

NMFS provided an opportunity for public comment on the proposed rules to designate critical habitat for the Arctic subspecies of the ringed seal and the Beringia DPS of the bearded seal, we find good cause that the notice and public comment procedures of 5 U.S.C. 553(b) are unnecessary for this action. We also find good cause under 5 U.S.C. 553(d)(3) to make this rule effective immediately. The NMFS final rule to delist Johnson’s seagrass (87 FR 22137; April 14, 2022) removed protection under the Act for this species, removed the species from the table at 50 CFR 223.102(e), and removed its critical habitat designation at 50 CFR 226.213. The April 1, 2022, NMFS critical habitat final rules (87 FR 19232 and 87 FR 19180) extended protection under the Act for the Arctic subspecies of the ringed seal and the Beringia DPS of the bearded seal, and amended 50 CFR parts 223 and 226 to designate critical habitat for the Arctic subspecies of the ringed seal and the Beringia DPS of the bearded

seal. This rule is an administrative action to remove one species from the List at 50 CFR 17.12(h) and update two species’ entries on the List at 50 CFR 17.11(h). The public would not be served by delaying the effective date of this rulemaking action.

**Required Determinations**

*National Environmental Policy Act*

We have determined that an environmental assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Act. We outlined our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

**List of Subjects in 50 CFR Part 17**

Endangered and threatened species, Exports, Imports, Plants, Reporting and recordkeeping requirements, Transportation, Wildlife.

**Regulation Promulgation**

Accordingly, we amend part 17, subchapter B of chapter I, title 50 of the CFR, as set forth below:

**PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

- 1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

- 2. In § 17.11, amend paragraph (h) by revising the entries for “Seal, bearded [Beringia DPS]” and “Seal, ringed (Arctic subspecies)” under MAMMALS in the List of Endangered and Threatened Wildlife to read as follows:

**§ 17.11 Endangered and threatened wildlife.**

\* \* \* \* \*

(h) \* \* \*

Common name	Scientific name	Where listed	Status	Listing citations and applicable rules
MAMMALS				
*	*	*	*	*
Seal, bearded [Beringia DPS].	<i>Erignathus barbatus nauticus.</i>	Beringia DPS—see 50 CFR 223.102.	T	77 FR 76740, 12/28/2012; <sup>N</sup> 79 FR 42687, 7/23/2014; 50 CFR 226.229. <sup>CH</sup>
*	*	*	*	*
Seal, ringed (Arctic subspecies).	<i>Phoca (=Pusa) hispida hispida.</i>	Wherever found .....	T	77 FR 76706, 12/28/2012; <sup>N</sup> 79 FR 42687, 7/23/2014; 50 CFR 226.228. <sup>CH</sup>
*	*	*	*	*

**§ 17.12 [Amended]**

- 3. In § 17.12, amend paragraph (h) by removing the entry for “*Halophila johnsonii*” under FLOWERING PLANTS from the List of Endangered and Threatened Plants.

**Martha Williams,**

Director, U.S. Fish and Wildlife Service.  
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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

[Docket No. 211217–0261; RTID 0648–XC537]

**Reef Fish Fishery of the Gulf of Mexico; 2022 Commercial and Recreational Accountability Measure and Closures for Gulf of Mexico Lane Snapper**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS implements an accountability measure (AM) for the lane snapper commercial and recreational sectors in the exclusive economic zone (EEZ) of the Gulf of

Mexico (Gulf) for the 2022 fishing year through this temporary rule. NMFS has projected that the 2022 stock annual catch limit (ACL) for Gulf lane snapper has been reached. Therefore, NMFS closes the commercial and recreational sectors for Gulf lane snapper on November 15, 2022, and they will remain closed through the end of the current fishing year on December 31, 2022. These closures are necessary to protect the Gulf lane snapper resource.

**DATES:** This temporary rule is effective from 12:01 a.m., local time, on November 15, 2022, until 12:01 a.m., local time, on January 1, 2023.

**FOR FURTHER INFORMATION CONTACT:** Kelli O’Donnell, NMFS Southeast Regional Office, telephone: 727–824–5305, email: *Kelli.ODonnell@noaa.gov*.

**SUPPLEMENTARY INFORMATION:** NMFS manages the Gulf reef fish fishery, which includes lane snapper, under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico

(FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council (Council) and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) through regulations at 50 CFR part 622. All lane snapper weights discussed in this temporary rule are in round weight.

The current stock ACL for Gulf lane snapper is 1,028,973 lb (466,734 kg). As specified in 50 CFR 622.41(k), if the sum of the commercial and recreational landings reaches or is projected to reach the stock ACL, then NMFS will close the commercial and recreational sectors for the remainder of the fishing year. Based on latest recreational landings estimates, which were available in October 2022, NMFS has determined that the stock ACL for Gulf lane snapper was reached as of August 28, 2022. Accordingly, this temporary rule closes the commercial and recreational sectors for Gulf lane snapper effective at 12:01 a.m., local time, on November 15, 2022, and both sectors will remain closed through the end of the current fishing year on December 31, 2022.

During the commercial and recreational closures, the commercial sale or purchase of lane snapper taken from the Gulf EEZ is prohibited and all harvest or possession in or from the Gulf EEZ of lane snapper is prohibited. The prohibition on possession of Gulf lane snapper also applies in Gulf state waters for a vessel issued a valid Federal charter vessel/headboat permit for Gulf reef fish. During the closures, the operator of a vessel with a valid commercial vessel permit for Gulf reef fish having lane snapper on board must have landed and bartered, traded, or sold such lane snapper prior to 12:01 a.m., local time, on November 15, 2022. The prohibition on the sale or purchase of lane snapper does not apply to fish that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, on November 15, 2022, and were held in cold storage by a dealer or processor.

#### Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.41(k), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, 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 is unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulations

associated with the closure of the lane snapper commercial and recreational sectors at 50 CFR 622.41(k) have already been subject to notice and public comment, and all that remains is to notify the public of the closure. Prior notice and opportunity for public comment are contrary to the public interest because there is a need to immediately implement this action to protect the lane snapper stock. Prior notice and opportunity for public comment would require time and allow for additional harvest in excess of the stock ACL.

For the aforementioned reasons, the Assistant Administrator also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: November 9, 2022.

**Jennifer M. Wallace,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 2022-24900 Filed 11-10-22; 4:15 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 220216-0049; RTID 0648-XC553]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Western Regulatory Area of the Gulf of Alaska

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

**ACTION:** Temporary rule; reallocation.

**SUMMARY:** NMFS is reallocating the projected unused amount of Pacific cod from catcher vessels using trawl gear and vessels using pot gear to catcher vessels using hook-and-line gear and catcher/processors using hook-and-line gear in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to allow the 2022 total allowable catch (TAC) of Pacific cod to be harvested.

**DATES:** Effective November 9, 2022, through 2400 hours, Alaska local time (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 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 2022 Pacific cod TAC specified for catcher vessels using trawl gear in the Western Regulatory Area of the GOA is 2,579 metric tons (mt), as established by the final 2022 and 2023 harvest specifications for groundfish in the GOA (87 FR 11599, March 2, 2022).

The 2022 Pacific cod TAC specified for vessels using pot gear in the Western Regulatory Area of the GOA is 2,552 mt, as established by the final 2022 and 2023 harvest specifications for groundfish in the GOA (87 FR 11599, March 2, 2022).

The 2022 Pacific cod TAC specified for catcher vessels using hook-and-line gear in the Western Regulatory Area of the GOA is 94 mt, as established by the final 2022 and 2023 harvest specifications for groundfish in the GOA (87 FR 11599, March 2, 2022).

The 2022 Pacific cod TAC specified for catcher/processors using hook-and-line gear in the Western Regulatory Area of the GOA is 1,330 mt, as established by the final 2022 and 2023 harvest specifications for groundfish in the GOA (87 FR 11599, March 2, 2022).

The Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that catcher vessels using trawl gear will not be able to harvest 400 mt of the 2022 Pacific cod TAC allocated to those vessels under § 679.20(a)(12)(i)(A)(3), and vessels using pot gear will not be able to harvest 150 mt of the 2022 Pacific cod TAC allocated to those vessels under § 679.20(a)(12)(i)(A)(5).

Therefore, in accordance with § 679.20(a)(12)(ii)(B), NMFS apportions 400 mt of Pacific cod from catcher vessels using trawl gear to the annual amount specified for catcher/processors using hook-and-line gear, and 150 mt of Pacific cod from vessels using pot gear to the annual amount specified for catcher vessels using hook-and-line gear.

The harvest specifications for 2022 Pacific cod included in the final 2022 and 2023 harvest specifications for groundfish in the Western Regulatory Area of the GOA (87 FR 11599, March 2, 2022) is revised as follows: 2,179 mt to catcher vessels using trawl gear, 2,402 mt to vessels using pot gear, 244 mt to catcher vessels using hook-and-line