

**PART 501—THE FEDERAL MARITIME COMMISSION—GENERAL**

■ 1. The authority citation for Part 501 continues to read as follows:

**Authority:** 5 U.S.C. 551–557, 701–706, 2903 and 6304; 31 U.S.C. 3721; 41 U.S.C. 414 and 418; 44 U.S.C. 501–520 and 3501–3520; 46 U.S.C. 301–307, 40101–41309, 42101–42109, 44101–44106; Reorganization Plan No. 7 of 1961, 26 FR 7315, August 12, 1961; Pub. L. 89–56, 70 Stat. 195; 5 CFR Part 2638; Pub. L. 104–320, 110 Stat. 3870.

**§ 501.4 [Amended]**

■ 2. In § 501.4(a), add “the Office of Consumer Affairs and Dispute Resolution Services” after “the Office of Administrative Law Judges” and before “the Office of Equal Employment Opportunity”.

**§ 501.5 [Amended]**

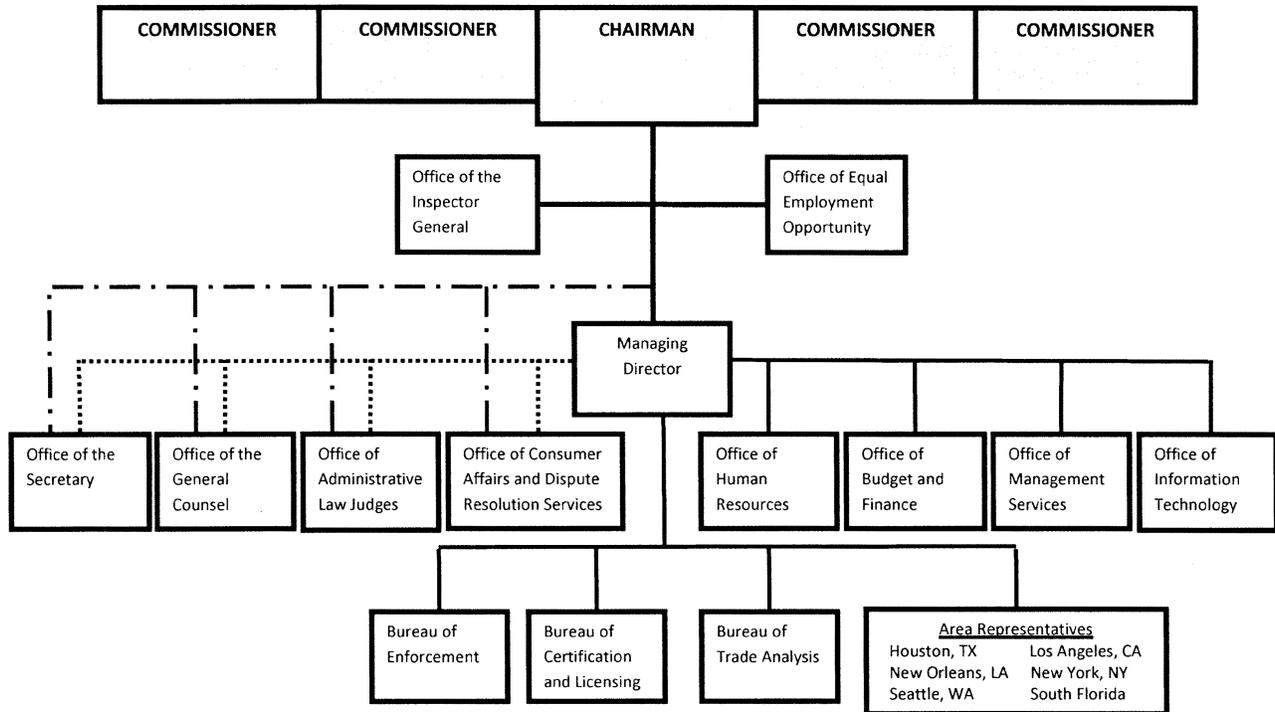
■ 3. In § 501.5(a), add “Consumer Affairs and Dispute Resolution Services” after

“Administrative Law Judges” and before “and Managing Director”.

■ 4. Revise Appendix A to Part 501 to read as follows:

**Appendix A to Part 501—Federal Maritime Commission Organization Chart**

**Federal Maritime Commission Organization Chart**



**Administrative Direction** .....  
**Technical Direction** .....  
**Effective January 31, 2010**

By the Commission.

**Karen V. Gregory,**

*Secretary.*

[FR Doc. 2010–13270 Filed 6–2–10; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 0910131363–0087–02]

RIN 0648–XW74

**Fisheries of the Exclusive Economic Zone Off Alaska; Rock Sole, Flathead Sole, and “Other Flatfish” by Vessels Participating in the Amendment 80 Limited Access Fishery in Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for rock sole, flathead sole, and “other flatfish” by vessels participating in the Amendment 80 limited access fishery in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2010 halibut bycatch allowance specified for the trawl rock sole, flathead sole, and “other flatfish” fishery category by vessels participating in the Amendment 80 limited access fishery in the BSAI.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), May 28, 2010, through 2400 hrs, A.l.t., December 31, 2010.

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 907–586–7269.

**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 2010 halibut bycatch allowance specified for the trawl rock sole, flathead sole, and "other flatfish" fishery category by vessels participating in the Amendment 80 limited access fishery in the BSAI is 139 metric tons as established by the final 2010 and 2011 harvest specifications for groundfish in the BSAI (75 FR 11778, March 12, 2010).

In accordance with § 679.21(e)(3)(vi)(B) and § 679.21(e)(7)(v), the Administrator, Alaska Region, NMFS, has determined that the 2010 halibut bycatch allowance specified for the trawl rock sole, flathead sole, and "other flatfish" fishery

category by vessels participating in the Amendment 80 limited access fishery in the BSAI has been caught.

Consequently, NMFS is closing directed fishing for rock sole, flathead sole, and "other flatfish" by vessels participating in the Amendment 80 limited access fishery in the BSAI.

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 directed fishing for rock sole, flathead sole, and "other flatfish" by vessels participating in the Amendment 80 limited access fishery in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of May 27, 2010.

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: May 28, 2010

**Carrie Selberg,**

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

[FR Doc. 2010-13351 Filed 5-28-10; 4:15 pm]

**BILLING CODE 3510-22-S**