

**Appendix A to Subpart III of Part 97—States With Approved State Implementation Plan Revisions Concerning CAIR SO<sub>2</sub> Opt-In Units**

- 1. \* \* \*  
Ohio
- \* \* \* \* \*
- 2. \* \* \*  
Ohio
- \* \* \* \* \*

■ 7. Appendix A to subpart EEEE of part 97 is amended by adding in alphabetical order the entry “Ohio” to read as follows:

**Appendix A to Subpart EEEE of Part 97—States With Approved State Implementation Plan Revisions Concerning Allocations**

- \* \* \* \* \*
- Ohio
- \* \* \* \* \*

■ 8. Appendix A to subpart III of part 97 is amended by adding in alphabetical order the entry “Ohio” under paragraphs 1. and 2. to read as follows:

**Appendix A to Subpart III of Part 97—States With Approved State Implementation Plan Revisions Concerning CAIR NO<sub>x</sub> Ozone Season Opt-In Units**

- 1. \* \* \*  
Ohio
- 2. \* \* \*  
Ohio
- \* \* \* \* \*

[FR Doc. E7–20252 Filed 10–15–07; 8:45 am]  
BILLING CODE 6560–50–P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated on the table below.

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** William R. Blanton, Jr., Engineering Management Section, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–3151.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of FEMA has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the

proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601–612, a regulatory flexibility analysis is not required.

*Regulatory Classification.* This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 13132, Federalism.* This final rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This final rule meets the applicable standards of Executive Order 12988.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR part 67 is amended as follows:

**PART 67—[AMENDED]**

■ 1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.11 [Amended]**

■ 2. The tables published under the authority of § 67.11 are amended as follows:

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
<b>Breathitt County, Kentucky, and Incorporated Areas Docket No.: FEMA-B-7714</b>			
North Fork Kentucky River .....	Approximately 7.43 miles downstream of the confluence with Frozen Creek near Cy Bend.  Approximately 2.83 miles upstream of the Robinson Road Bridge at Quick Sand.	+717          +754	Breathitt County (Unincorporated Areas), City of Jackson.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
PanBowl Lake .....	Kentucky 15 Crossing .....	+732	Breathitt County (Unincorporated Areas), City of Jackson.
	Kentucky 1812 Crossing .....	+732	

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.

**ADDRESSES**

**City of Jackson**

Maps are available for inspection at 1137 Main Street, Jackson, KY 41339.

**Breathitt County (Unincorporated Areas)**

Maps are available for inspection at 1137 Main Street, Jackson, KY 41339.

**Osage County, Oklahoma, and Incorporated Areas Docket No.: FEMA-B-7714**

Bird Creek .....	Approximately 5,250 feet upstream from power line right-of-way.	+646	Osage County (Unincorporated Areas).
	Approximately 8750 feet upstream from power line right-of-way.	+648	
Eliza Creek .....	Approximately 4,000 ft upstream from CR-2708 .....	+695	City of Bartlesville.
	Approximately 750 feet southwest intersection of Highway 60 and Highway 123.	+702	
Euchee Creek .....	Approximately 8,250 feet downstream from confluence with Euchee Creek/Tributary (County Boundary).	+690	Osage County (Unincorporated Areas).
	Tributary .....	+791	
Shell Creek .....	Approximately 2,000 feet upstream of Unnamed Dirt Road Confluence with Euchee Creek .....	+700	Osage County (Unincorporated Areas).
	Approximately 1050 feet upstream of intersection with North Willow Creek Road.	+720	
UT 1 to Shell Creek .....	Approximately 1,600 feet downstream of North 161 St. West Avenue.	+661	Osage County (Unincorporated Areas).
	Confluence with UT 3 Shell Creek .....	+677	
UT 1 to UT to Horsepin Creek	Confluence with Shell Creek .....	+668	Osage County (Unincorporated Areas).
	Approximately 1820 feet upstream of Private Road .....	+805	
UT 3 to Shell Creek .....	Approximately 3000 feet south of intersection of 166th Street and Railroad.	+638	Osage County (Unincorporated Areas).
	Approximately 375 feet south of intersection of 166th Street and Railroad.	+644	
UT 4 to Shell Creek .....	Confluence with Shell Creek .....	+677	Osage County (Unincorporated Areas).
	Approximately 500 ft down stream of Shell Lake Dam .....	+693	
UT to West Big Heart Creek ....	Confluence with Shell Creek .....	+668	Osage County (Unincorporated Areas).
	Approximately 4000 feet of confluence with Shell Creek ...	+673	
West Big Heart Creek (Formerly Blackboy Creek).	4,000 feet downstream of mouth of creek (County Line) ...	+695	City of Sand Springs.
	2,750 feet downstream of mouth of creek .....	+790	
West Big Heart Creek (Formerly Blackboy Creek).	Approximately 10,500 feet downstream of mouth of creek (County Line).	+722	Osage County (Unincorporated Areas).
	Approximately 8,000 feet downstream of mouth of creek ..	+793	

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.

**ADDRESSES**

**City of Bartlesville**

Maps are available for inspection at 401 South Johnston Ave, Bartlesville, OK 74003.

**City of Sand Springs**

Maps are available for inspection at P.O. Box 338, Sand Springs, OK 74063.

**Osage County (Unincorporated Areas)**

Maps are available for inspection at 628 Kinekah, Pawhuska, OK 74056-0087.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
<b>Osage County, Oklahoma and Incorporated Areas Docket No.: FEMA-B-7456</b>			
Bird Creek .....	Approximately 250 feet from confluence of Bird Creek and Mud Creek.	+818	Osage County (Unincorporated Areas), City of Pawhuska, City of Barnsdall, Town of Avant.
	Approximately 1,700 feet downstream from confluence w/ UT1 to Bird Creek.	+645	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Osage County**

Maps are available for inspection at 628 Kihkah, Pawhuska 74056.

**Town of Avant**

Maps are available for inspection at City Hall: 230 W. McCoy Lane, Avant, OK 74001.

**City of Barnsdall**

Maps are available for inspection at 409 W. Main, Barnsdall, OK 74002.

**City of Pawhuska**

Maps are available for inspection at 118 W. Main, Pawhuska, OK 74056.

**Lincoln County, South Dakota, and Incorporated Areas Docket No: FEMA-B-7708 & B-7735**

Ninemile Creek .....	Just downstream from 274th Street .....	+1385	Town of Harrisburg. Town of Tea.
	Just upstream from 272nd Street .....	+1472	
	Approximately 320 feet downstream from Kevin Drive .....	+1477	Unincorporated Areas of Lincoln County.
	Approximately 650 feet upstream from Ryan Drive .....	+1483	
	Just downstream from 273rd Street .....	+1311	
Tributary .....	Just upstream from South Dakota Highway 115 .....	+1411	Town of Harrisburg.
	1550 feet upstream from 469th Avenue .....	+1518	
	Approximately 2150 feet downstream from 475th Avenue Approximately 500 feet downstream from 475th Avenue at the Corporate Limit line.	+1391 +1400	
Tributary .....	Just downstream from 273rd Street .....	+1417	Unincorporated Areas of Lincoln County.
	Just upstream from the confluence with Ninemile Creek ...	+1387	
Schindler Creek .....	Approximately 2050 feet upstream from 273rd Street .....	+1425	Unincorporated Areas of Lincoln County.
	Just downstream from 473rd Avenue .....	+1466	
	Just upstream from the confluence with Ninemile Creek ...	+1267	
Spring Creek .....	Just downstream from 477th Avenue .....	+1394	Unincorporated Areas of Lincoln County.
	Approximately 1150 feet upstream from 271st Street .....	+1452	
	Just upstream from the confluence with Big Sioux River ...	+1269	
Tributary .....	Just downstream from South Dakota Highway 11 .....	+1368	Unincorporated Areas of Lincoln County.
	Approximately 950 feet upstream from Cliff Avenue .....	+1461	
	Just upstream from the confluence with Spring Creek .....	+1346	
	Just downstream from Cody Road .....	+1392	
	Just upstream from 269th Street .....	+1425	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

**ADDRESSES****Town of Harrisburg**

Maps are available for inspection at P.O. Box 26, Harrisburg, SD 57032.

**Town of Tea**

Maps are available for inspection at 600 East 1st Street, P.O. Box 128, Tea, SD 57064.

**Unincorporated Areas of Lincoln County**

Maps are available for inspection at 224 West Ninth Street, Sioux Falls, SD 57104.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
<b>Webb County, Texas and Incorporated Areas Docket No.: FEMA-B-7710</b>			
Chacon Creek	Confluence with Rio Grande	+394	City of Laredo, Webb County, (Unincorporated Areas).
	Approximately 2000 feet downstream from confluence with Casa Blanca Lake.	+453	
Tributary 1	Confluence with Chacon Creek	+394	City of Laredo.
	Approximately 250 feet upstream from intersection with Chestnut.	+422	
Tributary 2	Confluence with Chacon Creek	+394	City of Laredo, Webb County (Unincorporated Areas).
	Approximately 1500 feet downstream from Loop 20	+398	
Tributary 3	Confluence with Chacon Creek	+436	City of Laredo, Webb County (Unincorporated Areas).
	Approximately 2500 feet upstream from the intersection with Highway 59.	+444	
Deer Creek	Confluence with Rio Grande	+411	City of Laredo.
	Intersection with Logistic Road	+476	
Dellwood Tributary (Previously Las Manadas Creek Tributary 1).	Confluence with Las Manadas Creek	+410	City of Laredo, Webb County (Unincorporated Areas).
	Approximately 2000 feet upstream from intersection with FM 3464.	+486	
Las Manadas Creek	Confluence with Rio Grande	+408	City of Laredo, Webb County (Unincorporated Areas).
	Approximately 1750 feet upstream from intersection with Loop 20.	+552	
Tributary 1	Confluence with Las Manadas Creek	+412	City of Laredo, Webb County (Unincorporated Areas).
	Approximately 200 feet upstream from Springfield Drive	+468	
Tributary 1A	Confluence with Las Manadas Creek Tributary 1	+430	City of Laredo.
	Approximately 1200 feet upstream from Dover/Stratford	+464	
Tributary 2 (Formerly Las Manadas Creek Tributary 3).	Confluence with Las Manadas Creek	+418	City of Laredo, Webb County (Unincorporated Areas).
	Approximately 5050 feet upstream from intersection with FM 3464.	+489	
Tributary 2A	Confluence with Las Manadas Creek Tributary 2	+447	City of Laredo.
	Approximately 3225 feet upstream from confluence with Las Manadas Creek Tributary 2.	+459	
Rio Grande	Approximately 1750 feet upstream from intersection with Riverhill Road.	+391	City of Laredo, Webb County (Unincorporated Areas).
	Confluence with Deer Creek	+411	
Tex-Mex Railroad	Confluence with Chacon Creek	+400	City of Laredo, Webb County (Unincorporated Areas).
Tributary	Approximately 1250 feet upstream from intersection with Tex-Mex Railroad.	+423	
Zacate Creek	Approximately 250 feet downstream from the intersection with Mexican Railroad.	+396	City of Laredo.
	Confluence with Rio Grande	+399	

\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.  
# Depth in feet above ground.

**ADDRESSES**

**City of Laredo**

Maps are available for inspection at 1120 San Bernardo, Laredo, TX 78042.

**Webb County (Unincorporated Areas)**

Maps are available for inspection at 1110 Washington Street, Suite 302, Laredo, TX 78040.

**Columbia County, Wisconsin and Incorporated Areas Docket No.: FEMA-B-7708**

Baraboo River	At confluence with the Wisconsin River	*790	Columbia County (Unincorporated Areas).
	Downstream side of Interstate 90	*796	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Duck Creek .....	Upstream side of U.S. Highway 51 .....	*791	Columbia County (Unincorporated Areas).
	Upstream side of Chicago Milwaukee St. Paul and Pacific Railroad.	*791	
Fox River .....	At downstream county boundary between Columbia and Marquette counties.	*779	City of Portage, Columbia County (Unincorporated Areas).
	Downstream side of Chicago Milwaukee St. Paul and Pacific Railroad.	*785	
Neenah Creek .....	Downstream side of County Highway CM .....	*781	Columbia County (Unincorporated Areas).
Spring Creek .....	At confluence with Big Slough .....	*790	City of Lodi.
	Approximately 1/2 mile downstream of Fair Street .....	*805	
	Upstream side of Riddle Road .....	*834	City of Lodi.
Tributary A .....	At confluence with Spring Creek .....	*821	
	Approximately 1,300 feet upstream of Spring Street .....	*821	City of Portage, City of Wisconsin Dells, Columbia County (Unincorporated Areas).
Wisconsin River .....	Downstream side of State Highway 60 .....	*748	
	Upstream side of Interstate 39 .....	*798	
	At upstream county boundary between Columbia and Adams counties.	*848	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

#### ADDRESSES

##### Columbia County (Unincorporated Areas)

Maps are available for inspection at: Columbia County Planning and Zoning Department, 400 DeWitt St., Portage, WI 53901.

##### City of Lodi

Maps are available for inspection at: City Clerk's Office, 130 S. Main St., Lodi, WI 53555.

##### City of Portage

Maps are available for inspection at: City Hall, 115 W. Pleasant St., Portage, WI 53901.

##### City of Wisconsin Dells

Maps are available for inspection at: City Hall, 300 La Crosse St., Wisconsin Dells, WI 53965.

#### La Crosse County, Wisconsin and Incorporated Areas Docket No.: FEMA-B-7707

Black River .....	At confluence with the Black River, Mississippi River and La Crosse River.	*644	City of Onalaska, City of La Crosse, La Crosse County (Unincorporated Areas).
Ebner Coulee .....	Just upstream of Lock & Dam 7 .....	*646	City of La Crosse, La Crosse County (Unincorporated Areas).
	100 feet south of Jackson St .....	*658	
Pond 1 .....	Just east of 29th St. ....	*667	City of La Crosse.
	Just east of 29th St .....	*633	
Pond 2 .....	At Burlington Northern Railroad .....	*663	City of La Crosse.
	At State Road .....	*656	
Pond 3 .....	At Farnam Street .....	*656	City of La Crosse.
	At State Road .....	*655	
Pond 4 .....	At 200 feet north of Crestline Place .....	*655	City of La Crosse.
	500 feet south of Evergreen St .....	*652	
Pond 5 .....	150 feet north of Evergreen St .....	*652	City of La Crosse.
	At Ward Avenue .....	*652	
Pond 6 .....	At Travis Street .....	*653	City of La Crosse.
	600 feet south of East Fairchild Street .....	*654	
Pond 7 .....	600 feet north of West Fairchild Street .....	*654	City of La Crosse.
	At Farnam Street .....	*658	
Johns Coulee .....	At Jackson Street .....	*658	La Crosse County (Unincorporated Areas).
	At mouth at Mormon Creek .....	*725	
La Crosse River .....	Approximately 1 mile upstream of County Highway YY bridge.	*827	City of Onalaska, City of La Crosse, La Crosse County (Unincorporated Areas).
	Approximately 600 feet upstream of Highway 53 .....	*644	
	Overbank area between Goheres St. to the north and Monitor St. to the south.	*645	

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Left Overbank .....	At State Highway 16 .....	*655	
	Southern extent near La Crosse St .....	*644	City of La Crosse.
	At Lang Drive .....	*645	
Right Overbank 1 .....	Railroad just north of County Highway B .....	*649	City of La Crosse.
	At Hawkins Road .....	*653	
Railroad Ditch .....	At mouth at confluence with La Crosse River .....	*650	City of La Crosse.
	Upstream extent at divergence at La Crosse River .....	*655	
Mormon Creek .....	At mouth at Mississippi River .....	*639	La Crosse County (Unincorporated Areas).
	At County Highway M .....	*766	
Mississippi River .....	Adjacent to Marion Road N at river mile 694 .....	*640	City of La Crosse, City of Onalaska, La Crosse County (Unincorporated Areas).
	Approximately 3.6 miles south of Highway 35 at river mile 711.	*649	
Pammel Creek .....	At mouth at Mississippi River .....	*640	City of La Crosse, La Crosse County (Unincorporated Areas).
	150 feet upstream of Hagen Road .....	*683	
Pammel Creek East Bank .....	At Juniper Street .....	*644	City of La Crosse, La Crosse County (Unincorporated Areas).
	At Leonard Street .....	*644	
	At Meadow Lane Place .....	*647	
	Adjacent to Easter Road .....	*647	
	At Park Lane Drive .....	*653	
	At Midway between Park Lane Drive & Ward Avenue .....	*653	
Sand Lake Coulee .....	200 feet downstream of County Highway OT .....	*650	Village of Holmen, City of Onalaska, La Crosse County (Unincorporated Areas).
	At Private driveway ¼ mile north of Abnet Rd .....	*770	
Right Overbank—Midway ..	At mouth at confluence with Sand Lake Coulee .....	*652	Village of Holmen, La Crosse County (Unincorporated Areas).
	Approximately 1200 feet downstream of State Highway 35	*663	
Right Overbank—Golf Course.	At County Highway SN .....	*701	Village of Holmen, City of Onalaska, La Crosse County (Unincorporated Areas).
	Golf Course boundary 0.5 mi. downstream of Moos Rd ....	*721	
Smith Valley Creek .....	At mouth at La Crosse River .....	*658	City of Onalaska, City of La Crosse, La Crosse County (Unincorporated Areas).
	End of Smith Valley Road .....	*814	
State Road Coulee .....	150 feet upstream of Hagen Rd .....	*683	La Crosse County (Unincorporated Areas).
	600 feet upstream of Hagen Rd. ....	*687	

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.

**ADDRESSES**

**La Crosse County (Unincorporated Areas)**

Maps are available for inspection at: La Crosse County Zoning, Planning and Land Information Office, 400 4th St. N, La Crosse, WI 54601.

**Village of Holmen**

Maps are available for inspection at: Village Hall, 421 S. Main St., Holmen, WI 54636–0158.

**City of La Crosse**

Maps are available for inspection at: City Hall, 400 La Crosse St., La Crosse, WI 54601.

**City of Onalaska**

Maps are available for inspection at: City Hall, 415 Main St., Onalaska, WI 54650.

(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.*

[FR Doc. E7-20384 Filed 10-15-07; 8:45 am]

BILLING CODE 9110-12-P

## 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.*

[FR Doc. 07-5100 Filed 10-11-07; 1:40 pm]

BILLING CODE 3510-22-S