

(6) Limited entry midwater trawl, Pacific whiting shorebased IFQ, observer (declaration code 21);

(7) Limited entry midwater trawl, Pacific whiting shorebased IFQ, electronic monitoring (declaration code 21);

(8) Limited entry midwater trawl, Pacific whiting catcher/processor sector (declaration code 22);

(9) Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel or mothership), observer (declaration code 23);

(10) Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel), electronic monitoring (declaration code 23);

(11) Limited entry bottom trawl, shorebased IFQ, not including demersal trawl or selective flatfish trawl, observer (declaration code 30);

(12) Limited entry bottom trawl, shorebased IFQ, not including demersal trawl or selective flatfish trawl, electronic monitoring (declaration code 30);

(13) Limited entry demersal trawl, shorebased IFQ, observer (declaration code 31);

(14) Limited entry demersal trawl, shorebased IFQ, electronic monitoring (declaration code 31);

(15) Limited entry selective flatfish trawl, shorebased IFQ, observer (declaration code 32);

(16) Limited entry selective flatfish trawl, shorebased IFQ, electronic monitoring (declaration code 32);

(17) Non-groundfish trawl gear for pink shrimp (declaration code 41);

(18) Non-groundfish trawl gear for ridgeback prawn (declaration code 40);

(19) Non-groundfish trawl gear for California halibut (declaration code 42);

(20) Non-groundfish trawl gear for sea cucumber (declaration code 43);

(21) Open access bottom contact hook-and-line gear for groundfish (*e.g.*, bottom longline, commercial vertical hook-and-line, dinglebar) (declaration code 33);

(22) Open access Pacific halibut longline gear (declaration code 62);

(23) Open access groundfish trap or pot gear (declaration code 34);

(24) Open access Dungeness crab trap or pot gear (declaration code 61);

(25) Open access prawn trap or pot gear (declaration code 60);

(26) Open access sheephead trap or pot gear (declaration code 65);

(27) Open access non-bottom contact hook and line gear for groundfish (*e.g.*, troll, jig gear, rod & reel gear) (declaration code 35);

(28) Open access non-bottom contact stationary vertical jig gear (declaration code 36);

(29) Open access non-bottom contact troll gear (declaration code 37);

(30) Open access HMS line gear (declaration code 66);

(31) Open access salmon troll gear (declaration code 63);

(32) Open access California Halibut line gear (declaration code 64);

(33) Open access Coastal Pelagic Species net gear (declaration code 67);

(34) Other, a gear that is not listed above (declaration code 69);

(35) Tribal trawl gear (declaration code 50);

(36) Open access set net or gillnet gear—California (declaration 68); or

(37) Gear testing, Trawl Rationalization fishery (declaration code 70).

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 220216–0049; RTID 0648–XC346]

Fisheries of the Exclusive Economic Zone off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 610 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the annual 2022 total allowable catch of pollock for Statistical Area 610 in the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), September 28, 2022, through 2400 hours, A.l.t., December 31, 2022.

FOR FURTHER INFORMATION CONTACT: Krista Milani, 907–581–2062.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The annual 2022 total allowable catch (TAC) of pollock in Statistical Area 610 of the GOA is 23,714 metric tons (mt) as established by the final 2022 and 2023 harvest specifications for groundfish in the GOA (87 FR 11599, March 2, 2022).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the annual 2022 TAC of pollock in Statistical Area 610 of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 23,514 mt and is setting aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 610 of the GOA.

While this closure is effective, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, which was issued pursuant to section 304(b), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(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, it would prevent NMFS from responding to the most recent fisheries data in a timely fashion, and would delay the closure of directed fishing for pollock in Statistical Area 610 of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of September 27, 2022.

The Assistant Administrator for Fisheries, NOAA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

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

Dated: September 27, 2022.

Jennifer M. Wallace,

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

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