

dates in July that were not previously implemented in the April 1, 2022, final rule (87 FR 19007). Specifically, the additional season dates for spring all-depth fishing in the Oregon Central Coast subarea are July 14–16 and 28–30.

Notice of these additional dates will also be announced on the NMFS hotline at 206–526–6667 or 800–662–9825.

Weekly catch monitoring reports for the recreational fisheries in Washington, Oregon, and California are available on their respective state Fish and Wildlife agency websites. NMFS and the IPHC will continue to monitor recreational catch obtained via state sampling procedures until NMFS has determined there is not sufficient allocation for another full day of fishing, and the area is closed by the IPHC, or the season closes on September 30, whichever is earlier.

### Classification

NMFS issues this action pursuant to the Northern Pacific Halibut Act of 1982. This action is taken under the regulatory authority at 50 CFR 300.63(c), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(3)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. ODFW provided updated landings data to NMFS on June 23, 2022, showing that the fishery participants in the recreational fishery off of the Oregon Central Coast had only caught 49 percent of the subarea allocation. NMFS uses fishing rates from previous years to determine the number of recreational fishing dates needed to attain subarea allocations. NMFS implemented season dates of May 12, seven days per week, through June 30, including more season dates in 2022 than in 2021. Even with the fishery open each day for over half of May and all of June, the level of attainment of the allocation for 2022 is substantially lower than anticipated when the 2022 final rule setting the 2022 recreational fishery season dates was developed. This action should be implemented as soon as possible to allow fishery participants to take advantage of the additional fishing dates prior to the end of the season. As the fishery closes on October 31, 2022, implementing this action through proposed and final rulemaking would limit the benefit this action would provide to fishery participants. Without implementation of additional season dates, a significant portion of the Oregon Central Coast subarea allocation is unlikely to be harvested, limiting economic benefits to

the participants and not meeting the goals of the Catch Sharing Plan and the 2022 management measures. It is necessary that this rulemaking be implemented in a timely manner so that planning for these new fishing days can take place, and for business and personal decision making by the regulated public impacted by this action, which includes recreational charter fishing operations, associated port businesses, and private anglers who do not live near the coastal access points for this fishery, among others. To ensure the regulated public is fully aware of this action, notice of this regulatory action will also be provided to anglers through a telephone hotline, news release, and by the relevant state fish and wildlife agencies. NMFS will receive public comments for 15 days after publication of this action, in accordance with 50 CFR 300.63(c)(4)(ii). No aspect of this action is controversial, and changes of this nature were anticipated in the process described in regulations at 50 CFR 300.63(c).

For the reasons discussed above, there is also good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date and make this action effective immediately upon filing for public inspection, as a delay in effectiveness of this action would constrain fishing opportunity and be inconsistent with the goals of the Catch Sharing Plan and current management measures, as well as potentially limit the economic opportunity intended by this rule to the associated fishing communities. NMFS regulations allow the Regional Administrator to modify sport fishing periods, bag limits, size limits, days per calendar week, and subarea quotas, provided that the action allows allocation objectives to be met and will not result in exceeding the catch limit for the subarea. NMFS recently received information on the progress of landings in the recreational fisheries in the Oregon subarea, indicating additional dates should be added to the fishery to ensure optimal and sustainable harvest of the subarea allocation. As stated above, it is in the public interest that this action is not delayed, because a delay in the effectiveness of these new dates would not allow the allocation objectives of the recreational Pacific halibut fishery to be met.

Dated: July 7, 2022.

**Jennifer M. Wallace,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 220510–0113; RTID 0648–XC101]

#### Fisheries Off West Coast States; Modification of the West Coast Salmon Fisheries; Inseason Actions #12 Through #15

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

**ACTION:** Inseason modification of 2022 management measures.

**SUMMARY:** NMFS announces four inseason actions in the 2022 ocean salmon fisheries. These inseason actions modify the commercial ocean salmon fisheries in the area from the United States (U.S.)/Canada border to Cape Falcon, Oregon.

**DATES:** The effective dates for the inseason actions are set out in this document under the heading Inseason Actions and the actions remain in effect until superseded or modified.

**FOR FURTHER INFORMATION CONTACT:** Dana Preedeedilok at 562–980–4019, Email: [dana.preedeedilok@noaa.gov](mailto:dana.preedeedilok@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The 2022 annual management measures for ocean salmon fisheries (87 FR 29690, May 16, 2022), announced management measures for the commercial and recreational fisheries in the area from the U.S./Canada border to the U.S./Mexico border, effective from 0001 hours Pacific Daylight Time (PDT), May 16, 2022, until the effective date of the 2023 management measures, as published in the **Federal Register**. NMFS is authorized to implement inseason management actions to modify fishing seasons and quotas as necessary to provide fishing opportunity while meeting management objectives for the affected species (50 CFR 660.409). Inseason actions in the salmon fishery may be taken directly by NMFS (50 CFR 660.409(a)—Fixed inseason management provisions) or upon consultation with the Chairman of the Pacific Fishery Management Council (Council), and the appropriate State Directors (50 CFR 660.409(b)—Flexible inseason management provisions).

Management of the salmon fisheries is divided into two geographic areas: north of Cape Falcon (NOF) (U.S./Canada

border to Cape Falcon, OR), and south of Cape Falcon (SOF) (Cape Falcon, OR, to the U.S./Mexico border). The actions described in this document affect the NOF commercial salmon fishery, as set out under the heading Inseason Action below.

Consultations with the Council Chairperson on these inseason actions occurred on May 16, 2022; May 25, 2022; and June 9, 2022. Representatives from NMFS, Washington Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, and Council staff participated in these consultations.

These inseason actions were announced on NMFS' telephone hotline and U.S. Coast Guard radio broadcast on the date of the consultations (50 CFR 660.411(a)(2)).

### **Inseason Actions**

#### *Inseason Action #12*

*Description of the action:* Inseason action #12 modifies the Chinook salmon landing and possession limit for the commercial salmon troll fishery in the area between Leadbetter Point and Queets River (Westport subarea) to 150 Chinook salmon per vessel per week (Thursday–Wednesday) starting 12:01 a.m. May 19, 2022.

*Effective date:* Inseason action #12 took effect on May 16, 2022 and remains in effect until superseded.

*Reason for the action:* Inseason action #12 established a landing and possession limit for the area between Leadbetter Point and Queets River (Westport subarea), where it has not existed before, in response to an increase in vessels entering the fishery and an increase in Chinook salmon landings. The establishment of a landing and possession limit in this area will preserve the length of the season and ensure that the Chinook salmon quota is not exceeded.

#### *Inseason Action #13*

*Description of the action:* Inseason action #13 modifies the Chinook salmon landing and possession limit for the commercial salmon troll fishery across the entire NOF area, regardless of subarea, to: 40 Chinook salmon per vessel per week (Thursday–Wednesday) starting 12:01 a.m. May 26 through 11:59 p.m. June 8, 2022; and 20 Chinook salmon per vessel per week (Thursday–Wednesday) starting 12:01 a.m. June 9 through 11:59 p.m. June 29, 2022.

*Effective date:* Inseason action #13 took effect on May 25, 2022, and remains in effect until June 29, 2022.

*Reason for the action:* In the area NOF, there has been an increase of vessels entering the fishery resulting in

an overall increase in Chinook salmon landings. The purpose of inseason #13 is to modify the landing and possession limits for the entire area to avoid exceeding the quota set preseason.

#### *Inseason Action #14*

*Description of the action:* Inseason action #14 modifies the Chinook salmon landing and possession limit for the commercial salmon troll fishery NOF from 20 Chinook salmon per vessel per week (Thursday–Wednesday) to 25 Chinook salmon per vessel per week (Thursday–Wednesday) starting at 12:01 a.m. on June 10, 2022.

*Effective date:* Inseason action #14 took effect on June 10, 2022, and remains in effect until superseded.

*Reason for the action:* Due to increasing fuel prices and lowered landing and possession limit, there have been impacts on the economics of the fishery and effort has declined. The increase in the landing and possession limit will result in increased fishing interest and allow greater access to approach the quota without exceeding it. The NOF May–June commercial salmon fishery has a quota of 18,000 Chinook salmon. Of that quota, 16,457 were caught, leaving a quota of 1,543 Chinook salmon uncaught. Any remaining quota from the May–June fishery may be rolled over to the July–September fishery on an impact-neutral basis.

#### *Inseason Action #15*

*Description of the action:* Inseason action #15 modifies the commercial salmon troll fishery in the area NOF. Starting at 11:59 p.m. on June 15, 2022, through June 30, 2022, this fishery is closed.

*Effective date:* Inseason action #15 took effect on June 15, 2022, and remains in effect until June 30, 2022.

*Reason for the action:* The purpose of inseason action #15 is to avoid exceeding the area of NOF quota for Chinook salmon.

The NMFS West Coast Regional Administrator (RA) considered the landings of Chinook salmon to date, fishery catch and effort to date, the amount of quota remaining, and the timing of the action relative to the length of the season, and determined that these inseason actions were necessary to avoid exceeding the subarea quotas set preseason, provide greater fishing opportunity, and provide economic benefit to the fishery dependent community. Inseason actions to modify quotas and/or fishing seasons is authorized under 50 CFR 660.409(b)(1)(i).

All other restrictions and regulations remain in effect as announced for the 2022 ocean salmon fisheries (87 FR 29690, May 16, 2022).

The RA determined that these inseason actions were warranted based on the best available information on Pacific salmon abundance forecasts, landings to date, anticipated fishery effort and projected catch, and the other factors and considerations set forth in 50 CFR 660.409. The states manage the fisheries in state waters adjacent to the areas of the U.S. exclusive economic zone (3–200 nautical miles (5.6–370.4 kilometers) off the coasts of the states of Washington, Oregon, and California) consistent with these Federal actions. As provided by the inseason notice procedures at 50 CFR 660.411, actual notice of the described regulatory action was given, prior to the time the action was effective, by telephone hotline numbers 206–526–6667 and 800–662–9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF–FM and 2182 kHz.

### **Classification**

NMFS issues these actions pursuant to section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). These actions are authorized by 50 CFR 660.409, which was issued pursuant to section 304(b) of the MSA, and are exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(3)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. Prior notice and opportunity for public comment on this action was impracticable because NMFS had insufficient time to provide for prior notice and the opportunity for public comment between the time Chinook salmon abundance, catch, and effort information were developed and fisheries impacts were calculated, and the time the fishery modifications had to be implemented in order to ensure that fisheries are managed based on the best scientific information available and that fishery participants can take advantage of the additional fishing opportunity these changes provide. As previously noted, actual notice of the regulatory actions was provided to fishers through telephone hotline and radio notification. These actions comply with the requirements of the annual management measures for ocean salmon fisheries (87 FR 29690, May 16, 2022), the Fishery Management Plan (FMP), and regulations implementing the FMP under 50 CFR 660.409 and 660.411.

There is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date, as a delay in effectiveness of this action would restrict fishing at levels inconsistent with the goals of the

FMP and the current management measures.

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

Dated: July 6, 2022.

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