Additionally, there is a need to immediately notify the public of the reduced recreational fishing season for golden tilefish for the 2011 fishing year, since golden tilefish are overfished and undergoing overfishing and this waiver will help further protect the South Atlantic golden tilefish resource. Also, providing prior notice and opportunity for public comment on this action would be contrary to the public interest because many of those affected by the length of the recreational fishing season, particularly charter vessel and headboat operations, book trips for clients in advance and, therefore need as much time as possible to adjust business plans to account for the reduced recreational fishing season.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: September 29, 2011.

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

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for public comment on this temporary rule. Such procedures are unnecessary because the AMs established by Amendment 17B and located at 50 CFR 622.49(b)(5)(ii) authorize the AA to file a notification with the Office of the Federal Register to reduce the recreational ACL the following fishing year if an overage occurs in the prior fishing year. The final rule for Amendment 17B implementing this AM was subject to notice and comment, and all that remains is to notify the public of the reduced recreational ACL for black sea bass for the 2011–2012 fishing year. Additionally, there is a need to immediately notify the public of the reduced recreational ACL since black sea bass are overfished and undergoing overfishing and this waiver will help to provide timely notice to further protect the South Atlantic black sea bass resource. Also, providing prior notice and opportunity for public comment on this action would be contrary to the public interest because many of those affected by the recreational season ACL, particularly charter vessel and headboat operations, book trips for clients in advance and, therefore need as much time as possible to adjust business plans to account for the revised ACL.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: September 29, 2011.

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

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