

SUPPLEMENTARY INFORMATION: In FR Doc. E9-5066, appearing on page 10189 in the **Federal Register** on March 10, 2009, the following corrections are made:

Corrections to Preamble

1. On page 10190, in the second column, under the response to Comment 4, the application deadline is corrected to read May 11, 2009.

2. On page 10190, in the second column, under the response to Comment 5, the application deadline announced is corrected to read May 11, 2009.

Corrections to Regulatory Text

§ 660.306 [Corrected]

On page 10192, in the second column, in § 660.306 Prohibitions, in paragraph (f)(1), the date of April 9, 2009, is corrected to read May 11, 2009.

§ 660.333 [Corrected]

2. On page 10192, in the third column, in § 660.333 Limited entry fishery eligibility and registration, in paragraph (a) the date of April 9, 2009, is corrected to read May 11, 2009.

§ 660.336 [Corrected]

3. On page 10193, in the first column, in § 660.336 Pacific whiting vessel licenses, in paragraph (a)(1) introductory text, the date of April 9, 2009, is corrected to read May 11, 2009.

4. On page 10193, in the third column, in § 660.336 Pacific whiting vessel licenses, in paragraph (a)(3)(i), the date of April 9, 2009, is corrected to read May 11, 2009 wherever it appears.

5. On page 10194, in the first column, in § 660.336 Pacific whiting vessel licenses, in paragraph (a)(3)(ii), the date of April 9, 2009, is corrected to read May 11, 2009.

6. On page 10194, in the first column, in § 660.336 Pacific whiting vessel licenses, in paragraph (a)(3)(iii), the date of May 11, 2009, is corrected to read June 15, 2009.

§ 660.373 [Corrected]

7. On page 10194, in the third column, § 660.373 Pacific whiting (whiting) fishery management, paragraph (a) is revised to read as follows:

(a) *Sectors.* In order for a vessel to participate in a particular whiting fishery sector after May 11, 2009, that vessel must be registered for use with a sector-specific Pacific whiting vessel license under § 660.336.

(1) The catcher/processor sector is composed of catcher/processors, which are vessels that harvest and process whiting during a calendar year.

(2) The mothership sector is composed of motherships and catcher vessels that harvest whiting for delivery to motherships. Motherships are vessels

that process, but do not harvest, whiting during a calendar year.

(3) The shore-based sector is composed of vessels that harvest whiting for delivery to Pacific whiting shoreside first receivers. Notwithstanding the other provisions of 50 CFR Part 660, subpart G, a vessel that is 75 feet or less LOA that harvests whiting and, in addition to heading and gutting, cuts the tail off and freezes the whiting, is not considered to be a catcher/processor nor is it considered to be processing fish. Such a vessel is considered a participant in the shorebased whiting sector, and is subject to regulations and allocations for that sector.

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Dated: March 16, 2009.

James W. Balsiger,

*Acting Assistant Administrator For Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 0910091344-9056-02 and 0810141351-9087-02]

RIN 0648-XN73

Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program

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

ACTION: Temporary rule; opening.

SUMMARY: NMFS is opening directed fishing for sablefish with fixed gear managed under the Individual Fishing Quota (IFQ) Program. The season will open 1200 hrs, Alaska local time (A.l.t.), March 21, 2009, and will close 1200 hrs, A.l.t., November 15, 2009. This period is the same as the 2009 IFQ and Community Development Quota season for Pacific halibut adopted by the International Pacific Halibut Commission (IPHC). The IFQ halibut season is specified by a separate publication in the **Federal Register** of annual management measures.

DATES: Effective 1200 hrs, A.l.t., March 21, 2009, until 1200 hrs, A.l.t., November 15, 2009.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907-586-7228.

SUPPLEMENTARY INFORMATION: Beginning in 1995, fishing for Pacific halibut and sablefish with fixed gear in the IFQ regulatory areas defined in § 679.2 has been managed under the IFQ Program. The IFQ Program is a regulatory regime designed to promote the conservation and management of these fisheries and to further the objectives of the Magnuson-Stevens Fishery Conservation and Management Act and the Northern Pacific Halibut Act. Persons holding quota share receive an annual allocation of IFQ. Persons receiving an annual allocation of IFQ are authorized to harvest IFQ species within specified limitations. Further information on the implementation of the IFQ Program, and the rationale supporting it, are contained in the preamble to the final rule implementing the IFQ Program published in the **Federal Register**, November 9, 1993 (58 FR 59375) and subsequent amendments.

This announcement is consistent with § 679.23(g)(1), which requires that the directed fishing season for sablefish managed under the IFQ Program be specified by the Administrator, Alaska Region, and announced by publication in the **Federal Register**. This method of season announcement was selected to facilitate coordination between the sablefish season, chosen by the Administrator, Alaska Region, and the halibut season, chosen by the IPHC. The directed fishing season for sablefish with fixed gear managed under the IFQ Program will open 1200 hrs, A.l.t., March 21, 2009, and will close 1200 hrs, A.l.t., November 15, 2009. This period runs concurrently with the IFQ season for Pacific halibut announced by the IPHC. The IFQ halibut season will be specified by a separate publication in the **Federal Register** of annual management measures pursuant to 50 CFR 300.62.

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 opening of the sablefish fishery thereby increasing bycatch and regulatory discards between the sablefish fishery and the halibut fishery,

and preventing the accomplishment of the management objective for simultaneous opening of these two fisheries. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 13, 2009.

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

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

Dated: March 16, 2009.

Alan D. Risenhoover

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

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