BSAI is 3,009 metric tons (mt) as established by the final 2010 and 2011 harvest specifications for groundfish in the BSAI (75 FR 11778, March 12, 2010).

In accordance with §679.20(d)(1)(i), the Regional Administrator has determined that the 2010 Pacific ocean perch TAC specified for vessels participating in the Amendment 80 limited access fishery in the Western Aleutian District of the BSAI will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 2,999 mt and is setting aside the remaining 10 mt as incidental catch to support other groundfish fisheries. In accordance with §679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific ocean perch by vessels participating in the Amendment 80 limited access fishery in the Western Aleutian District of 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 a 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 providing time for public comment in a timely fashion and would delay the closure of the Pacific ocean perch fishery in the Eastern Aleutian District for vessels participating in the BSAI trawl limited access fishery.

NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of November 8, 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 §679.20 and is exempt from review under Executive Order 12866.

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