

exceeded. Table 1 listed incorrect individual state commercial quota allocations in the columns entitled "2006 Commercial Quota (lb) with Research Set-Aside" and "2006

Commercial Quota (kg) with Research Set-Aside." The amounts that appear in the row entitled "Total" remain the same. The following corrections are made:

1. On page 9473, Table 1. Commercial State-by-State Allocations for 2006 as Adjusted by the Research Set-Aside (RSA) is corrected to read as follows:

TABLE 1. CORRECTED COMMERCIAL STATE-BY-STATE ALLOCATIONS FOR 2006 AS ADJUSTED BY THE RSA

States	Quota	2006 Commercial Quota		2006 Commercial Quota (lb)	2006 Commercial Quota (kg)
	Percent Share	(lb)	(kg)	With Research Set-Aside	With Research Set-Aside
ME	0.6685	54,022	24,504	53,230	24,145
NH	0.4145	33,496	15,194	33,005	14,971
MA	6.7167	542,783	246,205	534,823	242,592
RI	6.8081	550,169	249,555	542,101	245,893
CT	1.2663	102,331	46,417	100,830	45,736
NY	10.3851	839,230	380,672	826,923	375,086
NJ	14.8162	1,197,311	543,097	1,179,753	535,127
DE	1.8782	151,779	68,847	149,553	67,836
MD	3.0018	242,578	110,033	239,021	108,418
VA	11.8795	959,994	435,450	945,915	429,060
NC	32.0608	2,590,864	1,175,208	2,552,869	1,157,962
SC	0.0352	2,845	1,290	2,803	1,271
GA	0.0095	768	348	756	343
FL	10.0597	812,934	368,744	801,012	363,333
Total	100.0001	8,081,096	3,665,561	7,962,586	3,611,769

¹ Metric tons and kilograms are as converted from pounds and may not necessarily add due to rounding.

The Assistant Administrator for fisheries, NOAA (AA) finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be impracticable and contrary to the public interest. This rule corrects a calculation error in the state allocations for bluefish in the final rule published on February 24, 2006 (71 FR 9471). When the final state allocations were calculated to reflect the new transfer amount, NMFS inadvertently made an error in calculation; i.e., the table that revised the individual state quota allocations carried over a conversion factor that did not correctly account for the RSA quota based on the new proportion (recreational/commercial split). Providing for a public comment period for this rule would prevent the correction of the aforementioned final rule before it becomes effective. Publication of incorrect state quota allocations could cause some unnecessary confusion among those states whose allocation is different from the levels previously calculated. The correction provides a slightly higher allocation to each of the states.

The AA further finds pursuant to 5 U.S.C. 553(d)(3) good cause to waive the thirty (30) delayed effectiveness period for the reasons stated above. This rule corrects a calculation error in the state allocations for bluefish in the final rule published on February 24, 2006 (71 FR 9471). When the final state allocations were calculated to reflect the new

transfer amount, NMFS inadvertently made an error in calculation; i.e., the table that revised the individual state quota allocations carried over a conversion factor that did not correctly account for the RSA quota based on the new proportion (recreational/commercial split). Providing for a 30-day delay in effectiveness for this rule would prevent the correction of the aforementioned final rule before it becomes effective. Publication of incorrect state quota allocations could cause some unnecessary confusion among those states whose allocation is different from the levels previously calculated.

This rule has been determined to be not significant under Executive Order 12866.

Dated: March 13, 2006.

James W. Balsiger,

Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 060216045-6045-01; I.D. 031406B]

Fisheries of the Exclusive Economic Zone Off Alaska; Adjustment of Pacific Cod Total Allowable Catch Amounts in the Bering Sea and Aleutian Islands

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

ACTION: Temporary rule; inseason adjustment.

SUMMARY: NMFS is adjusting the Pacific cod total allowable catch (TAC) amount in the Bering Sea and Aleutian Islands Management Area (BSAI). This action is necessary to prevent exceeding the Pacific cod acceptable biological catch (ABC) in the BSAI and is consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the BSAI (FMP).

DATES: Effective March 14, 2006, through 2400 hrs, Alaska local time (A.l.t.), December 31, 2007.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the FMP prepared by

the North Pacific Fishery Management Council (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 2006 and 2007 final harvest specifications for groundfish in the BSAI (71 FR 10894, March 3, 2006) establish the 2006 and 2007 Pacific cod ABCs as 194,000 metric tons (mt) and 148,000 mt, respectively. The TACs are set equal to the ABCs for Pacific cod in the BSAI.

On March 1, 2006, the Alaska Department of Fish and Game announced by emergency regulation, a Pacific cod guideline harvest level

(GHL), west of 170 degrees west longitude in the Aleutian Islands subarea, equal to 3% of the Pacific cod ABC in the BSAI established in the final harvest specifications for groundfish in the BSAI (71 FR 10984, March 3, 2006).

As of March 1, 2006, the Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that the current TACs are incorrectly specified and an adjustment is necessary to prevent exceeding the ABC. The best available scientific information for the Pacific cod fisheries in the BSAI indicates that the addition of a state waters GHL in the Aleutian Islands subarea would result in overall harvest amounts that exceed the 2006 and 2007 Pacific cod ABCs in the BSAI.

The Council, its Advisory Panel, and its Scientific and Statistical Committee have determined that the acceptable harvest level for the combined State and Federal Pacific cod fisheries should not exceed the ABC since this could result in an unacceptable change in the biological stock status of Pacific cod in the BSAI. Therefore, in accordance with § 679.25(a)(1)(iii) and (2)(iv), the Regional Administrator adjusts the 2006 and 2007 Pacific cod TACs in the BSAI.

Pursuant to § 679.20(a)(7), Tables 1, 2, 5, 12, and 14 of the 2006 and 2007 final harvest specifications for groundfish in the BSAI (71 FR 10894, March 3, 2006) are revised for the 2006 and 2007 Pacific cod TACs consistent with this adjustment.

TABLE 1.—2006 AND 2007 OVERFISHING LEVEL (OFL), ACCEPTABLE BIOLOGICAL CATCH (ABC), TOTAL ALLOWABLE CATCH (TAC), INITIAL TAC (ITAC), AND CDQ RESERVE ALLOCATION OF GROUND FISH IN THE BSAI ¹
[Amounts are in metric tons]

Species	Area	2006					2007				
		OFL	ABC	TAC	ITAC ²	CDQ ³	OFL	ABC	TAC	ITAC ²	CDQ ³
Pollock ⁴	BS ²	2,090,000	1,930,000	1,485,000	1,336,500	148,500	1,930,000	1,790,000	1,500,000	1,350,000	150,000
	AI ²	39,100	29,400	19,000	17,100	1,900	39,100	29,400	19,000	17,100	1,900
	Bogoslof	50,600	5,500	10	10	n/a	50,600	5,500	10	10	n/a
Pacific cod	BSAI	230,000	194,000	188,180	159,953	14,114	176,000	148,000	143,560	122,026	10,767
	BS	3,680	3,060	2,820	2,327	388	3,260	2,700	2,700	1,148	101
Sablefish ⁵	AI	3,740	3,100	3,000	2,438	499	3,300	2,740	2,740	582	51
	BSAI	130,000	110,000	63,000	53,550	4,725	107,000	91,000	63,000	53,550	4,725
Atka mackerel	EAI/BS	n/a	21,780	7,500	6,375	563	n/a	18,020	7,500	6,375	563
	CAI	n/a	46,860	40,000	34,000	3,000	n/a	38,760	38,000	32,300	2,850
	WAI	n/a	41,360	15,500	13,175	1,163	n/a	34,220	17,500	14,875	1,313
Yellowfin sole	BSAI	144,000	121,000	95,701	81,346	7,178	137,000	116,000	107,641	91,495	8,073
Rock sole	BSAI	150,000	126,000	41,500	35,275	3,113	145,000	122,000	44,000	37,400	3,300
Greenland turbot	BSAI	14,200	2,740	2,740	2,329	206	13,400	2,630	2,630	2,236	197
	BS	n/a	1,890	1,890	1,607	142	n/a	1,815	1,815	1,543	136
	AI	n/a	850	850	723	64	n/a	815	815	693	61
Arrowtooth flounder	BSAI	166,000	136,000	13,000	11,050	975	174,000	142,000	18,000	15,300	1,350
Flathead sole	BSAI	71,800	59,800	19,500	16,575	1,463	67,900	56,600	22,000	18,700	1,650
Other flatfish ⁶	BSAI	24,200	18,100	3,500	2,975	263	24,200	18,100	5,000	4,250	375
Alaska plaice	BSAI	237,000	188,000	8,000	6,800	600	231,000	183,000	15,000	12,750	1,125
Pacific ocean perch	BSAI	17,600	14,800	12,600	10,710	945	17,600	14,800	14,800	12,580	1,110
	BS	n/a	2,960	1,400	1,190	105	n/a	2,960	2,960	2,516	222
	EAI	n/a	3,256	3,080	2,618	231	n/a	3,256	3,256	2,768	244
	CAI	n/a	3,212	3,035	2,580	228	n/a	3,212	3,212	2,730	241
	WAI	n/a	5,372	5,085	4,322	381	n/a	5,375	5,372	4,566	403
Northern rockfish	BSAI	10,100	8,530	4,500	3,825	338	9,890	8,320	5,000	4,250	375
Shortraker rockfish	BSAI	774	580	580	493	44	774	580	580	493	44
Rougheye rockfish	BSAI	299	224	224	190	17	299	224	224	190	17
Other rockfish ⁷	BSAI	1,870	1,400	1,050	893	79	1,870	1,400	1,400	1,190	105
	BS	n/a	810	460	391	35	n/a	810	810	689	61
	AI	n/a	590	590	502	44	n/a	590	590	502	44
Squid	BSAI	2,620	1,970	1,275	1,084	n/a	2,620	1,970	1,275	1,084	n/a
Other species ⁸	BSAI	89,404	58,882	29,000	24,650	2,175	89,404	62,950	27,000	22,950	2,025
Total		3,476,987	3,013,086	1,994,180	1,770,073	187,522	3,224,217	2,799,914	1,995,560	1,769,284	187,290

¹ These amounts apply to the entire BSAI management area unless otherwise specified. With the exception of pollock, and for the purpose of these harvest specifications, the Bering Sea (BS) subarea includes the Bogoslof District.

² Except for pollock and the portion of the sablefish TAC allocated to hook-and-line and pot gear, 15 percent of each TAC is put into a reserve. The ITAC for each species is the remainder of the TAC after the subtraction of these reserves.

³ Except for pollock, squid and the hook-and-line or pot gear allocation of sablefish, one half of the amount of the TACs placed in reserve, or 7.5 percent of the TACs, is designated as a CDQ reserve for use by CDQ participants (see §§ 679.20(b)(1)(iii) and 679.31).

⁴ Pursuant to § 679.20(a)(5)(i)(A)(1), the annual Bering Sea pollock TAC after subtraction for the CDQ directed fishing allowance—10 percent and the ICA—3.35 percent, is further allocated by sector for a directed pollock fishery as follows: inshore—50 percent; catcher/processor—40 percent; and motherships—10 percent. Pursuant to § 679.20(a)(5)(iii)(B)(2)(i) and (ii), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance—10 percent and second for the ICA—1,800 mt, is allocated to the Aleut Corporation for a directed pollock fishery.

⁵ Twenty percent of the sablefish TAC allocated to hook-and-line gear or pot gear and 7.5 percent of the sablefish TAC allocated to trawl gear is reserved for use by CDQ participants (see § 679.20(b)(1)(iii)).

⁶ "Other flatfish" includes all flatfish species, except for halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, arrowtooth flounder and Alaska plaice.

⁷ "Other rockfish" includes all *Sebastes* and *Sebastolobus* species except for Pacific ocean perch, northern, shortraker, and rougheye rockfish.

⁸ "Other species" includes sculpins, sharks, skates and octopus. Forage fish, as defined at § 679.2, are not included in the "other species" category.

TABLE 2.—2006 AND 2007 APPORTIONMENT OF RESERVES TO ITAC CATEGORIES
[Amounts are in metric tons]

Species—area or subarea	2006 reserve amount	2006 final ITAC	2007 reserve amount	2007 final ITAC
Atka mackerel—Eastern Aleutian District and Bering Sea subarea	563	6,938	563	6,938
Atka mackerel—Central Aleutian District	3,000	37,000	2,850	35,150
Atka mackerel—Western Aleutian District	1,163	14,338	1,313	16,188
Pacific ocean perch—Eastern Aleutian District	231	2,849	244	3,012
Pacific ocean perch—Central Aleutian District	228	2,808	241	2,971
Pacific ocean perch—Western Aleutian District	381	4,703	403	4,969
Pacific cod—BSAI	14,113	174,066	10,767	132,793
Shortraker rockfish—BSAI	44	537	44	537
Rougheye rockfish—BSAI	17	207	17	207
Northern rockfish—BSAI	338	4,163	375	4,625
Other rockfish—Bering Sea subarea	35	426	61	750
Total	20,113	248,035	16,878	208,140

TABLE 5.—2006 AND 2007 GEAR SHARES AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD ITAC
[Amounts are in metric tons]

Gear sector	Percent	2006 share of gear sector total	2006 subtotal percentages for gear sectors	2006 share of gear sector total	2006 seasonal apportionment ¹		2007 share of gear sector total	2007 subtotal percentages for gear sectors	2007 share of gear sector total	2007 seasonal apportionment ¹	
					Date	Amount				Date	Amount
Total hook-and-line/pot gear	51	88,774	n/a	n/a	n/a	n/a	67,724	n/a	n/a	n/a	n/a
Hook-and-line/pot ICA	n/a	n/a	n/a	500	n/a	n/a	n/a	n/a	500	n/a	n/a
Hook-and-line/pot subtotal ..	n/a	88,274	n/a	n/a	n/a	n/a	67,224	n/a	n/a	n/a	n/a
Hook-and-line C/P	n/a	n/a	80	70,619	Jan 1–Jun 10	42,372	n/a	80	53,780	Jan 1–Jun 10	32,268
.....	.....	.....	.....	.....	June 10–Dec 31	28,248	.....	.....	.....	Jan 10–Dec 31	21,512
Hook-and-line CV	n/a	n/a	0.3	265	Jan 1–Jun 10	159	n/a	0.3	202	Jan 1–Jun 10	121
.....	.....	.....	.....	.....	June 10–Dec 31	106	.....	.....	.....	Jan 10–Dec 31	81
Pot C/P	n/a	n/a	3.3	2,913	Jan 1–Jun 10	1,749	n/a	3.3	2,218	Jan 1–Jun 10	1,331
.....	.....	.....	.....	.....	Sept 1–Dec 31	1,165	.....	.....	.....	Sept 1–Dec 31	887
Pot CV	n/a	n/a	15	13,241	Jan 1–Jun 10	7,945	n/a	15	10,084	Jan 1–Jun 10	6,050
.....	.....	.....	.....	.....	Sept 1–Dec 31	5,296	.....	.....	.....	Sept 1–Dec 31	4,033
CV < 60 feet LOA using Hook-and-line or Pot gear.	n/a	n/a	1.4	1,236	n/a	n/a	n/a	1.4	941	n/a	n/a
Total Trawl Gear	47	81,811	n/a	n/a	n/a	n/a	62,413	n/a	n/a	n/a	n/a
Trawl CV .....	.....	.....	50	40,906	Jan 20–Apr 1	28,634	.....	50	31,206	Jan 20–Apr 1	21,844
.....	.....	.....	.....	.....	Apr 1–Jun 10	4,091	.....	.....	.....	Apr 1–Jun 10	3,121
.....	.....	.....	.....	.....	Jun 10–Nov 1	8,181	.....	.....	.....	Jun 10–Nov 1	6,241
Trawl CP .....	.....	.....	50	40,906	Jan 20–Apr 1	20,453	.....	50	31,206	Jan 20–Apr 1	15,603
.....	.....	.....	.....	.....	Apr 1–Jun 10	12,272	.....	.....	.....	Apr 1–Jun 10	9,362
.....	.....	.....	.....	.....	Jun 10–Nov 1	8,181	.....	.....	.....	Jun 10–Nov 1	6,241
Jig	2	3,481	n/a	n/a	Jan 1–Apr 30	1,393	2,656	n/a	n/a	Jan 1–Apr 30	1,062
.....	.....	.....	n/a	n/a	Apr 30–Aug 31	696	.....	n/a	n/a	Apr 30–Aug 31	531
.....	.....	.....	n/a	n/a	Aug 31–Dec 31	1,392	.....	n/a	n/a	Aug 31–Dec 31	1,062
Total	100	174,066	n/a	n/a	n/a	n/a	132,793	n/a	n/a	n/a	n/a

¹ For most non-trawl gear the first season is allocated 60 percent of the ITAC and the second season is allocated 40 percent of the ITAC. For jig gear, the first season and third seasons are each allocated 40 percent of the ITAC and the second season is allocated 20 percent of the ITAC. No seasonal harvest constraints are imposed for the Pacific cod fishery by catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear. For trawl gear, the first season is allocated 60 percent of the ITAC and the second and third seasons are each allocated 20 percent of the ITAC. The trawl catcher vessels' allocation is further allocated as 70 percent in the first season, 10 percent in the second season and 20 percent in the third season. The trawl catcher/processors' allocation is allocated 50 percent in the first season, 30 percent in the second season and 20 percent in the third season. Any unused portion of a seasonal Pacific cod allowance will be reapportioned to the next seasonal allowance.

TABLE 12.—2006 AND 2007 LISTED BSAI AMERICAN FISHERIES ACT CATCHER/PROCESSOR GROUND FISH SIDEBOARD LIMITS
[Amounts are in metric tons]

Target species	Area	1995–1997			2006 ITAC available to trawl C/Ps	2006 C/P sideboard limit	2007 ITAC available to trawl C/Ps	2007 C/P sideboard limit
		Retained catch	Total catch	Ratio of retained catch to total catch				
Pacific cod trawl	BSAI	12,424	48,177	0.258	40,906	10,554	31,206	8,051
Sablefish trawl	BS	8	497	0.016	1,199	19	1,148	18
.....	AI	0	145	0.000	638	0	582	0
Atka mackerel	Central AI	n/a	n/a	n/a	n/a	n/a	n/a	n/a
.....	A season ¹	n/a	n/a	0.115	18,500	2,128	17,575	2,021
.....	HLA limit ²	n/a	n/a	n/a	11,100	1,277	10,545	1,213
.....	B season ¹	n/a	n/a	0.115	18,500	2,128	17,575	2,021

TABLE 12.—2006 AND 2007 LISTED BSAI AMERICAN FISHERIES ACT CATCHER/PROCESSOR GROUND FISH SIDEBOARD LIMITS—Continued
[Amounts are in metric tons]

Target species	Area	1995–1997			2006 ITAC available to trawl C/Ps	2006 C/P sideboard limit	2007 ITAC available to trawl C/Ps	2007 C/P sideboard limit
		Retained catch	Total catch	Ratio of retained catch to total catch				
	HLA limit ²	n/a	n/a	n/a	11,100	1,277	10,545	1,213
	Western AI ...	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	A season ¹	n/a	n/a	0.200	7,169	1,434	8,094	1,619
	HLA limit ²	n/a	n/a	n/a	4,301	860	4,856	971
	B season ¹	n/a	n/a	0.200	7,169	1,434	8,094	1,619
	HLA limit ²	n/a	n/a	n/a	4,301	860	4,856	971
Yellowfin sole	BSAI	100,192	435,788	0.230	81,346	18,710	91,495	21,044
Rock sole	BSAI	6,317	169,362	0.037	35,275	1,305	37,400	1,384
Greenland turbot	BS	121	17,305	0.007	1,607	11	1,543	11
	AI	23	4,987	0.005	723	4	693	3
Arrowtooth flounder	BSAI	76	33,987	0.002	11,050	22	15,300	31
Flathead sole	BSAI	1,925	52,755	0.036	16,575	597	18,700	673
Alaska plaice	BSAI	14	9,438	0.001	6,800	7	12,750	13
Other flatfish	BSAI	3,058	52,298	0.058	2,975	173	4,250	247
Pacific ocean perch	BS	12	4,879	0.002	1,190	2	2,516	5
	Eastern AI ...	125	6,179	0.020	2,849	57	3,012	60
	Central AI ...	3	5,698	0.001	2,808	3	2,971	3
	Western AI ...	54	13,598	0.004	4,703	19	4,969	20
Northern rockfish	BSAI	91	13,040	0.007	4,163	29	4,625	32
Shortraker rockfish	BSAI	50	2,811	0.018	537	10	537	10
Rougheye rockfish	BSAI	50	2,811	0.018	207	4	207	4
Other rockfish	BS	18	621	0.029	426	12	750	22
	AI	22	806	0.027	502	14	502	14
Squid	BSAI	73	3,328	0.022	1,084	24	1,084	24
Other species	BSAI	553	68,672	0.008	24,650	197	22,950	184

¹ The seasonal apportionment of Atka mackerel in the open access fishery is 50 percent in the A season and 50 percent in the B season. Listed AFA catcher/processors are limited to harvesting no more than zero in the Eastern Aleutian District and Bering Sea subarea, 20 percent of the annual ITAC specified for the Western Aleutian District, and 11.5 percent of the annual ITAC specified for the Central Aleutian District.

² Harvest Limit Area (HLA) limit refers to the amount of each seasonal allowance that is available for fishing inside the HLA (see § 679.2). In 2006 and 2007, 60 percent of each seasonal allowance is available for fishing inside the HLA in the Western and Central Aleutian Districts.

TABLE 14.—2006 AND 2007 BSAI AMERICAN FISHERIES ACT CATCHER VESSEL SIDEBOARD LIMITS
[Amounts are in metric tons]

Species	Fishery by area/season/processor/gear	Ratio of 1995–1997 AFA CV catch to 1995–1997 TAC	2006 initial TAC	2006 catcher vessel sideboard limits	2007 initial TAC	2007 catcher vessel sideboard limits
Pacific cod	BSAI	n/a	n/a	n/a	n/a	n/a
	Jig gear	0.0000	3,481	0	2,656	0
	Hook-and-line CV	n/a	n/a	n/a	n/a	n/a
	Jan 1–Jun 10	0.0006	159	0	121	0
	Jun 10–Dec 31	0.0006	106	0	81	0
	Pot gear CV	n/a	n/a	n/a	n/a	n/a
	Jan 1–Jun 10	0.0006	7,945	5	6,050	4
	Sept 1–Dec 31	0.0006	5,296	3	4,033	2
	CV < 60 feet LOA using hook-and-line or pot gear.	0.0006	1,236	1	941	1
	Trawl gear CV	n/a	n/a	n/a	n/a	n/a
	Jan 20–Apr 1	0.8609	28,634	24,651	21,844	18,805
	Apr 1–Jun 10	0.8609	4,091	3,522	3,121	2,687
	Jun 10–Nov 1	0.8609	8,181	7,043	6,241	5,373
Sablefish	BS trawl gear	0.0906	1,199	109	1,148	104
	AI trawl gear	0.0645	638	41	582	38
Atka mackerel	Eastern AI/BS	n/a	n/a	n/a	n/a	n/a
	Jig gear	0.0031	69	0	69	0
	Other gear	n/a	n/a	n/a	n/a	n/a
	Jan 1–Apr 15	0.0032	3,434	11	3,434	11
	Sept 1–Nov 1	0.0032	3,434	11	3,434	11
	Central AI	n/a	n/a	n/a	n/a	n/a
	Jan–Apr 15	0.0001	18,500	2	17,575	2
	HLA limit	0.0001	11,100	1	10,545	1
	Sept 1–Nov 1	0.0001	18,500	2	17,575	2
	HLA limit	0.0001	11,100	1	10,545	1
	Western AI	n/a	n/a	n/a	n/a	n/a
	Jan–Apr 15	0.0000	7,169	0	8,094	0

TABLE 14.—2006 AND 2007 BSAI AMERICAN FISHERIES ACT CATCHER VESSEL SIDEBOARD LIMITS—Continued

[Amounts are in metric tons]

Species	Fishery by area/season/processor/gear	Ratio of 1995–1997 AFA CV catch to 1995–1997 TAC	2006 initial TAC	2006 catcher vessel sideboard limits	2007 initial TAC	2007 catcher vessel sideboard limits
	HLA limit	n/a	4,301	0	4,856	0
	Sept 1–Nov 1	0.0000	7,169	0	8,094	0
	HLA limit	n/a	4,301	0	4,856	0
Yellowfin sole	BSAI	0.0647	81,346	5,263	91,495	5,920
Rock sole	BSAI	0.0341	35,275	1,203	37,400	1,275
Greenland Turbot	BS	0.0645	1,607	104	1,543	100
	AI	0.0205	723	15	693	14
Arrowtooth flounder	BSAI	0.0690	11,050	762	15,300	1,056
Alaska plaice	BSAI	0.0441	6,800	300	12,750	562
Other flatfish	BSAI	0.0441	2,975	131	4,250	187
Pacific ocean perch	BS	0.1000	1,190	119	2,516	252
	Eastern AI	0.0077	2,849	22	3,012	23
	Central AI	0.0025	2,808	7	2,971	7
	Western AI	0.0000	4,703	0	4,969	0
Northern rockfish	BSAI	0.0084	4,163	35	4,625	39
Shorthead rockfish	BSAI	0.0037	537	2	537	2
Rougheye rockfish	BSAI	0.0037	207	1	207	1
Other rockfish	BS	0.0048	426	2	750	4
	AI	0.0095	502	5	502	5
Squid	BSAI	0.3827	1,084	415	1,084	415
Other species	BSAI	0.0541	24,650	1,334	22,950	1,242
Flathead Sole	BS trawl gear	0.0505	16,575	837	18,700	944

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 adjustment of the 2006 and

2007 Pacific cod TACs to account for the state waters GHM in the Aleutian Islands subarea. On March 1, 2006, ADF&G announced the state waters GHM in the Aleutian Islands subarea. Since the 2006 fisheries are currently underway and the 2006 and 2007 TACs are jointly established, it is necessary to immediately adjust the TACs to avoid overharvesting gear shares and seasonal allowances of Pacific cod in the BSAI. Immediate adjustment is necessary to allow for the orderly conduct and efficient operation of this fishery, allow the industry to plan for the remainder of the 2006 and 2007 fishing seasons, and avoid potential disruption to the fishing fleet and processors.

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 § 679.20 and § 679.25 and is exempt from review under Executive Order 12866.

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

Dated: March 14, 2006.

James P. Burgess,

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

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