Inseason Orders

The following inseason orders were adopted by the Panel and issued for U.S. fisheries by NMFS during the 2011 fishing season. Each of the following inseason actions was effective upon announcement on telephone hotline numbers as specified at 50 CFR 300.97(b)(1) and in 76 FR 25246 (May 4, 2011); those dates and times are listed herein. The times listed are local times, and the areas designated are Puget Sound Management and Catch Reporting Areas as defined in the Washington State Administrative Code at Chapter 220–22.

Order Number 2011–01: Issued 12:30 p.m., July 26, 2011

Treaty Indian Fisheries

*Areas 4B, 5, and 6C*: Open to drift gillnets from 6 p.m., Tuesday, July 26, 2011 to 12 p.m. (noon), Saturday, July 30, 2011.

Order Number 2011–02: Issued 11:30 a.m., July 29, 2011

Treaty Indian Fisheries

*Areas 4B, 5, and 6C*: Open to drift gillnets, extended from 12 p.m. (noon), Saturday, July 30, 2011 to 12 p.m. (noon), Wednesday, August 3, 2011.

Order Number 2011–03: Issued 12:30 p.m., August 2, 2011

Treaty Indian Fisheries

*Areas 4B, 5, and 6C*: Extend for drift gillnets from 12 p.m. (noon), Wednesday, August 3, 2011, to 12 p.m. (noon), Thursday, August 4, 2011.

Order Number 2011–04: Issued 11:45 a.m., August 3, 2011

Treaty Indian Fisheries

*Areas 4B, 5, and 6C*: Extend for drift gillnets from 12 p.m. (noon) Thursday, August 4, 2011 to 12 p.m. (noon) Saturday, August 6, 2011.

*Areas 6, 7, and 7A*: Open to net fishing from 5 a.m. Thursday, August 4, 2011 to 9 a.m. Friday, August 5, 2011.

All Citizen Fisheries

*Areas 7 and 7A*: Open to gillnets from 2 p.m. to 11:59 p.m. (midnight) Friday, August 5, 2011.

*Areas 7 and 7A*: Open to purse seines from 9 a.m. to 7 p.m. Friday, August 5, 2011.

*Areas 7 and 7A*: Open to reef nets from 5 a.m. to 3 p.m. Saturday, August 6, 2011.
Order Number 2011–05: Issued 1:30 p.m., August 5, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Saturday, August 6, 2011, to 12 p.m. (noon), Tuesday, August 9, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Saturday, August 6, 2011 to 11:59 p.m. Saturday, August 6, 2011.

Order Number 2011–06: Issued 3 p.m., August 8, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon), Tuesday, August 9, 2011, through 12 p.m. (noon) Wednesday, August 10, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Saturday, August 6, 2011 through 12 p.m. (noon) Saturday, August 6, 2011.

Order Number 2011–10: Issued 1:15 p.m., August 19, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Open for drift gillnets from 12 p.m. (noon) Saturday, August 20 through 12 p.m. (noon) Wednesday, August 24, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Monday, August 22, 2011 through 9 a.m. Tuesday, August 23, 2011.

Order Number 2011–11: Issued 1:30 p.m., August 23, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Wednesday, August 10, 2011 through 12 p.m. (noon) Saturday, August 13, 2011.

Orders 2011–12: Issued 1:45 p.m., Friday, August 26, 2011.

Thursday, August 25, 2011 through 11:59 p.m. (midnight) Wednesday, August 24, 2011.

Order Number 2011–14: Issued 1:30 p.m., September 1, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Friday, September 2, 2011 through 12 p.m. (noon) Wednesday, September 7, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Monday, September 5, 2011 until 11 a.m. Sunday, September 4, 2011, in the area southerly and easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

Order Number 2011–15: Issued 11:30 a.m., September 2, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Open to gillnets from 12 p.m. (noon) Saturday, August 27, 2011 through 12 p.m. (noon) Tuesday, August 30, 2011.

Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Saturday, August 20 through 12 p.m. (noon) Wednesday, August 24, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Monday, August 22, 2011 through 9 a.m. Tuesday, August 23, 2011.

Order Number 2011–11: Issued 1:30 p.m., August 23, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Sunday, August 21, 2011 through 12 p.m. (noon) Tuesday, August 23, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Friday, August 26, 2011 through 11:59 p.m. (midnight) Friday, August 26, 2011.

Order Number 2011–14: Issued 1:30 p.m., September 1, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Friday, September 2, 2011 through 12 p.m. (noon) Wednesday, September 7, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Monday, September 5, 2011 until 11 a.m. Sunday, September 4, 2011, in the area southerly and easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

Order Number 2011–15: Issued 11:30 a.m., September 2, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Open to gillnets from 12 p.m. (noon) Saturday, August 27, 2011 through 12 p.m. (noon) Tuesday, August 30, 2011.

Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Saturday, August 20 through 12 p.m. (noon) Wednesday, August 24, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Monday, August 22, 2011 through 9 a.m. Tuesday, August 23, 2011.

Order Number 2011–11: Issued 1:30 p.m., August 23, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Sunday, August 21, 2011 through 12 p.m. (noon) Tuesday, August 23, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Friday, August 26, 2011 through 11:59 p.m. (midnight) Friday, August 26, 2011.

Order Number 2011–14: Issued 1:30 p.m., September 1, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Friday, September 2, 2011 through 12 p.m. (noon) Wednesday, September 7, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Monday, September 5, 2011 until 11 a.m. Sunday, September 4, 2011, in the area southerly and easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

Order Number 2011–15: Issued 11:30 a.m., September 2, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Open to gillnets from 12 p.m. (noon) Saturday, August 27, 2011 through 12 p.m. (noon) Tuesday, August 30, 2011.

Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Saturday, August 20 through 12 p.m. (noon) Wednesday, August 24, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Monday, August 22, 2011 through 9 a.m. Tuesday, August 23, 2011.

Order Number 2011–11: Issued 1:30 p.m., August 23, 2011
Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Sunday, August 21, 2011 through 12 p.m. (noon) Tuesday, August 23, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Friday, August 26, 2011 through 11:59 p.m. (midnight) Friday, August 26, 2011.
easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

All Citizen Fisheries

Areas 7 and 7A: Open to gillnets with non-retention of sockeye from 8:15 a.m. to 11:59 p.m. (midnight) Tuesday, September 6, 2011, in the area southerly and easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

Order Number 2011–16: Issued 12:30 p.m., September 6, 2011

Treaty Indian Fisheries

Areas 4B, 5, and 6C: Extend for drift gillnets from 12 p.m. (noon) Wednesday, September 7, 2011 through 9 a.m. Friday, September 9, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. Wednesday, September 7, 2011 until 9 a.m. Friday, September 9, 2011, in the area southerly and easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

All Citizen Fisheries

Areas 7 and 7A: Open to reefnets with non-retention of sockeye from 5 a.m. to 9 p.m. Wednesday, September 7, 2011, in the area southerly and easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

Order Number 2011–17: Issued 1 p.m., September 12, 2011

Treaty Indian Fisheries

Areas 4B, 5, and 6C: Open for drift gillnets from 5 a.m. until 11:59 p.m. (midnight) Tuesday, September 13, 2011.

Areas 6, 7, and 7A: Open to net fishing from 5 a.m. until 11:59 p.m. (midnight) Tuesday, September 13, 2011, in the area southerly and easterly of a straight line drawn from Iwersen’s dock on Point Roberts in the State of Washington to the Georgina Point Light at the entrance to Active Pass in the Province of British Columbia.

Order Number 2011–18: Issued 9 a.m., September 19, 2011

Areas 6 and 7: Relinquish regulatory control effective 11:59 p.m. (midnight) Saturday, September 24, 2011.

Area 7A: The area easterly of the Eastpoint Light line will be relinquished as scheduled at 11:59 p.m. (midnight) on Tuesday, June 6, 2011. The remainder of Area 7A (westerly of the Eastpoint Light line) will be relinquished as scheduled at 11:59 p.m. (midnight) on Saturday, October 8, 2011.

Classification

The Assistant Administrator for Fisheries NOAA (AA), finds that good cause exists for the inseason orders to be issued without affording the public prior notice and opportunity for comment under 5 U.S.C. 553(b)(B) as such prior notice and opportunity for comments is impracticable and contrary to the public interest. Prior notice and opportunity for public comment is impracticable because NMFS has insufficient time to allow for prior notice and opportunity for public comment between the time the stock abundance information is available to determine how much fishing can be allowed and the time the fishery must open and close in order to harvest the appropriate amount of fish while they are available.

The AA also finds good cause to waive the 30-day delay in the effective date, required under 5 U.S.C. 553(d)(3), of the inseason orders. A delay in the effective date, required under 5 U.S.C. 553(d)(3), of the inseason orders. A delay in the effective date of the inseason orders would not allow fishers appropriately controlled access to the available fish at that time they are available.

This action is authorized by 50 CFR 300.97, and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 3636(b).

Dated: November 4, 2011.

Steven Thur,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2011–29192 Filed 11–9–11; 8:45 am]
BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

50 CFR Part 635

[DOCKET NO. 110912579–1627–01]

RIN 0648–BB43

Atlantic Highly Migratory Species; Update to Information on the Effective Date of Atlantic Smoothhound Shark Fishery Management Measures

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

ACTION: Final rule.

SUMMARY: NMFS is updating the anticipated effective date of smoothhound shark management measures implemented in the Final Rule for Amendment 3 to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) that published on June 1, 2010, and were corrected on August 17, 2010. These measures originally were to be effective around April 2012, before the beginning of the 2012 fishing year. However, the recently enacted Shark Conservation Act of 2010 requires NMFS to re-evaluate its shark management measures. The effective date will therefore be later than originally thought to fully consider the Shark Conservation Act implications and to allow time for the Section 7 consultation under the Endangered Species Act (ESA) to be completed. This rule also removes and reserves the smoothhound shark regulations. These sections will be returned, with amendments as needed, in a final rule that implements both the smoothhound shark sections of the Shark Conservation Act and any requirements of the Section 7 consultation regarding smoothhound sharks.

DATES: The rule is effective December 12, 2011. The amendments to §635.21(e)(3)(i), §635.24(a)(7), and §635.71(d)(18), published at 76 FR 49379, August 10, 2011, are withdrawn, effective around April 2012, before the beginning of the 2012 fishing year. However, the recently enacted Shark Conservation Act of 2010 requires NMFS to re-evaluate its shark management measures. The effective date will therefore be later than originally thought to fully consider the Shark Conservation Act implications and to allow time for the Section 7 consultation under the Endangered Species Act (ESA) to be completed. This rule also removes and reserves the smoothhound shark regulations. These sections will be returned, with amendments as needed, in a final rule that implements both the smoothhound shark sections of the Shark Conservation Act and any requirements of the Section 7 consultation regarding smoothhound sharks.

FOR FURTHER INFORMATION CONTACT: Steve Durkee at (202) 670–6637 or Karyl Brewster-Geisz at (301) 427–8503; (fax) (301) 713–1917.

SUPPLEMENTARY INFORMATION: The Atlantic shark fisheries are managed under the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP), its amendments, and its implementing