

Area 1 and 2 Exempted Areas, as described at 50 CFR 648.80(a)(9). Because these areas were omitted from the regulatory text, groundfish vessels would be unable to fish in the portions of the Small Mesh 1 and 2 Exemption Areas that overlap with the GOM cod seasonal interim closure areas. This correction adds the Small Mesh Area 1 and 2 Exempted Areas to the list of exempted fishery areas that are exempt from the GOM cod seasonal interim closure areas. As a result, vessels can now fish with small mesh nets with raised footrope trawls in the Small Mesh Area 2 Exemption Area in March and April, and, if the interim rule were to be extended another six months, in the Small Mesh Area 1 Exemption Area July 15 through November 15. This correction is consistent with the original intent of the GOM cod interim rule.

#### Classification

The Assistant Administrator (AA) for Fisheries, NOAA, finds that pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be contrary to the public interest. This temporary rule adds the Small Mesh Area 1 and 2 Exempted Areas to the list of exempted fisheries that are exempt from the GOM cod seasonal interim closure areas. These two areas were inadvertently left out of the GOM cod interim action and adding these areas does not substantively change the regulations. Providing notice and comment on these changes is contrary to the public interest because any additional delay would cause economic harm to fishery participants by denying them opportunities to fish in the specified areas, which would have been permitted but for the previous inadvertent omission. Moreover, this action reduces a regulatory restriction and provides fishermen with greater fishing opportunities while maintaining the goals and objectives of the GOM cod interim rule and the groundfish fishery management plan.

The Assistant Administrator also finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness and makes this rule effective immediately upon filing for public inspection. In addition to the reasons stated above, an area within Small Mesh Area 2 will close on March 1, 2015. Vessels fishing with raised footrope trawls would then be prohibited from fishing in that area unnecessarily. Waiving the 30-day delay avoids this unnecessary closure and allows fishery participants to fish in Small Mesh Area 2 without

interruption, as was originally intended when the interim management measures were published.

#### List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: February 24, 2015.

#### Samuel D. Rauch III,

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

Therefore, NOAA amends 50 CFR part 648 as follows:

#### PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

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

■ 2. Section 648.81 is amended by:

■ A. Suspending from February 26, 2015, until May 12, 2015, paragraph (o)(2)(iv), and

■ B. Temporarily adding from February 26, 2015, until May 12, 2015, paragraph (o)(2)(vi).

The addition reads as follows:

#### § 648.81 NE multispecies closed area and measures to protect EFH.

\* \* \* \* \*

(o) \* \* \*

(2) \* \* \*

(vi) That are fishing in the Raised Footrope Trawl Exempted Whiting Fishery, as specified in § 648.80(a)(15), or the Small Mesh Area 1 and 2 Exemption Areas as specified in § 648.80(a)(9).

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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 131021878-4158-02]

RIN 0648-XD803

#### Fisheries of the Exclusive Economic Zone off Alaska; Pacific Cod in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific cod, except for the

Community Development Quota program (CDQ), in the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the non-CDQ allocation of the 2015 Pacific cod total allowable catch (TAC) in the Aleutian Islands subarea of the BSAI.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), February 27, 2015, through 2400 hrs, A.l.t., December 31, 2015.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907-586-7269.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (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.

The non-CDQ allocation of the 2015 Pacific cod TAC in the Aleutian Islands subarea of the BSAI is 8,414 metric tons (mt) as established by the final 2014 and 2015 harvest specifications for groundfish in the BSAI (79 FR 12108, March 4, 2014) and inseason adjustment (80 FR 188, January 5, 2015). In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS, has determined that the non-CDQ allocation of the 2015 Pacific cod TAC in the Aleutian Islands subarea of the BSAI will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 6,414 mt, and is setting aside the remaining 2,000 mt as incidental catch in directed fishing for other species. 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 cod in the Aleutian Islands subarea 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 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 directed fishing closure of non-CDQ Pacific cod in the Aleutian Islands subarea of the BSAI. NMFS was unable to publish a notice providing

time for public comment because the most recent, relevant data only became available as of February 25, 2015.

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: February 26, 2015.

**Jennifer M. Wallace,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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