

Dated: February 13, 2017.

Michael M. Grimm,

*Assistant Administrator for Mitigation,
Federal Insurance and Mitigation
Administration, Department of Homeland
Security, Federal Emergency Management
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:
Steve Whitney, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS
manages the groundfish fishery 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 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]

Area and sector	2017 allocations	2017 A season ¹		2017 B season ¹
		A season DFA	SCA harvest limit ²	B season DFA
Bering Sea subarea TAC ¹	1,355,900	n/a	n/a	n/a
CDQ DFA	136,400	61,380	38,192	75,020
ICA ¹	47,210	n/a	n/a	n/a
Total Bering Sea non-CDQ DFA	1,172,291	527,531	328,241	644,760
AFA Inshore	586,145	263,765	164,121	322,380
AFA Catcher/Processors ³	468,916	211,012	131,297	257,904
Catch by C/Ps	429,058	193,076	n/a	235,982
Catch by CVs ³	39,858	17,936	n/a	21,922
Unlisted C/P Limit ⁴	2,345	1,055	n/a	1,290
AFA Motherships	117,229	52,753	32,824	64,476
Excessive Harvesting Limit ⁵	205,151	n/a	n/a	n/a
Excessive Processing Limit ⁶	351,687	n/a	n/a	n/a
Aleutian Islands subarea ABC	36,061	n/a	n/a	n/a
Aleutian Islands subarea TAC ¹	8,100	n/a	n/a	n/a
CDQ DFA	0	0	n/a	0
ICA	2,400	1,200	n/a	1,200
Aleut Corporation	5,700	5,700	n/a	0
Area harvest limit: ⁷				
541	10,818	n/a	n/a	n/a
542	5,409	n/a	n/a	n/a
543	1,803	n/a	n/a	n/a

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]

Area and sector	2017 allocations	2017 A season ¹		2017 B season ¹
		A season DFA	SCA harvest limit ²	B season DFA
Bogoslof District ICA ⁸	500	n/a	n/a	n/a

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)(iii)(B)(2)(i)–(iii), 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)(i)(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)(4)(iii), the AFA unlisted catcher/processors are limited to harvesting not more than 0.5 percent of the catcher/processors sector’s allocation of pollock.

⁵ 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.

⁶ 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.

⁷ 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.

⁸ 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.

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