

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: October 9, 2007.

David I. Maurstad,

*Federal Insurance Administrator of the
National Flood Insurance Program,
Department of Homeland Security, Federal
Emergency Management Agency.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 070213032-7032-01]

RIN 0648-XD36

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non- American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed
fishing for the 2007 Pacific cod
sideboard limits apportioned to non-
American Fisheries Act (AFA) crab
vessels catching Pacific cod for
processing by the inshore component in
the Central Regulatory Area of the Gulf
of Alaska (GOA). This action is
necessary to prevent exceeding the 2007
Pacific cod sideboard limits apportioned
to non-AFA crab vessels catching
Pacific cod for processing by the inshore
component in the Central Regulatory
Area of the GOA.

DATES: Effective 1200 hrs, Alaska local
time (A.l.t.), October 11, 2007, until
2400 hrs, A.l.t., December 31, 2007.

FOR FURTHER INFORMATION CONTACT:
Jennifer Hogan, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS
manages the groundfish fishery in the
GOA exclusive economic zone
according to the Fishery Management
Plan for Groundfish of the Gulf of
Alaska (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.
Regulations governing sideboard
protections for GOA groundfish
fisheries appear at subpart B of 50 CFR
part 800.

The 2007 Pacific cod sideboard limits
apportioned to non-AFA crab vessels
catching Pacific cod for processing by
the inshore component in the Central
Regulatory Area of the GOA is 979
metric tons (mt) for the GOA, as
established by the 2007 and 2008
harvest specifications for groundfish of
the GOA (72 FR 9676, March 5, 2007).

In accordance with § 680.22(e)(2)(i),
the Administrator, Alaska Region,
NMFS (Regional Administrator), has
determined that the 2007 Pacific cod
sideboard limits apportioned to non-
AFA crab vessels catching Pacific cod
for processing by the inshore
component in the Central Regulatory
Area of the GOA will soon be reached.
Therefore, the Regional Administrator is
establishing a sideboard directed fishing
allowance for Pacific cod as 969 mt in
the Gulf of Alaska. The remaining 10 mt
in the Gulf of Alaska will be set aside
as bycatch to support other anticipated
groundfish fisheries. In accordance with
§ 680.22(e)(3), the Regional
Administrator finds that this sideboard
directed fishing allowance has been
reached. Consequently, NMFS is
prohibiting directed fishing for Pacific
cod by non-AFA crab vessels catching
Pacific cod for processing by the inshore

component in the Central Regulatory
Area of the GOA.

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 sideboard directed fishing
closure of Pacific cod apportioned to
non-AFA crab vessels catching Pacific
cod for processing by the inshore
component in the Central Regulatory
Area of the GOA. NMFS was unable to
publish a notice providing time for
public comment because the most
recent, relevant data only became
available as of October 10, 2007.

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 § 680.22
and is exempt from review under
Executive Order 12866.

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

Dated: October 10, 2007.

Emily H. Menashes

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