

jeopardy to the continued existence of endangered Steller sea lions and no adverse modification of their critical habitat were arbitrary and capricious. On December 30, 2002, the Court issued an Order declaring that the 2001 BiOp "shall remain effective until June 30, 2003," while NMFS completes the remand. The response to the remand will evaluate the effects of fishing activities authorized pursuant to the final rule, as corrected by this action, on listed species and critical habitat.

The measures in this rule correct the regulatory text to reflect the proper and intended paragraph designations, cross-references, regulatory text and tables of the final rule published on January 2, 2003, in order to make the regulations consistent with NMFS' intent and current industry practice. The affected fishermen were already complying with such measures pursuant to an earlier rule. Additionally, on January 15, 2003, NOAA Fisheries Alaska Region posted maps depicting the correct closures on its official webpage for use by affected fishermen. As a result, this rule seeks to bring the published regulations into conformity with the status quo. Prior notice and an opportunity for public comment on the substance of these measures was provided by the September 4, 2002, proposed rule. All comments provided pursuant to that proposed rule were considered in the development of the January 2, 2003, final rule. An additional opportunity for public comment would perpetuate any confusion or lack of clarity that may exist as a result of the incorrect information in the January 2, 2003, final rule. Accordingly, the Assistant Administrator for Fisheries finds good cause to waive prior notice and opportunity for public comment pursuant to 5 U.S.C. 553(b)(B). Because the affected industry is already complying with the corrected measures, additional time is not required to allow them to come into compliance. Therefore, the Assistant Administrator for Fisheries also finds that there exists good cause to waive the requirement of a 30-day delay in the effective date of this rule pursuant to 5 U.S.C. 553(d)(3).

List of Subjects

15 CFR Part 902

Reporting and recordkeeping requirements.

50 CFR Part 679

Alaska, Fisheries, Recordkeeping and reporting requirements.

Dated: May 1, 2003.

Rebecca Lent,

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

■ Accordingly, 15 CFR part 902, chapter IX, and 50 CFR part 679, chapter VI are corrected by making the following correcting amendments:

15 CFR Chapter IX

PART 902 NOAA INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT; OMB CONTROL NUMBERS

■ 1. The authority citation for part 902 continues to read as follows:

Authority: 44 U.S.C. 3501 *et seq.*

■ 2. In § 902.1, the table in paragraph (b) under 50 CFR is amended by adding in numerical order an entry for § 679.5(n)(2)(iii) and revising the entry for § 679.20 (a)(8)(iii) to read as follows:

§ 902.1 OMB Control numbers assigned pursuant to the Paperwork Reduction Act.

CFR part or section where the information collection requirement is located	Current OMB control number (All numbers begin with 0648-)
* * * *	
(b) * * *	
50 CFR
679.5(n)(2)(iii)	-0269
679.20 (a)(8)(iii)	-0206
* * * *	

50 CFR Chapter VI

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

■ 1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*; 1801 *et seq.*; 3631 *et seq.*; Title II of Division C, Pub. L. 105-277; Sec. 3027, Pub. L. 106-31; 57 Stat. 113; 16 U.S.C. 1540(f); and Sec. 209, Pub. L. 106-554.

■ 2. In § 679.20, paragraph (a)(5)(i)(B) is redesignated as paragraph (a)(5)(i)(C), a new paragraph (a)(5)(i)(B) is added, and paragraph (b)(2)(i) and (ii) is revised to read as follows:

§ 679.20 General limitations.

* * * * *

(5) * * *

(i) * * *

(B) BSAI seasonal allowances--(1) *Inshore, catcher/processor, mothership, and CDQ components.* The portions of the BSAI area pollock directed fishing allowances allocated to each component under Sections 206(a) and 206(b) of the AFA will be divided into two seasonal allowances corresponding to the two fishing seasons set out at § 679.23(e)(2), as follows: A Season, 40 percent; B Season, 60 percent.

(2) *Inseason adjustments.* Within any fishing year, the Regional Administrator may add or subtract any under harvest or over harvest of a seasonal allowance for a component to the subsequent seasonal allowance for the component through notification published in the **Federal Register**.

* * * * *

(b) * * *

(2) * * *

(i) *Pollock inshore-offshore reapportionment.* Any amounts of the GOA reserve that are reapportioned to pollock as provided by paragraph (b) of this section must be apportioned for processing by the inshore component in the GOA and the offshore component in the GOA in the same proportions specified in paragraph (a)(6)(i) of this section.

(ii) *Pacific Cod inshore-offshore reapportionment.* Any amounts of the GOA reserve that are reapportioned to Pacific cod as provided by paragraph (b) of this section must be apportioned for processing by the inshore component in the GOA and the offshore component in the GOA in the same proportion specified in paragraph (a)(6)(ii) of this section.

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■ 3. In § 679.22, paragraph (a)(7)(vii)(C) is revised to read as follows:

§ 679.22 Closures.

(a) * * *

(7) * * *

(vii) * * *

(C) *Criteria for closure -- (1) General.* The directed fishing closures identified in paragraph (a)(7)(vii)(A) of this section will take effect when the Regional Administrator determines that the harvest limit for pollock within the SCA, as specified in § 679.20(a)(5)(i)(C) is reached before April 1. The Regional Administrator shall prohibit directed fishing for pollock in the SCA by notification published in the **Federal Register**.

(2) *Inshore catcher vessels greater than 99 ft (30.2 m) LOA.* The Regional Administrator will prohibit directed fishing for pollock by vessels greater