

evaluate the impact of the requested activity on the resource.

#### *Government-to-Government Relationship With Tribes*

In accordance with Executive Order 13175 "Consultation and Coordination with Indian Tribal Governments" (65 FR 67249), the President's memorandum of April 29, 1994, "Government-to-Government Relations with Native American Tribal Governments" (59 FR 22961), and 512 DM 2, we have evaluated potential effects on federally recognized Indian tribes and have determined that there are no potential effects.

#### *Clarity of This Regulation*

Executive Order 12866 requires each agency to write regulations that are easy to understand. We invite your comments on how to make this rule easier to understand, including answers to questions such as the following: (1) Are the requirements in the rule clearly stated? (2) Does the rule contain technical language or jargon that interferes with its clarity? (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? (4) Would the rule be easier to understand if it were divided into more (but shorter) sections? (A "section" appears in bold type and is preceded by the symbol "§" and a numbered heading; for example § 14.10 Purpose). (5) Is the description of the rule in the "Supplementary Information" section of the preamble helpful in understanding the proposed rule? What else could we do to make the rule easier to understand?

Send a copy of any comments that concern how we could make this rule easier to understand to: Office of Regulatory Affairs, DOI, Room 7229, 1849 C Street, NW., Washington, DC 20240. You may also e-mail the comments to this address:

*Exsec@ios.doi.gov*

#### *Administrative Procedure Act*

In this rulemaking, we are revising existing regulations in order to implement Public Law 106-206, a law to allow the Secretary of the Interior to establish a fee system for commercial filming and certain still photography activities on Federal land. The existing regulations at 43 CFR 5.1 prohibit charging fees for these activities and the new law, Public Law 106-206, (codified at 16 U.S.C. 4601-6d), requires the Secretary to charge fees for these same activities. This rulemaking will delete the prohibition in the existing regulation. Therefore, we are publishing

this action without prior proposal because we view this as a nondiscretionary revision that is required by law. We find good cause, pursuant to 5 U.S.C. 553(b) and 553(d), that notice and public procedure are unnecessary and this rule will take effect upon publication. However later this year we will publish in the **Federal Register** and request comments on a proposed rule on commercial filming and still photography activities for Department of the Interior agencies, including the National Park Service, Fish and Wildlife Service, and Bureau of Land Management.

#### **List of Subjects in 43 CFR Part 5**

Motion pictures, Recordings, Television.

■ For the reasons set forth in the preamble, the Department of the Interior amends 43 CFR part 5 as follows:

#### **PART 5—MAKING PICTURES, TELEVISION PRODUCTIONS OR SOUND TRACKS ON CERTAIN AREAS UNDER THE JURISDICTION OF THE DEPARTMENT OF THE INTERIOR**

■ 1. The authority for part 5 continues to read as follows:

**Authority:** 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Sec. 7.96 also issued under DC Code 8-137 (1981) and DC Code 40-721 (1981).

#### **§ 5.1 [Amended]**

■ 2. Revise § 5.1(b)(1) to read as follows:

\* \* \* \* \*

(b) \* \* \*

(1) No fees will be charged for the making of motion pictures, television productions or sound tracks on areas administered by the U.S. Fish and Wildlife Service. The regular general admission and other fees currently in effect in any area under the jurisdiction of the National Park Service are not affected by this paragraph.

\* \* \* \* \*

Dated: April 6, 2006.

**P. Lynn Scarlett,**

*Deputy Secretary of the Interior.*

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#### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Railroad Administration**

#### **49 CFR Part 234**

#### **Grade Crossing Signal System**

#### *CFR Correction*

In Title 49 of the Code of Federal Regulations, parts 200 to 299, revised as

of October 1, 2005, in part 234, on page 569, the first "Authority" is removed.

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#### **DEPARTMENT OF COMMERCE**

#### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 679**

[Docket No. 060216044-6044-01; I.D. 040706G]

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District 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 pollock in the West Yakutat District of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 2006 total allowable catch (TAC) of pollock specified for the West Yakutat District of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), April 10, 2006, through 2400 hrs, A.l.t., December 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 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.

In accordance with § 679.20(c)(3)(ii), the 2006 TAC of pollock specified for the West Yakutat District of the GOA is 1,792 metric tons (mt) as established by the 2006 and 2007 final harvest specifications for groundfish of the GOA (71 FR 10870, March 3, 2006).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2006 TAC of pollock specified for the West Yakutat District of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 1,742 mt, and is setting aside the remaining 50 mt as bycatch to support other anticipated

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 pollock in the West Yakutat District 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 closure of pollock in the West Yakutat District 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 April 7, 2006.

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.*

Dated: April 7, 2006.

**James P. Burgess,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 06-3534 Filed 4-10-06; 10:56 am]

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