($0.22), landing the full FY 2010 quota of 15 million lb (5,443.11 mt), (and also the FY 2011 quota under Alternative 1) would yield $3.300 million in fleet revenue. Applying the same approach, revenue would be expected to increase to $4.400 million under the proposed action (Alternative 2), and $6.898 million under Alternative 3. The quota level under Alternative 2 will allow the highest level of harvest of spiny dogfish while taking into account scientific uncertainty about the stock. Although the level of increased revenue for small entities will be less than under Alternative 3, Alternative 2 is more likely to prevent overfishing of the spiny dogfish resource and promote a more stable stream of commercial landings and revenues over the long term.

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as “small entity compliance guides.” The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, a letter to permit holders that also serves as a small entity compliance guide (guide) was prepared and will be sent to all holders of permits issued for the spiny dogfish resource. As part of this rulemaking process, a letter to permit holders (guide) that also serves as small entity compliance guide (guide) was prepared and will be sent to all holders of permits issued for the spiny dogfish resource.

<table>
<thead>
<tr>
<th>Area (when open)</th>
<th>Chinook</th>
<th>Coho</th>
<th>Pink</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total length</td>
<td>Head-off</td>
<td>Total length</td>
</tr>
<tr>
<td>North of Cape Falcon, OR</td>
<td>28.0</td>
<td>21.5</td>
<td>16.0</td>
</tr>
<tr>
<td>Cape Falcon to OR/CA Border</td>
<td>28.0</td>
<td>21.5</td>
<td></td>
</tr>
<tr>
<td>OR/CA Border to U.S./Mexico Border</td>
<td>27.0</td>
<td>20.5</td>
<td></td>
</tr>
</tbody>
</table>

Metric equivalents: 28.0 in = 71.1 cm, 27.0 in = 68.6 cm, 21.5 in = 54.6 cm, 20.5 in = 52.1 cm, 16.0 in = 40.6 cm, and 12.0 in = 30.5 cm.
Classification

The Assistant Administrator for Fisheries, NOAA (AA) finds good cause under 5 U.S.C. 553(b)(B), to waive the requirement for prior notice and opportunity for additional public comment for this action as notice and comment would be unnecessary and contrary to the public interest. Notice and comment are unnecessary and contrary to the public interest because this action simply makes the above-referenced table consistent with the text in the original final rule and the Council’s recommended action. This correction does not affect the results of analyses conducted to support management decisions in the salmon fishery nor change the total catch of salmon. The correction eliminates an inconsistency between the table, and the text and the Council’s recommendation, and therefore eliminates any confusion that the inconsistency might create for the public. If this rule is not implemented immediately, the public will have incorrect information regarding the geographic area and boundaries for the salmon fishery, which will cause confusion and will be inconsistent with the Council’s recommendation and with the analytical documents for this rulemaking. No aspect of this action is controversial and no change in operating practices in the fishery is required.

For the same reasons, pursuant to 5 U.S.C. 553(d), the AA finds good cause to waive the 30-day delay in effective date. If this rule is not implemented immediately, the public will have incorrect information regarding the geographic area and boundaries for the salmon fishery, which will cause confusion and will be inconsistent with the Council’s recommendation and with the analytical documents for this rulemaking. Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., are inapplicable.

This final rule is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 773–773k; 1801 et seq.

Dated: May 31, 2011.

Eric C. Schwaab,
Assistant Administrator for Fisheries,
National Marine Fisheries Service.

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