordingly, a 500-lb (227-kg) trip limit applies to vessels in the hook-and-line component of the commercial sector for king mackerel in or from the EEZ in the southern Florida west coast subzone effective 12:01 a.m., local time, March 8, 2011. The 500-lb (227-kg) trip limit will remain in effect until the commercial sector closes or until the end of the current fishing year (June 30, 2011), whichever occurs first.

The Florida west coast subzone is that part of the eastern zone located south and west of 25°20.4' N. lat. (a line directly east from the Miami-Dade/Monroe County, FL boundary) along the west coast of Florida to 87°31'06' W. long. (a line directly south from the Alabama/Florida boundary). The Florida west coast subzone is further divided into northern and southern subzones. From November 1 through March 31, the southern subzone is designated as the area extending south and west from 25°20.4' N. lat. to 26°19.8' N. lat. (a line directly west from the Lee/Collier County, Florida, boundary), i.e., the area off Collier and Monroe Counties. Beginning April 1, the southern subzone is reduced to the area off Collier County, Florida, between 25°48' N. lat. and 26°19.8' N. lat.

#### Classification

This action responds to the best available information recently obtained from the fisheries. The Assistant Administrator for Fisheries, NOAA

(AA), finds that the need to immediately implement this trip limit reduction for the king mackerel hook-and-line component of the commercial sector in the southern Florida west coast subzone constitutes good cause to waive the requirements 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 prior notice and opportunity for public comment is unnecessary and contrary to the public interest. Such procedures would be unnecessary because the rule implementing the quota and the associated requirement for closure of the commercial harvest when the quota is reached or projected to be reached has already been subject to notice and comment, and all that remains is to notify the public of the closure.

Allowing prior notice and opportunity for public comment on this action would be contrary to the public interest because any delay in the trip limit reduction of the commercial harvest could result in the commercial quota being exceeded. There is a need to immediately implement this action to protect the king mackerel resource because the capacity of the fishing fleet allows for rapid harvest of the quota. Prior notice and opportunity for public comment would require time and would potentially result in a harvest well in excess of the established quota.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

This action is taken under 50 CFR 622.43(a) 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 622

[Docket No. 0907271173-1137-04]

RIN 0648-AY11

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 17B; Correction

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

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final rule that implemented Amendment 17B to the Fishery Management Plan (FMP) for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 17B), which was published in the **Federal Register** on December 30, 2010.

**DATES:** This correction is effective March 8, 2011.

**FOR FURTHER INFORMATION CONTACT:** Anik Clemens, 727-824-5305; e-mail: [Anik.Clemens@noaa.gov](mailto:Anik.Clemens@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 30, 2010, a final rule was published to implement Amendment 17B (75 FR 82280). That final rule established annual catch limits and accountability measures for nine snapper-grouper species in the South Atlantic region. One of these accountability measures prohibits the possession of deep-water snapper-grouper species in or from the South Atlantic exclusive economic zone in depths greater than 240 ft (73 m). After the regulations implementing Amendment 17B became effective on January 31, 2011, it was determined that two of the waypoints defining the 240-ft (73-m) depth contour were in State waters.

##### Need for Correction

As published, the final rule contains errors in a table of coordinates in the regulatory text. In § 622.35, paragraph (o) contains a table of coordinates for the depth closure implemented in Amendment 17B for deep-water snapper-grouper. Within this table, an incorrect longitudinal coordinate was implemented for point K, and the coordinates for points O and U are within State boundaries. Through this

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.