

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Palestine, City of, Anderson County	480004	August 19, 1975, Emerg; February 18, 1981, Reg; February 3, 2010, Susp.	.....do	Do.
Anderson County, Unincorporated Areas.	480001	January 24, 1992, Emerg; May 1, 1992, Reg; February 3, 2010, Susp.	.....do	Do.
Region VII				
Kansas:				
Burlingame, City of, Osage County	200249	April 14, 2003, Emerg; N/A, Reg; February 3, 2010, Susp.	.....do	Do.
Carbondale, City of, Osage County	200250	August 7, 1975, Emerg; March 4, 1988, Reg; February 3, 2010, Susp.	.....do	Do.
Lyndon, City of, Osage County	200251	July 15, 1975, Emerg; June 3, 1986, Reg; February 3, 2010, Susp.	.....do	Do.
Osage County, Unincorporated Areas ..	200601	February 11, 2005, Emerg; N/A, Reg; February 3, 2010, Susp.	.....do	Do.
Overbrook, City of, Osage County	200546	N/A, Emerg; January 10, 2008, Reg; February 3, 2010, Susp.	.....do	Do.
Quenemo, City of, Osage County	200253	July 6, 1976, Emerg; September 1, 1990, Reg; February 3, 2010, Susp.	.....do	Do.
Region X				
Alaska:				
Togiak, City of, Dillingham Census Area	020090	January 17, 1997, Emerg; May 21, 2009, Reg; February 3, 2010, Susp.	.....do	Do.
Lake and Peninsula Borough, Lake and Peninsula Borough.	025063	March 4, 2004, Emerg; N/A, Reg; February 3, 2010, Susp.	.....do	Do.

* do = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: January 15, 2010.

Sandra K. Knight,

*Deputy Assistant Administrator for Mitigation
Department of Homeland Security Federal
Emergency Management Agency.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 060418103-6181-02]

RIN 0648-XT98

Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Period 2 Quota Harvested

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

ACTION: Temporary rule; Closure of spiny dogfish fishery.

SUMMARY: NMFS announces that the spiny dogfish commercial quota available to the coastal states from Maine through Florida for the second semi-annual quota period, November 1, 2009 — April 30, 2010, has been harvested. Therefore, effective 0001 hours, January 26, 2010, federally

permitted spiny dogfish vessels may not fish for, possess, transfer, or land spiny dogfish until May 1, 2010, when the Period 1 quota becomes available. Regulations governing the spiny dogfish fishery require publication of this notification to advise the coastal states from Maine through Florida that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no Federal commercial quota is available for landing spiny dogfish in these states. This action is necessary to prevent the fishery from exceeding its Period 2 quota and to allow for effective management of this stock.

DATES: Quota Period 2 for the spiny dogfish fishery is closed effective at 0001 hr local time, January 26, 2010, through 2400 hr local time April 30, 2010. Effective January 26, 2010, federally permitted dealers are also advised that they may not purchase spiny dogfish from federally permitted spiny dogfish vessels.

FOR FURTHER INFORMATION CONTACT: Lindsey Feldman at (978) 675-2179, or Lindsey.Feldman@noaa.gov.

SUPPLEMENTARY INFORMATION: Regulations governing the spiny dogfish fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota, which is allocated into two quota periods based upon percentages

specified in the fishery management plan. The commercial quota is distributed to the coastal states from Maine through Florida, as described in § 648.230.

The initial total commercial quota for spiny dogfish for the 2009 fishing year is 12 million lb (5,443.11 mt) (74 FR 20230, May 1, 2009). The commercial quota is allocated into two periods (May 1 through October 31, and November 1 through April 30). Vessel possession limits are intended to preclude directed fishing, and they are set at 3,000 lb (1.36 mt) for both Quota Periods 1 and 2. Quota Period 1 is allocated 6,948,000 lb (3,151.56 mt), and Quota Period 2 is allocated 5,052,000 lb (2,291.55 mt) of the commercial quota. The total quota cannot be exceeded, so landings in excess of the amount allocated to Period 1 have the effect of reducing the quota available to the fishery during Period 2.

The Administrator, Northeast Region, NMFS (Regional Administrator) monitors the commercial spiny dogfish quota for each quota period and, based upon dealer reports, state data, and other available information, determines when the total commercial quota will be harvested. NMFS is required to publish a notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the Federal spiny dogfish commercial quota has been harvested and no Federal

commercial quota is available for landing spiny dogfish for the remainder of that quota period.

Section 648.4(b) provides that Federal spiny dogfish permit holders agree, as a condition of the permit, not to land spiny dogfish in any state after NMFS has published notification in the

Federal Register that the commercial quota has been harvested and that no commercial quota for the spiny dogfish fishery is available. Therefore, effective 0001 hr local time, January 26, 2010, landings of spiny dogfish in coastal states from Maine through Florida by vessels holding commercial Federal fisheries permits will be prohibited through April 30, 2010, 2400 hr local time. The 2010 Period 1 quota will be available for commercial spiny dogfish harvest on May 1, 2010. Effective

January 26, 2010, federally permitted dealers are also advised that they may not purchase spiny dogfish from vessels issued Federal spiny dogfish permits that land in coastal states from Maine through Florida.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest. This action closes the spiny dogfish fishery until May 1, 2010, under current regulations. The regulations at § 648.21 require such action to ensure that spiny

dogfish vessels do not exceed the 2009 TAC. Data indicating the spiny dogfish fleet will have landed the 2009 TAC have only recently become available. If implementation of this closure is delayed to solicit prior public comment, the quota for this year will be exceeded, thereby undermining the conservation objectives of the FMP. The AA further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reasons stated above.

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

Dated: January 21, 2010.

Emily H. Menashes,

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

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