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Agency.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679
[Docket No. 150916863–6211–02]
RIN 0648–XF229

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of
Pollock in the Bering Sea and Aleutian Islands

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

ACTION: Temporary rule.

SUMMARY: NMFS is reallocating the projected unused amounts of the Aleut
Corporation pollock directed fishing allowance from the Aleutian Islands
subarea to the Bering Sea subarea. This action is necessary to provide
opportunity for harvest of the 2017 total allowable catch of pollock, consistent
with the goals and objectives of the Fishery Management Plan for
Groundfish of the Bering Sea and Aleutian Islands Management Area.

DATES: Effective 1200 hrs, Alaska local
time (A.l.t.), February 17, 2017, through
2400 hrs, A.l.t., December 31, 2017.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION: NMFS
manages the groundfishery in the
BSAI exclusive economic zone
according to the Fishery Management
Plan for Groundfish of the Bering Sea
and Aleutian Islands Management Area
(FMP) prepared by the North Pacific
Fishery Management Council (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.

In the Aleutian Islands subarea, the
portion of the 2017 pollock total
allowable catch (TAC) allocated to the
Aleut Corporation directed fishing
allowance (DFA) is 14,700 metric tons
(mt) as established by the final 2016 and
2017 harvest specifications for
groundfish in the BSAI (81 FR 14773,
March 18, 2016), and as adjusted by an
inseason adjustment (82 FR 2916, January
10, 2017).

As of February 10, 2017, the
Administrator, Alaska Region, NMFS,
(Regional Administrator) has
determined that 9,000 mt of the Aleut
Corporation pollock DFA in the
Aleutian Islands subarea will not be
harvested. Therefore, in accordance
with § 679.20(a)(5)(iii)(B)(4), NMFS
reallocates 6,764 mt of A season pollock
DFA and 2,236 mt of B season pollock
DFA from the Aleutian Islands subarea
to the 2017 Bering Sea subarea DFAs.
The 9,000 mt of the Aleut Corporation
pollock DFA is added to the 2017 Bering
Sea non-CDQ DFAs. As a result, the
2017 harvest specifications for pollock
in the Aleutian Islands subarea included
in the final 2016 and 2017 harvest
specifications for groundfish in the
BSAI (81 FR 14773, March 18, 2016),
and as adjusted by an inseason
adjustment (82 FR 2916, January
10, 2017) are revised as follows: 5,700 mt
to the annual Aleut Corporation pollock
DFA and 5,700 mt to the A season Aleut
Corporation pollock DFA. Furthermore,
pursuant to § 679.20(a)(5), Table 5 of the
final 2016 and 2017 harvest
specifications for groundfish in the
Bering Sea and Aleutian Islands (81 FR
14773, March 18, 2016, and 82 FR 2916,
January 10, 2017), is revised to make
2017 pollock allocations consistent with
this reallocation. This reallocation
results in adjustments to the 2017 pollock
allocations established at
§ 679.20(a)(5).

<table>
<thead>
<tr>
<th>Area and sector</th>
<th>2017 allocations</th>
<th>2017 A season</th>
<th>2017 B season</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>A season DFA</td>
<td>SCA harvest limit</td>
</tr>
<tr>
<td>Bering Sea subarea TAC</td>
<td>1,355,900</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>CDQ DFA</td>
<td>136,400</td>
<td>61,380</td>
<td>38,192</td>
</tr>
<tr>
<td>ICA</td>
<td>47,210</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Total Bering Sea non-CDQ DFA</td>
<td>1,722,911</td>
<td>527,531</td>
<td>328,241</td>
</tr>
<tr>
<td>AFA Inshore</td>
<td>586,145</td>
<td>263,765</td>
<td>164,121</td>
</tr>
<tr>
<td>AFA Catcher/Processors</td>
<td>468,916</td>
<td>211,012</td>
<td>131,297</td>
</tr>
<tr>
<td>Catch by C/Ps</td>
<td>429,058</td>
<td>193,076</td>
<td>n/a</td>
</tr>
<tr>
<td>Catch by CVs</td>
<td>38,958</td>
<td>17,936</td>
<td>n/a</td>
</tr>
<tr>
<td>Unlisted C/P limit</td>
<td>1,055</td>
<td>1,290</td>
<td>64,476</td>
</tr>
<tr>
<td>AFA Motherships</td>
<td>117,229</td>
<td>52,753</td>
<td>32,824</td>
</tr>
<tr>
<td>Excessive Harvesting Limit</td>
<td>205,151</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Excessive Processing Limit</td>
<td>351,687</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Aleutian Islands subarea ABC</td>
<td>36,061</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Aleutian Islands subarea TAC</td>
<td>8,100</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>CDQ DFA</td>
<td>0</td>
<td>0</td>
<td>n/a</td>
</tr>
<tr>
<td>ICA</td>
<td>2,400</td>
<td>1,200</td>
<td>n/a</td>
</tr>
<tr>
<td>Aleut Corporation</td>
<td>5,700</td>
<td>5,700</td>
<td>n/a</td>
</tr>
<tr>
<td>Area harvest limit</td>
<td>10,818</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>541</td>
<td>5,409</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>542</td>
<td>1,803</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>

TABLE 5—FINAL 2017 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA)¹

[Amounts are in metric tons]
### Table 5—Final 2017 Allocations of Pollock TACs to the Directed Pollock Fisheries and to the CDQ Directed Fishing Allowances (DFA) 1—Continued

[Amounts are in metric tons]

<table>
<thead>
<tr>
<th>Area and sector</th>
<th>2017 allocations</th>
<th>2017 A season 1</th>
<th>2017 B season 1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2017 A season DFA</td>
<td>SCA harvest limit 2</td>
<td>B season DFA</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bogoslof District ICA 8</td>
<td>......................................................</td>
<td>500</td>
<td>n/a</td>
</tr>
</tbody>
</table>

1 Pursuant to § 679.20(a)(5)(i)(A), the Bering Sea subarea pollock, after subtracting the CDQ DFA (10 percent) and the ICA (3.9 percent), is allocated as a DFA as follows: Inshore sector—50 percent, catcher/processor sector (C/P)—40 percent, and mothership sector—10 percent. In the Bering Sea subarea, 45 percent of the DFA is allocated to the A season (January 20–June 10) and 55 percent of the DFA is allocated to the B season (June 10–November 1). Pursuant to § 679.20(a)(5)(ii)(B)(1)–(ii), the annual Aleutian Islands pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second the ICA (2,400 mt), is allocated to the Aleut Corporation for a pollock directed fishery. In the Aleutian Islands subarea, the A season is allocated less than or equal to 40 percent of the ABC and the B season is allocated the remainder of the pollock directed fishery.

2 In the Bering Sea subarea, pursuant to § 679.20(a)(5)(ii)(C), no more than 28 percent of each sector’s annual DFA may be taken from the SCA before April 1.

3 Pursuant to § 679.20(a)(5)(i)(A)(4), not less than 8.5 percent of the DFA allocated to listed catcher/processors shall be available for harvest only by eligible catcher vessels delivering to listed catcher/processors.

4 Pursuant to § 679.20(a)(5)(i)(A)(6), NMFS establishes an excessive harvesting share limit equal to 17.5 percent of the sum of the non-CDQ pollock DFAs.

5 Pursuant to § 679.20(a)(5)(i)(A)(7), NMFS establishes an excessive processing share limit equal to 30.0 percent of the sum of the non-CDQ pollock DFAs.

6 Pursuant to § 679.20(a)(5)(iii)(B)(6), NMFS establishes harvest limits for pollock in the A season in Area 541 of no more than 30 percent, in Area 542 of no more than 15 percent, and in Area 543 of no more than 5 percent of the Aleutian Islands pollock ABC.

7 The Bogoslof District is closed by the final harvest specifications to directed fishing for pollock. The amounts specified are for ICA only and are not apportioned by season or sector.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

### Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the reallocation of Aleutian Island subarea pollock. Since the pollock fishery is currently underway, it is important to immediately inform the industry as to the final Bering Sea and Aleutian Islands pollock allocations. Immediate notification is necessary to allow for the orderly conduct and efficient operation of this fishery; allow the industry to plan for the fishing season and avoid potential disruption to the fishing fleet as well as processors; and provide opportunity to harvest increased seasonal pollock allocations while value is optimum. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as February 10, 2017.

The AA 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.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

**Dated:** February 13, 2017.

**Karen H. Abrams,**

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

[FR Doc. 2017–03177 Filed 2–14–17; 11:15 am]

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