

technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph 34(g), of the Instruction. This rule involves the establishment of a temporary safety zone on the waters of the Savannah River that will be enforced for a total of five hours. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add a temporary § 165.T07-0691 to read as follows:

#### § 165.T07-0691 Safety Zone; ESI Ironman 70.3 Augusta Triathlon, Savannah River, Augusta, GA.

(a) *Regulated Area.* The following regulated area is a safety zone. All waters of the Savannah River encompassed within an imaginary line connecting the following points: starting at Point 1 in position 33°28'44" N, 81°57'53" W; thence northeast to Point

2 in position 33°28'50" N, 81°57'50" W; thence southeast to Point 3 in position 33°27'51" N, 81°55'36" W; thence southwest to Point 4 in position 33°27'47" N, 81°55'43" W; thence northwest back to origin. All coordinates are North American Datum 1983.

(b) *Definition.* The term "designated representative" means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Savannah in the enforcement of the regulated area.

#### (c) Regulations.

(1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Savannah or a designated representative.

(2) Persons and vessels desiring to enter, transit through, and anchor in, or remain within the regulated area may contact the Captain of the Port Savannah by telephone at 912-652-4353, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the Captain of the Port Savannah or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Savannah or a designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Effective Date.* This rule is effective from 7 a.m. until 11:59 a.m. on September 25, 2011.

Dated: August 8, 2011.

**J.B. Loring,**

*Commander, U.S. Coast Guard, Captain of the Port Savannah.*

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**BILLING CODE 9110-04-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 101029427-1413-03]

RIN 0648-XY82

#### Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2011 Summer Flounder, Scup, and Black Sea Bass Specifications; Correction

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

**ACTION:** Final rule, correcting amendment.

**SUMMARY:** On December 28, 2010, NMFS published in the **Federal Register** the final rule to implement the 2011 summer flounder, scup, and black sea bass specifications, which established commercial summer flounder allocations for each coastal state from North Carolina to Maine. Following publication, an error was identified in the amount of commercial summer flounder allocated to the State of Maryland. This rule corrects that error.

**DATES:** Effective August 30, 2011 through December 31, 2011.

**FOR FURTHER INFORMATION CONTACT:** Carly Knoell, Fisheries Management Specialist, (978) 281-9224, [carly.knoell@noaa.gov](mailto:carly.knoell@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Regulations for the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.100.

##### Need for Correction

The final rule implementing 2011 summer flounder, scup, and black sea bass specifications published on December 28, 2010 (75 FR 81498). An error was found in the specifications in Table 1, on page 81500, regarding the amount of commercial summer flounder quota allocated to Maryland. Using the most recent summer flounder landings data for Maryland, NMFS determined that the 2011 commercial summer flounder quota for Maryland should be increased from 298,330 lb (135.3 mt) to 354,296 lb (160.7 mt). The entry in

Table 1 for the commercial summer flounder quota for Maryland is corrected to read as follows:

TABLE 1—FINAL STATE-BY-STATE COMMERCIAL SUMMER FLOUNDER ALLOCATIONS FOR 2011

State	FMP percent share	Initial quota (TAL)		Initial quota, less RSA		2010 quota overages (through 10/31/10)		Adjusted quota, less RSA	
		lb	kg	lb	kg	lb	kg	lb	kg
MD	2.03910	360,676	163,603	354,296	160,709	0	0	354,296	160,760

**Classification**

Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive prior notice and opportunity for additional public comment for this action because this would be impracticable and contrary to the public interest. The proposed rule for the 2011 summer flounder, scup, and black sea bass specification already took comment on the initial summer flounder quota with the understanding that overage adjustments would be made. This action is correcting an error found in the specifications regarding the amount of commercial summer flounder quota allocated to Maryland. Using the most recent summer flounder landings data for Maryland, NMFS determined that the 2011 commercial summer flounder quota for Maryland should be increased from 298,330 lb (135.3 mt) to 354,296 lb (160.7 mt). This action is correcting an error made in the overage calculation and not to the initial summer flounder quota. Delaying the implementation of this action to allow for prior notice and opportunity for comment of this correction could result in a premature closure of the summer flounder fishery in Maryland. Given that Maryland has surpassed the state's summer flounder quota in the past, if the revised quota is not implemented, there is a higher potential this could happen again, and could produce unnecessary adverse economic consequences for fishermen that participate in this fishery. The measures in the proposed rule for the 2011 summer flounder, scup, and black sea bass specifications, for which the opportunity for public comment was already given, are unaffected by this correction.

Moreover, pursuant to 5 U.S.C. 553(d), the Assistant Administrator finds good cause to waive the 30-day delay in effective date. This action is correcting an error found in the specifications regarding the amount of commercial summer flounder quota

allocated to Maryland. Delaying the effective date of this correction for 30 days could result in a premature closure of the summer flounder fishery in Maryland. Given that Maryland has surpassed the state's summer flounder quota in the past, if the revised quota is not implemented immediately, there is a higher potential this could happen again, and could produce unnecessary adverse economic consequences for fishermen that participate in this fishery.

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.*, do not apply.

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

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

Dated: August 24, 2011.

**Samuel D. Rauch III,**  
Deputy Assistant Administrator for  
Regulatory Programs, National Marine  
Fisheries Service.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 648**

[Docket No. 0910051338-0151-02]

**RIN 0648-XA652**

**Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Decrease for the Common Pool Fishery**

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

**ACTION:** Temporary rule; inseason adjustment of trip limit.

**SUMMARY:** NMFS decreases the trip limits for Gulf of Maine (GOM) and George's Bank (GB) cod for Northeast (NE) multispecies common pool vessels for the 2011 fishing year (FY), through April 30, 2012. This action is authorized under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and by the regulations implementing Amendment 16 and Framework Adjustment (FW) 44 to the NE Multispecies Fishery Management Plan (FMP). The action is intended to reduce the harvest of GOM and GB cod to prevent the common pool sub-annual catch limit (sub-ACL) from being exceeded.

**DATES:** Effective August 30, 2011, through April 30, 2012.

**FOR FURTHER INFORMATION CONTACT:** Brett Alger, Fisheries Management Specialist, (978) 675-2153, fax (978) 281-9135.

**SUPPLEMENTARY INFORMATION:** Regulations governing the NE multispecies fishery are found at 50 CFR part 648, subpart F. The regulations at § 648.86(o) authorize the NMFS NE Regional Administrator (RA) to adjust the trip limits for common pool vessels in order to optimize the harvest of NE regulated multispecies by preventing the overharvest or underharvest of stocks subject to sub-ACLs. For FY 2011, the common pool sub-ACL for GOM cod is 229,281 lb (104 mt). The current trip limit for GOM cod is 500 lb (226.8 kg) per day-at-sea (DAS), up to 2,000 lb (907.2 kg) per trip (76 FR 23042; April 25, 2011). The common pool sub-ACL for GB cod is 205,030 lb (93 mt). The current trip limit for GB cod is 3,000 lb (1,360.8 kg) per day-at-sea (DAS), up to 30,000 lb (13,607.8 kg) per trip (76 FR 30035; May 24, 2011).

As of August 11, 2011, based on the best available catch information, including Vessel Monitoring System (VMS) reports, dealer reports, and vessel trip reports, approximately 57 percent of the GOM cod, and 59 percent of the GB