

that this rule is consistent with the Tilefish FMP, other provisions of the Magnuson-Stevens Act, and other applicable laws.

The Assistant Administrator for Fisheries, NOAA finds it is contrary to the public interest to provide for prior notice and an opportunity for public comment, under to authority at 5 U.S.C. 553(b)(B). The proposed rule for 2019–2021 specifications (83 FR 58219; November 19, 2018) provided the public with the opportunity to comment on the specifications for 2019, and projected 2020 and 2021 specifications. All comments received were addressed in the final rule (84 FR 3341; February 12, 2019). A final rule on February 18, 2020 (85 FR 8765), finalized the 2020 specifications and restated the projected 2021 specifications. The only change to the specifications for fishing year 2021 is a small adjustment to the commercial ACL for an overage in 2020 that is required by the regulations. The public has been aware of the overage in the commercial sector of the fishery through information on a public quota monitoring web page and through an announcement at the Council meeting in April. Implementing this adjustment to the 2021 fishing year is a necessary accountability measure that the FMP designed to prevent overfishing, and doing so in a timely manner is necessary to reduce the likelihood of additional overages this year.

Similarly, the need to implement these measures in a timely manner, constitutes good cause under authority contained in 5 U.S.C. 553(d)(3), to establish an effective date less than 30 days after date of publication. The public and fishing industry participants expect this action because we previously alerted the public in the proposed and final rules that we would conduct this review in interim years of the status quo multi-year specifications and announce the final quota. Final analysis of 2020 data only recently became available because of the time needed to allow any late reports from fishing vessels and dealers to be submitted and to ensure all reports go through a thorough quality control process. Implementing the new commercial TAL as soon as possible will allow the public to monitor landings against this new limit through our weekly quota monitoring updates available on our website for the remaining six months in the 2021 fishing year. This could allow the industry to anticipate or even avoid a closure by slowing the pace of as landings as they approach the TAL.

This final rule is exempt from review under Executive Order 12866.

This final rule does not duplicate, conflict, or overlap with any existing Federal rules.

This final rule does not contain a collection of information requirement for the purposes of the Paperwork Reduction Act.

The Chief Counsel for Regulation for the Department of Commerce certified to the Small Business Administration that the 2019–2021 blueline tilefish specifications rulemaking would not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act. No comments were received that would change the initial certification. Because advance notice and the opportunity for public comment are not required for this action under the Administrative Procedure Act, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, do not apply to this rule. Therefore, no new regulatory flexibility analysis is required and none has been prepared.

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

Dated: May 20, 2021.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

[FR Doc. 2021–11061 Filed 5–25–21; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 210521–0115]

RIN 0648–BK61

#### Fisheries Off West Coast States; West Coast Salmon Fisheries; 2021 Management Measures; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** NMFS established fishery management measures for the 2021 ocean salmon fisheries off Washington, Oregon, and California, and the 2022 salmon seasons opening earlier than May 16, 2022. The final rule, published in the **Federal Register** on May 14, 2021, included a transcription error in the management measures for the recreational salmon fishery in the area from Pigeon Point, CA, to the U.S./Mexico border (Monterey management

area). This action corrects that error by adding the language that was omitted from the May 14, 2021, rule.

**DATES:** Effective May 24, 2021.

**FOR FURTHER INFORMATION CONTACT:** Peggy Mundy at 206–526–4323.

**SUPPLEMENTARY INFORMATION:** The final rule published May 14, 2021, (86 FR 26425), describes annual management measures for managing the harvest of salmon in the ocean waters under the jurisdiction of the Pacific Fishery Management Council (Council). This document corrects an error in the May 14, 2021 rule by adding management measures for the recreational salmon fishery in the Monterey management area to make the 2021 salmon fisheries consistent with the Council's recommendations.

#### Need for Correction

The 2021 salmon management measures (86 FR 26425, May 14, 2021), Section 2, part A describes the recreational salmon fisheries in the Monterey management area. There is a transcription error in this part of the rule, rendering it inconsistent with the Council's recommendations for the 2021 salmon management measures, as adopted at their April 2021 meeting. The May 14, 2021 rule omitted the May 16–September 30, 2021 fishery in the Monterey management area, which was recommended by the Council.

#### Correction

In FR Doc. 2021–10035, appearing on page 26425, in the **Federal Register** of Friday, May 14, 2021, the following correction is made:

On page 26435, in the third column, the description of the recreational salmon fishery from Pigeon Point to U.S./Mexico border (Monterey) management area is corrected to read as follows:

—Pigeon Point to U.S./Mexico border (Monterey)

April 3–May 15 (C.6). Open seven days per week. All salmon except coho salmon, two salmon per day (C.1). Chinook salmon minimum size limit of 24 inches total length (B). See gear restrictions and definitions (C.2, C.3).

May 16–September 30 (C.6). Open seven days per week. All salmon except coho salmon, two salmon per day (C.1). Chinook salmon minimum size limit of 20 inches total length (B). See gear restrictions and definitions (C.2, C.3).

In 2022, season opens April 2 for all salmon except coho salmon, two salmon per day (C.1). Chinook salmon minimum size limit of 24 inches total length (B); and the same gear restrictions as in 2021 (C.2, C.3). This

opening could be modified following Council review at its March 2022 meeting.

### Classification

NMFS is issuing this rule pursuant to 305(d) of the MSA. The reason for using this regulatory authority is: In a previous action taken pursuant to section 304(b), the Council designed the Fishery Management Plan (FMP) to authorize NMFS to take this action pursuant to MSA section 305(d). See 50 CFR 660.408. These regulations are being promulgated under the authority of 16 U.S.C. 1855(d) and 16 U.S.C. 773(c). The NMFS Assistant Administrator has determined that this final rule is consistent with the Pacific Coast Salmon FMP and other applicable law.

The Assistant Administrator for Fisheries, NOAA (AA) finds good cause under 5 U.S.C. 553(b)(B), to waive the requirement for prior notice and opportunity for additional public comment for this action as notice and comment would be unnecessary and contrary to the public interest. Notice and comment are unnecessary and contrary to the public interest because this action simply corrects an error in the final rule and makes the rule consistent with the Council's recommended action. This correction does not affect the results of analyses conducted to support management decisions in the salmon fishery nor change the total catch of salmon. In addition, it is important that the error be corrected as quickly as possible. The correction eliminates an inconsistency between the May 14, 2021 rule and the Council's recommendation that may lead to confusion for the public and potentially prevent the prosecution of fisheries. No aspect of this action is controversial and no change in operating practices in the fishery is required. For the same reasons, pursuant to 5 U.S.C. 553(d), the AA finds good cause to waive the 30-day delay in effective date.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

This final rule is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 773–773k; 1801 *et seq.*

Dated: May 21, 2021.

**Samuel D. Rauch, III,**

*Deputy Assistant Administrator for  
Regulatory Programs, National Marine  
Fisheries Service.*

[FR Doc. 2021–11156 Filed 5–24–21; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 210520–0113]

**RIN 0648–BK42**

#### Pacific Halibut Fisheries; Catch Sharing Plan

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues regulations to remove limits on the maximum amount of halibut Individual Fishing Quota (IFQ) that may be harvested by a vessel, commonly known as vessel use caps, in IFQ regulatory areas 4A (Eastern Aleutian Islands), 4B (Central and Western Aleutian Islands), 4C (Central Bering Sea), and 4D (Eastern Bering Sea) for the 2021 IFQ fishing year. This action is needed to provide additional flexibility to IFQ participants in 2021 to ensure allocations of halibut IFQ can be harvested by the limited number of vessels operating in these areas. This action is within the authority of the Secretary of Commerce to establish additional regulations governing the taking of halibut which are in addition to, and not in conflict with, those adopted by the International Pacific Halibut Commission (IPHC). This action is intended to promote the goals and objectives of the IFQ Program, the Northern Pacific Halibut Act of 1982 (Halibut Act), and other applicable laws. **DATES:** Effective May 26, 2021, through December 31, 2021.

**ADDRESSES:** Electronic copies of the Categorical Exclusion, the Regulatory Impact Review (RIR) (herein referred to as the “Analysis”), and the Final Regulatory Flexibility Analysis (FFRA) prepared for this action are available from <http://www.regulations.gov> or from the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/region/alaska>.

#### FOR FURTHER INFORMATION CONTACT:

Abby Jahn, [abby.jahn@noaa.gov](mailto:abby.jahn@noaa.gov), 907–586–7228.

## SUPPLEMENTARY INFORMATION:

### Background

This final rule will implement regulations to temporarily remove vessel use caps in Areas 4A, 4B, 4C, and 4D in 2021. The existing vessel use caps were recommended by the Council and implemented by NMFS as part of the IFQ Program (58 FR 59375; November 9, 1993) as regulations that were in addition to, and not in conflict with, those adopted by the IPHC, consistent with the Halibut Act (16 U.S.C. 773c(c)).

The following sections describe the IFQ Program, halibut IFQ vessel use caps, the rationale and effects of temporarily removing vessel use caps in Areas 4A, 4B, 4C, and 4D, and the regulations that will be implemented under this final rule.

### IFQ Program

Commercial halibut and sablefish fisheries in Alaska are subject to regulation under the IFQ Program and the CDQ Program (50 CFR part 679). A key objective of the IFQ Program is to support the social and economic character of the fisheries and the coastal fishing communities where many of these fisheries are based. For more information about the IFQ Program, please refer to Section 2.3.1 of the Analysis. Because this rule is specific to the halibut IFQ fishery and not the sablefish component of the IFQ Program that is managed under the Magnuson Stevens Act's authorization, reference to the IFQ Program in this preamble is specific to halibut unless otherwise noted.

Under the IFQ Program, access to the commercial halibut fisheries is limited to those persons holding halibut quota share (QS). Quota share is an exclusive, revocable privilege that allows the holder to harvest a specific percentage of the annual commercial catch limit in the halibut fishery. In addition, QS is designated for specific geographic areas of harvest, a specific vessel operation type (catcher vessel (CV) or catcher/processor (CP)), and for a specific range of vessel sizes that may be used to harvest the halibut (vessel category). Out of the four vessel categories of halibut QS, Category A shares are designated for CPs that process their catch at sea (*e.g.*, freezer longline vessels) and do not have a vessel length designation, whereas Category B, C, and D shares are designated to be fished on CVs that meet specific length designations (§ 679.40(a)(5)).

In the IFQ Program, NMFS annually issues IFQ permits to each QS holder. An annual IFQ permit authorizes the permit holder to harvest a specified