

(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)(3)(B) as such prior notice and opportunity for public comment is unnecessary and contrary to the public interest. Such procedures would be unnecessary because the rule itself already has been subject to notice and comment, and all that remains is to notify the public of the closure. Allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action in order to protect the fishery since the capacity of the fishing fleet allows for rapid harvest of the quota. Prior notice and opportunity for public comment will require time and would potentially result in a harvest well in excess of the established quota. 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).

This action is taken under 50 CFR 622.43(a) and is exempt from review under Executive Order 12866.

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

Dated: February 28, 2007.

**James P. Burgess,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 665

[Docket No. 061227341-7031-02; I.D. 120406A]

RIN 0648-AU99

#### Fisheries in the Western Pacific; Western Pacific Pelagic Fisheries; Hawaii Shallow-Set Longline Fishery; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains corrections to the final regulations that were published in the **Federal Register** on February 26, 2007, and are effective March 28, 2007. The published rule amended CFR text that is effective only through March 19, 2007. This correction changes the amendatory instructions in the final rule to accurately reflect effective CFR parts as of March 28, 2007. These changes ensure that the 7-day delay in effectiveness is permanently removed when closing the Hawaii-based shallow-set longline fishery as a result of reaching interaction limits for sea turtles.

**DATES:** Effective March 28, 2007.

**FOR FURTHER INFORMATION CONTACT:** Bob Harman, NMFS Pacific Islands Region, 808-944-2271.

**SUPPLEMENTARY INFORMATION:** The final rule published on February 26, 2007 (72 FR 8289) and effective March 28, 2007, removes the 7-day delay in effectiveness when closing the Hawaii-based shallow-set longline fishery as a result of reaching interaction limits for sea turtles. It allows for an immediate

closure of the fishery to enhance protection of sea turtles.

The amendatory instructions that are the subject of this correction refer to § 665.22 and § 665.33 in the CFR. The amendatory instructions in the published final rule (72 FR 8289) were written to amend CFR text that is effective only through March 19, 2007. This correction makes two changes to the amendatory instructions to accurately reflect effective CFR parts as of March 28, 2007. In the amendatory instruction for § 665.22, “revise” is replaced with “add”. This change is necessary to insert revisions of paragraphs (ss) and (tt) that were effective through March 19, 2007. In amendatory instruction for § 665.33, the phrase, “remove paragraphs (b)(2)(iii) and (iv)”, is removed, since the subject paragraphs will no longer be effective on March 28, 2007.

#### Correction

■ Accordingly, the final rule amendatory instructions published on February 26, 2007 in 72 FR 8289 are corrected as follows:

#### § 665.22 [Amended]

■ On page 8291, column 2, the second amendatory instruction is correctly revised as follows:

■ 2. In § 665.22, add paragraphs (ss) and (tt) to read as follows:

#### § 665.33 [Amended]

■ On page 8291, column 2, the third amendatory instruction is revised to read as follows:

■ 3. In § 665.33, revise paragraphs (b)(2)(i) and (ii) to read as follows:

Dated: February 28, 2007.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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