Public benefit. Does the project meet the stated goals in shifting specific numbers of vehicles (number of trucks, rail cars or automobiles) off the designated landside routes? Other public benefits, including energy savings, reduced emissions, and safety improvements will be assumed to be a direct derivative of either numbers of vehicles shifted, or vehicle/ton miles avoided, unless specific factors change (such as a change in vessel fuel or emissions).

Public cost. Is the overall cost to the Federal government (if any) on track with estimates at the time of designation? The overall cost to the Federal government represents the amount of Federal investment (*i.e.* direct funding, loan guarantees or similar mechanisms) reduced by the offsetting savings the project represents (road/bridge wear and tear avoided, infrastructure construction or expansion deferred).

Timeliness factor. Is the project on track for the point at which the enterprise is projected to attain self-sufficiency? For example, if the project was anticipated to attain self-sufficiency after 36 months of operation, is it on track at the point of evaluation to meet that objective? This can be determined by assessing revenues, freight and passenger trends, expenses and other factors established in the application review process.

§ 393.5. Incentives, Impediments and Solutions.

(a) *Summary.* The purpose of this section is to identify short term incentives and solutions to impediments in order to encourage use of the Marine Highway for freight and passengers.

(b) *Objectives.* This section is aimed at increasing the use of the Marine Highways through the following primary objectives:

(1) Encourage the integration of Marine Highways in transportation plans at the State, regional, local and Tribal levels.

(2) Develop short term incentives aimed at expanding existing or starting new Marine Highway operations.

(3) Identify and seek solutions to impediments to the Marine Highway.

(c) *Federal, State, Local, Regional and Tribal Transportation Planning.* The Department will coordinate with Federal, State, local and Tribal governments and Metropolitan Planning Organizations to develop strategies to encourage the use of America's Marine Highways for transportation of passengers and cargo. The Department will:

(1) Work with these entities to assess plans and develop strategies, where appropriate, to incorporate Marine Highway transportation, including ferries, and other marine transportation solutions for regional and interstate transport of freight and passengers in their statewide and metropolitan transportation plans.

(2) Facilitate groups of States and multi-State transportation entities to determine how Marine Highway transportation can address traffic delays, bottlenecks, and other interstate transportation challenges to their mutual benefit.

(3) Identify other Federal agencies that have jurisdiction over the project, or which currently provide funding for components of the project, in order to determine the extent to which those agencies should be consulted with and invited to assist in the coordination process.

(4) Consult with Federal Highway Administration, Federal Motor Carrier Safety Administration, Federal Railroad Administration, Federal Transit Administration and other entities within DOT, as appropriate, for support and to evaluate costs and benefits of proposed Marine Highway Corridors and Projects.

(d) *Short-Term Incentives.* The Department will develop proposed short-term incentives to encourage the use, initiation, or expansion of Marine Highway services in consultation with shippers and other participants in transportation logistics, and government entities, as appropriate.

(e) *Impediments and Solutions.* The Department will either establish a board, or modify an existing body, in accordance with the Federal Advisory Committee Act (FACA), whose role is to identify impediments that hinder effective use of the Marine Highways and recommend solutions. The Board will meet regularly and report its findings and recommended solutions to the Maritime Administrator. Board membership will include, among others, representation by Federal Departments and Agencies, State Departments of Transportation, Metropolitan Planning Organizations and other local public entities including Tribal governments and private sector stakeholders. The Department will take actions, as appropriate, to address impediments to the Marine Highways.

§ 393.6. Research on Marine Highway Transportation.

(a) *Summary.* The Department will work in consultation with the Environmental Protection Agency and other entities as appropriate, within the limits of available resources, to conduct research in support of America's Marine Highway or in direct support of designated Marine Highway Corridors and Projects.

(b) *Objectives.* The primary objectives of selected research Projects are to:

(1) Identify and quantify environmental and transportation-related benefits that can be derived from utilization of the Marine Highways as compared to other modes of surface transportation.

(2) Identify existing or emerging technology, vessel design, and other improvements that would reduce emissions, increase fuel economy, and lower costs of Marine Highway transportation and increase the efficiency of intermodal transfers.

Dated: April 1, 2010.

By Order of the Administrator.

Julie P. Agarwal,

Acting Secretary, Maritime Administration.

[FR Doc. 2010–7899 Filed 4–7–10; 11:15 am]

BILLING CODE 4910–81–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R1–ES–2009–0010; MO 92210–0–0009–B4]

RIN 1018–AV87

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Oregon Chub (Oregonichthys crameri); Correction

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule; correction.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), published a final rule to designate critical habitat for the Oregon chub (*Oregonichthys crameri*) under the Endangered Species Act of 1973, as amended (Act), on March 10, 2010. We are publishing several corrections to that final rule in this document.

DATES: This rule is effective April 9, 2010.

ADDRESSES: Our final rule and associated documentation are available at *http://regulations.gov* at Docket No. FWS–R1–ES–2009–0010 and, by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Oregon Fish and Wildlife Office, 2600 SE. 98th Ave., Portland, OR 97266; telephone 503–231–6179; facsimile 503–231–6195.

FOR FURTHER INFORMATION CONTACT: Paul Henson, State Supervisor, U.S. Fish and Wildlife Service, Oregon Fish and Wildlife Office (*see* **ADDRESSES**). If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Background

Our March 10, 2010, final rule (75 FR 11010) to designate critical habitat for the Oregon chub contained typographical errors in the preamble and the regulatory text, which we explain and correct in this document. For the complete final rule as published, *see* our March 10, 2010, publication (75 FR 11010). For a more complete discussion of the ecology and life history of the species, please see our March 10, 2009, proposed rule (74 FR 10412), and the Oregon Chub 5-year Review Summary and Evaluation of February 11, 2008, which is available at *http://ecos.fws.gov/docs/five_year_review/doc1859.pdf.*

Because of coding errors in our March 10, 2010, final rule (75 FR 11010), temperatures and numbers for "maximum water depth" and "average water depth" were rendered incorrect or impossible to read in several places. We correct them in this document.

Administrative Procedure Act

We find good cause to waive notice and comment on this correction, under 5 U.S.C. 533(b)(3)(B), and the 30-day delay in effective date under 5 U.S.C. 553(d). Notice and comment are unnecessary because this correction is a minor, technical correction. The substance of the regulations remains unchanged. Therefore, this correction is being published as a final rule and is effective on the date under **DATES**.

Corrections to Preamble

The second sentence in the first paragraph under the heading "Distribution and Habitat" (near top of page 11011, first column) is revised to read as follows:

The species' aquatic habitat is typically at depths of less than or equal to 2 meters (m) (6.6 feet (ft)), and has a summer subsurface water temperature exceeding 15 °Celsius (°C) (61 °Fahrenheit (°F)) (Scheerer and Apke 1997, p. 45; Scheerer 2002, p. 1073; Scheerer and McDonald 2003, p. 69).

The second paragraph under the heading "Food, Water, Air, Light, Minerals, or Other Requirements" (page 11016, third column) is revised to read as follows:

With respect to water quality, the temperature regime at a site may determine the productivity of Oregon chub at that location. Spawning activity for the species has been observed from May through early August when subsurface water temperatures exceed 15 °C (59 °F) or 16 °C (61 °F) (Scheerer and Apke 1997, p. 22; Markle et al. 1991, p. 288; Scheerer and MacDonald 2003, p. 78). The species will display normal life-history behavior at temperatures between approximately 15 and 25 °C (59 and 77 °F). The upper lethal temperature for the fish was determined to be 31 °C (88 °F) in laboratory studies (Scheerer and Apke 1997, p. 22).

The third sentence in the first paragraph under the heading "Sites for Breeding, Reproduction, and Rearing (or Development) of Offspring" (page 11017, center column) is revised to read as follows:

Oregon chub spawn from April through September, when temperatures exceed 15 °C (59 °F), with peak activity in July.

Under the header "Primary Constituent Elements (PCEs) for the Oregon Chub," number 3 in the list (page 11018, center column) is revised to read as follows:

3. Late spring and summer subsurface water temperatures between 15 and 25 °C (59 and 78 °F), with natural diurnal and seasonal variation.

Under the header "Final Critical Habitat Designation," we make the following corrections to the text of each of the individual units:

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Area	Subarea	Critical habitat unit	Correct maximum water depth	Correct average water depth	Correct temperature or temperature range	Correct temperature recording date(s)	Page number of error in final rule
Area 1: Santiam River Basin—Linn and Marion Counties, Oregon	A. Mainstem Santiam River	*Unit 1A, Santiam I–5 Side Channels*	3 m (9.8 ft)	1.5 m (4.9 ft)	19.5–21 °C (60–67 °F)	July 30, 2008	11023, top of column 1
	B. North Santiam River	*Unit 1B(1), Geren Island North Channel*	2.2 m (7.2 ft)	1.8 m (5.9 ft)	26 °C (79 °F)	July 10, 2008	11023, bottom of column 1
		Unit 1B(2), Stayton Public Works Pond	2 m (6.6 ft)	1.2 m (3.9 ft)	25.5 °C (77.9 °F)	July 9, 2008	11023, top of column 2
		Unit 1B(3), South Stayton Pond	1.6 m (5.3 ft)	0.9 m (3 ft)	24.5 °C (76.1 °F)	July 9, 2008	11023, middle of column 2
		Unit 1B(4), Gray Slough	2.5 m (8.2 ft)	1.2 m (3.9 ft)	23.5 °C (74.3 °F)	July 31, 2008	11023, bottom of column 2
	C. South Santiam River	*Unit 1C, Foster Pullout Pond*	2.0 m (6.6 ft)	1.2 m (3.9 ft)	21 °C (70 °F)	July 23, 2008	11023, middle of column 3
Area 2: Mainstem Willamette River Basin—	A. McKenzie River	*Unit 2A(1), Russell Pond*	2 m (6.6 ft)	1.5 m (4.9 ft)	18.5 °C (65.3 °F)	July 23, 2008	11023, bottom of column 3
		Unit 2A(2), Shetzline Pond	2.5 m (8.2 ft)	2 m (6.6 ft)	20 °C (68 °F)	July 23, 2008	11024, middle of

Benton, Lane and Marion Counties, Oregon							column 1
		Unit 2A(3), Big Island	1.5 m (4.9 ft)	0.6 m (2.0 ft)	19 °C (66 °F)	July 23, 2008	11024, bottom of column 1
	B. Willamette River Mainstem	*Unit 2B(1), Ankeny Willow Marsh*	2 m (6.6 ft)	0.7 m (2.3 ft)	25 °C (77 °F)	July 8, 2008	11024, middle of column 2
		Unit 2B(2), Dunn Wetland	1 m (3.3 ft)	0.6 m (2.0 ft)	23 °C (73 °F)	July 28, 2008	11024, bottom of column 2
		Unit 2B(3), Finley Display Pond	2.5 m (8.2 ft)	1.5 m (4.9 ft)	19 °C (66 °F)	June 20, 2008	11024, top of column 3
		Unit 2B(4), Finley Cheadle Pond	3.3 m (10.8 ft),	1.5 m (4.9 ft)	18.5 °C (65.3 °F)	June 20, 2008	11024, middle of column 3
		Unit 2B(5), Finley Gray Creek Swamp	2.2 m (7.2 ft)	1 m (3.3 ft)	22 °C (72 °F)	July 28, 2008	11024, bottom of column 3
Area 3: Middle Fork Willamette River Basin—Lane County, Oregon		*Unit 3A, Fall Creek Spillway Ponds*	1.8 m (5.9 ft)	0.7 m (2.3 ft)	23.5 °C (74.3 °F)	July 2, 2008	11025, bottom of column 1
		Unit 3B, Elijah Bristow State Park Berry Slough	2.5 m (8.2 ft)	1.2 m (3.9 ft)	20–25 °C (68–77 °F)	July 16, 17, and 29, 2008	11025, middle of column 2
		Unit 3C, Elijah Bristow State Park Northeast	2 m (6.6 ft)	0.8 m (2.6 ft)	22 °C (72 °F)	July 22, 2008	11025, bottom of column 2

	Slough					
	Unit 3D, Elijah Bristow State Park Island Pond	2 m (6.6 ft)	1.2 m (3.9 ft)	18–25 °C (64–77 °F) at various locations within the site	July 17, 2008	11025, top of column 3
	Unit 3E, Dexter Reservoir RV Alcove (DEX 3):	1 m (3.3 ft)	0.7 m (2.3 ft)	22.5 °C (72.5 °F)	July 1, 2008	11025, middle of column 3
	Unit 3F, Dexter Reservoir Alcove (PIT1)	1 m (3.3 ft)	0.5 m (1.6 ft)	18 °C (64 °F)	July 2, 2008	11026, top of column 1
	Unit 3G, East Fork Minnow Creek Pond	1.2 m (3.9 ft)	0.5 m (1.6 ft)	19 °C (66 °F)	July 2, 2008	11026, bottom of column 1
	Unit 3H, Hospital Pond	3 m (9.8 ft)	2 m (6.6 ft)	15 °C (59 °F)	July 1, 2008	11026, top of column 2
	Unit 3I, Shady Dell Pond	1.1 m (3.6 ft)	0.5 m (1.6 ft)	21 °C (70 °F)	July 22, 2008	11026, bottom of column 2
	Unit 3J, Buckhead Creek	1.5 m (4.9 ft)	0.8 m (2.6 ft)	18–24 °C (64–75 °F)	July 15 and July 21, 2008	11026, middle of column 3
	Unit 3K, Wicopee Pond	2 m (6.6 ft)	1.2 m (3.9 ft)	17 °C (63 °F)	June 30, 2008	11027, top of column 1

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Correction to Regulatory Text

In our rule FR Doc. 2010–4654, as published at March 10, 2010 (75 FR 11010), there is one error in the regulatory text.

Other than this one correction to the final rule's regulatory text, all amendatory instructions and amendatory language stand.

§ 17.95 [Corrected]

■ 1. On page 11032, in the third column, revise § 17.95 under paragraph (e), under the entry for "Oregon Chub (*Oregonichthys crameri*)", paragraph (2)(iii), to read as follows:

(iii) Late spring and summer subsurface water temperatures between 15 and 25 °C (59 and 78 °F), with natural diurnal and seasonal variation.

Dated: April 2, 2010.

Sara Prigan,

Federal Register Liaison, U.S. Fish and Wildlife Service.

[FR Doc. 2010–7951 Filed 4–8–10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 0907141130–0112–02]

RIN 0648–AX80

Antarctic Marine Living Resources; Use of Centralized-Vessel Monitoring System and Importation of Toothfish; Re-export and Export of Toothfish; Applications for Krill Fishing; Regulatory Framework for Annual Conservation Measures

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

ACTION: Final rule.

SUMMARY: NMFS (on behalf of the Secretary of Commerce) issues this final rule to facilitate conservation and management of Antarctic Marine Living Resources (AMLR). The regulations: further detail current U.S. requirements to only allow importation and/or re-exportation of frozen toothfish or toothfish product with verifiable documentation that the harvesting vessel participated in the Centralized-Vessel Monitoring System (C-VMS) regardless of where the fish was harvested; revise the NMFS catch-documentation requirements for re-exporting toothfish and add requirements for exporting U.S.-caught toothfish; require applicants for an AMLR harvesting permit for krill to apply to NMFS no later than June 1 preceding the harvesting season for krill; and rescind the existing regulatory framework for annual management measures. The intent of the rule is to further detail requirements for importing and re-exporting toothfish, to facilitate enforcement, to fulfill U.S. obligations in the Commission on the Conservation of Antarctic Marine Living Resources (CCAMLR), and to simplify the process for informing the public of annual conservation measures.

DATES: This final rule is effective May 10, 2010.

ADDRESSES: Alan Risenhoover, Director, NMFS Office of Sustainable Fisheries, Attn: CCAMLR Rulemaking, 1315 East-West Highway, SSMC3, Silver Spring, MD 20910.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to Alan Risenhoover at the address specified above and also to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer) or e-mail to *David__Rostker@ob.eop.gov*, or fax to (202) 395–7825.

This **Federal Register** document is also accessible via the Internet at: *http://www.access.gpo.gov/su-docs/aces/aces140.html*.

FOR FURTHER INFORMATION CONTACT: Robert Gorrell at 301–713–2341 or via e-mail at *robert.gorrell@noaa.gov*.

SUPPLEMENTARY INFORMATION: NMFS published the proposed rule for this action in the **Federal Register** on November 27, 2009 (74 FR 62278), with a public comment period through December 28, 2009. NMFS received only one comment and it was outside the scope of the rulemaking. Because no substantive comments on the proposed rule were received and because no new information dictates otherwise, no changes have been made to the regulatory text published in the proposed rule.

Background

U.S. participation in Antarctic fisheries, and in the trade of species managed by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), is managed under the authority of the Antarctic Marine Living Resources Convention Act of 1984 (Act) codified at 16 U.S.C. 2431 *et seq.* NMFS implements conservation measures developed by CCAMLR and adopted by the United States, through regulations at 50 CFR part 300, subpart G. Changes to the existing regulations are necessary to facilitate compliance, to incorporate new conservation measures, to facilitate enforcement of new and existing conservation measures, and to simplify the process for informing the public of annual conservation measures.

This final rule further details current U.S. requirements to only allow importation and/or re-exportation of frozen toothfish or toothfish product with verifiable documentation that the harvesting vessel participated in the Centralized-Vessel Monitoring System (C-VMS) regardless of where the fish was harvested. This final rule also revises the NMFS catch-documentation requirements for re-exporting toothfish and adds requirements for exporting U.S.-caught toothfish. In addition, this final rule requires applicants for an AMLR harvesting permit for krill to apply to NMFS no later than June 1 preceding the harvesting season for krill. Lastly, this final rule rescinds the existing regulatory framework for annual management measures. Some discussion of these measures appears below, but for a more detailed discussion of these measures, please see the preamble to the proposed rule published on November 27, 2009 (74 FR 62278).

Importing and/or Re-exporting Toothfish

This final rule does not change current requirements for U.S. vessels harvesting AMLR to use real-time centralized VMS (or C-VMS) and for dealers seeking preapproval to import toothfish into the United States to submit to NMFS verifiable documentation of C-VMS use. NMFS will use the information submitted by dealers seeking to import frozen *Dissostichus* spp. into the U.S. market to verify that the harvesting vessel was reporting its positions, via real-time centralized VMS (or C-VMS), from the time the vessel left port to the time that the vessel returned to port and at all points in between (i.e., port-to-port).

This final rule adds definitions for "Centralized Vessel Monitoring System (C-VMS)", "port-to-port", and "real-time" and further details the U.S. requirement that importation, re-exportation, and/or exportation of frozen toothfish is allowed only with verifiable documentation that the harvesting vessel participated in real-time C-VMS port-to-port. Shipments of frozen *Dissostichus* spp. are required to have such verifiable documentation except where the *Dissostichus* spp. being shipped was harvested during a fishing trip that began prior to September 24, 2007.

Also, the existing definition of "Vessel Monitoring System (VMS)" is revised to clarify that the VMS system that uses a mobile transceiver unit on board foreign-flagged vessels does not need to be approved by NMFS. Similarly, the heading for existing § 300.116 "Requirements for a vessel monitoring system" is revised to read "Requirements for a vessel monitoring system for U.S. vessels".

This final rule revises the catch-documentation requirements for re-