

**PART 52—[AMENDED]**

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

**Subpart D—Arizona**

■ 2. Section 52.120 is amended by adding paragraph (c)(120) to read as follows:

**§ 52.120 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(120) The following plan was submitted on September 13, 2004, by the Governor's designee.

(i) Incorporation by reference.

(A) Arizona Department of Environmental Quality.

(1) 40 CFR 81.303, Attainment Status Designations—Arizona, Request for Technical Correction of Phoenix Planning Area (Maricopa County) PM-10 Serious Nonattainment Area Boundaries, dated September 13, 2004.

**PART 81—[AMENDED]**

■ 1. The authority citation for part 81 continues to read as follows:

**ARIZONA—PM-10**

Authority: 42 U.S.C. 7401 *et seq.*

**Subpart C—[AMENDED]**

■ 2. In § 81.303, the table entitled "Arizona—PM-10" is amended by removing the entry for "Maricopa and Pinal Counties" and adding an entry for "Maricopa County" and an entry for "Pinal County" to read as follows:

**§ 81.303 Arizona.**

\* \* \* \* \*

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * * Maricopa County: Phoenix planning area ..... T6N, R1-3W, R1-7E; T5N, R1-3W, R1-7E; T4N, R1-3W, R1-7E; T3N, R1-3W, R1-7E; T2N, R1-3W, R1-7E; T1N, R1-3W, R1-7E; T1S, R1-3W, R1-7E; T2S, R1-3W, R1-7E.	11/15/90	Nonattainment	6/10/96	Serious.
* * * * * Pinal County: Phoenix planning area. T1N, R8E .....	11/15/90	Nonattainment	6/10/96	Serious.

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**DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**50 CFR Part 679**  
**[Docket No. 041126332-5039-02; I.D. 030405A]**  
**Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-Pelagic Trawl Gear in the Red King Crab Savings Subarea**  
**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.  
**ACTION:** Closure.  
**SUMMARY:** NMFS is closing directed fishing for groundfish with non-pelagic

trawl gear in the red king crab savings subarea (RKCSS) of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2005 red king crab prohibited species catch (PSC) limit that is specified for the RKCSS of the BSAI.  
**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), March 8, 2005, through 2400 hrs, A.l.t., December 31, 2005.  
**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. vessels in accordance with the FMP

appear at subpart H of 50 CFR part 600 and 50 CFR part 679.  
 The 2005 red king crab PSC limit specified for the RKCSS is 42,495 animals as established by the 2005 and 2006 final harvest specifications for groundfish in the BSAI (70 FR 8979, February 24, 2005).  
 In accordance with § 679.21(e)(7)(ii)(B), the Administrator, Alaska Region, NMFS, has determined that the amount of the 2005 red king crab PSC limit specified for the RKCSS has been caught. Consequently, NMFS is closing the RKCSS to directed fishing for groundfish with non-pelagic trawl gear.  
 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 closure of the RKCSS to directed fishing for groundfish with non-pelagic trawl gear.

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

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

Dated: March 4, 2005.

**Alan D. Risenhoover**

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

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