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Classification

These actions are authorized by the Pacific Coast groundfish FMP and its implementing regulations, and are based on the most recent data available. The aggregate data upon which these actions are based are available for public inspection at the Office of the Administrator, Northwest Region, NMFS, (see **ADDRESSES**) during business hours.

The Assistant Administrator for Fisheries (AA), NMFS, finds good cause to waive the requirement to provide prior notice and opportunity for public comment on this action pursuant to 5 U.S.C. 553(b)(B), because providing prior notice and opportunity for comment would be impracticable. It

would be impracticable because it would delay the implementation of the new trawl RCA boundaries along the West Coast to better align with the interception of certain overfished species, specifically canary rockfish and bocaccio. Implementation of the new trawl RCA boundaries will allow opportunity to harvest healthy groundfish stocks in areas where overfished species are less likely to occur. The West Coast groundfish fleet has endured cutbacks in harvest limits and areas fished over the last few years. Delaying implementation of the new trawl RCA boundaries would result in continued closure of large areas north of 40°10' N. lat., with adverse economic effects on the trawl fleet. In addition, the affected public had the opportunity to comment on these actions at the April

7–11, 2003, Pacific Council meeting. For these reasons, good cause also exists to waive the 30-day delay in effectiveness requirement of 5 U.S.C. 553 (d)(3). In addition, most provisions being implemented relieve restrictions and for that reason are not subject to a 30-day delay in effectiveness under 5 U.S.C. 553(d)(1).

These actions are taken under the authority of 50 CFR 660.323(b)(1), and are exempt from review under Executive Order 12866.

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

Dated: May 27, 2003.

Bruce C. Morehead,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 03–13704 Filed 5–28–03; 3:45pm]

BILLING CODE 3510–22–S