

**Scaup**

*Season Dates:* Open November 4, 2017, through January 28, 2018.

*Daily Bag Limits:* Seven including no more than two redheads, one pintail, three scaup (when open), seven mallards (including no more than two hen mallards), and two canvasback.

*Possession Limits:* Twice the daily bag limit.

**Coots**

*Season Dates:* Open October 14, 2017, through January 28, 2018.

*Daily Bag and Possession Limits:* 25 and 50, respectively.

**Canada Geese**

*Season Dates:* Open October 14, 2017, through January 28, 2018.

*Daily Bag and Possession Limits:* Three and six Canada geese, respectively.

*General Conditions:* All nontribal hunters hunting band-tailed pigeons and mourning doves on Reservation lands shall have in their possession a valid White Mountain Apache Daily or Yearly Small Game Permit. In addition to a small game permit, all nontribal hunters hunting band-tailed pigeons must have in their possession a White Mountain Special Band-tailed Pigeon Permit. Other special regulations established by the White Mountain Apache Tribe apply on the reservation. Tribal and nontribal hunters will comply with all basic Federal migratory bird hunting regulations in 50 CFR part 20 regarding shooting hours and manner of taking.

Dated: January 16, 2018.

**Jason Larrabee,**

*Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Exercising the Authority of the Assistant Secretary for Fish and Wildlife and Parks.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 665**

[Docket No. 170915903-8077-02]

RIN 0648-XF706

**Pacific Island Fisheries; 2017 Hawaii Kona Crab Annual Catch Limit and Accountability Measure**

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

**ACTION:** Final specification.

**SUMMARY:** In this final rule, NMFS specifies an annual catch limit (ACL) for 2017 of 3,500 lb for Hawaii Kona crab, and an accountability measure (AM) to correct or mitigate any overages of the catch limit. The ACL and AM support the long-term sustainability of fishery resources of the U.S. Pacific Islands.

**DATES:** The final specification is effective March 7, 2018. The final specification is applicable from January 1, 2017, through December 31, 2017.

**ADDRESSES:** The Fishery Ecosystem Plan for the Hawaiian Archipelago is available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226, or <http://www.wpcouncil.org>. Copies of the environmental analysis and other supporting documents for this action, identified by NOAA-NMFS-2017-0012, are available at <http://www.regulations.gov/>

[#!docketDetail;D=NOAA-NMFS-2017-0012](#), or from Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd. Bldg. 176, Honolulu, HI 96818.

**FOR FURTHER INFORMATION CONTACT:** Sarah Ellgen, NMFS PIR Sustainable Fisheries, 808-725-5173.

**SUPPLEMENTARY INFORMATION:** NMFS is specifying an ACL of 3,500 lb of Hawaii Kona crab for fishing year 2017. NMFS proposed this specification on December 20, 2017 (82 FR 60366), and the final specification does not differ from the proposed. The 2017 fishing year began on January 1 and ended on December 31.

The Council recommended the ACL based on a recommended acceptable biological catch of 3,500 lb from its Scientific and Statistical Committee, and the results of an October 2015 stock assessment. The stock assessment found that the Hawaii Kona crab stock had reached an overfished status (<50 percent of  $B_{MSY}$ , biomass at maximum sustainable yield) in 2006, and was likely still overfished in 2010. The assessment also included biomass projections for 2010-2030 under three commercial landings scenarios: Zero lb, 7,000 lb, and 8,000 lb.

At a constant 7,000-lb annual commercial harvest rate, the assessment estimated that Kona crab biomass would increase above 50 percent of  $B_{MSY}$  by 2030, but due to uncertainty, there was a chance that stock biomass could potentially decline to zero lb by 2020. In developing the ACL, the Council also considered information indicating a 50:50 male to female landings ratio, and

information suggesting that crabs disentangled from Kona crab may have injuries that could result in mortality rates as high as 100 percent if limbs are lost. Therefore, to meet the objective of rebuilding stock biomass to levels >50 percent of  $B_{MSY}$ , and limit total fishing mortality to 7,000 lb, the Council recommended an ACL of 3,500 lb. NMFS is planning to complete a benchmark assessment for Hawaii Kona crab in 2019, which could be available for management use in fishing year 2020.

As an AM, NMFS will apply a 3-year average catch to evaluate fishery performance against the ACL. Specifically, NMFS will use the average catch of fishing years 2015, 2016, and 2017, to evaluate fishery performance against the 2017 ACL. If, after the end of the fishing year, NMFS and the Council determine that the 3-year average catch exceeded the specified ACL, NMFS and the Council will reduce the ACL for that fishery by the amount of the overage in the subsequent year. The Council recommended an AM based on multi-year average catch data to reduce the influence of inter-annual variability in catch estimates in evaluating fishery performance against the ACL.

You may review additional background information on this action in the preamble to the proposed specification (82 FR 60366; December 20, 2017); we do not repeat that information here.

**Comments and Responses**

The comment period for the proposed specification ended on January 4, 2018. NMFS received two public comments that were not relevant to this rulemaking.

**Changes From the Proposed Specification**

There are no changes in the final specification from the proposed specification.

**Classification**

The Regional Administrator, NMFS PIR, determined that this action is necessary for the conservation and management of Pacific Island fisheries, and that it is consistent with the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small

entities. NMFS published the factual basis for certification in the proposed specification, and does not repeat it here. NMFS did not receive comments regarding the certification and has no reason to think that anything has changed to affect it. As a result, a final regulatory flexibility analysis is not required, and one was not prepared.

This action is exempt from review under Executive Order 12866.

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

Dated: January 30, 2018.

**Samuel D. Rauch, III,**

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

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 161020985-7181-02]

RIN 0648-XF979

**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's and the Community Development Quota pollock directed

fishing allowances from the Aleutian Islands subarea to the Bering Sea subarea directed fisheries. These actions are necessary to provide opportunity for harvest of the 2018 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 5, 2018, until the effective date of the final 2018 and 2019 harvest specifications for Bering Sea and Aleutian Islands (BSAI) groundfish, unless otherwise modified or superseded through publication of a notification in the **Federal Register**.

**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 2018 pollock total allowable catch (TAC) allocated to the Aleut Corporation's directed fishing allowance (DFA) is 14,700 metric tons (mt) and the Community Development Quota (CDQ) DFA is 1,900 mt as established by the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826, February 26, 2017), and as adjusted by an inseason

adjustment (82 FR 60329, December 20, 2017).

As of January 17, 2018, the Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that 12,200 mt of Aleut Corporation's DFA and 1,900 mt of pollock CDQ DFA in the Aleutian Islands subarea will not be harvested. Therefore, in accordance with § 679.20(a)(5)(iii)(B)(4), NMFS reallocates 12,200 mt of Aleut Corporation's DFA and 1,900 mt of pollock CDQ DFA from the Aleutian Islands subarea to the 2018 Bering Sea subarea allocations. The 1,900 mt of pollock CDQ DFA is added to the 2018 Bering Sea CDQ DFA. The remaining 12,200 mt of pollock is apportioned to the AFA Inshore sector (50 percent), AFA catcher/processor sector (40 percent), and the AFA mothership sector (10 percent). The 2018 Bering Sea subarea pollock incidental catch allowance remains at 47,888 mt. As a result, the 2018 harvest specifications for pollock in the Aleutian Islands subarea included in the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826, February 26, 2017) are revised as follows: 2,500 mt to Aleut Corporation's DFA and 0 mt to CDQ DFA. Furthermore, pursuant to § 679.20(a)(5), Table 5 of the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826, February 26, 2017), as adjusted by the inseason adjustment (82 FR 60329, December 20, 2017), is revised to make 2018 pollock allocations consistent with this reallocation. This reallocation results in adjustments to the 2018 Aleut Corporation and CDQ pollock allocations established at § 679.20(a)(5).

**TABLE 5—FINAL 2018 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA) <sup>1</sup>**

[Amounts are in metric tons]

Area and sector	2018 Allocations	2018 A season <sup>1</sup>		2018 B season <sup>1</sup>
		A season DFA	SCA harvest limit <sup>2</sup>	B season DFA
Bering Sea subarea TAC <sup>1</sup> .....	1,378,441	n/a	n/a	n/a
CDQ DFA .....	138,334	62,250	38,734	76,084
ICA <sup>1</sup> .....	47,888	n/a	n/a	n/a
Total Bering Sea non-CDQ DFA .....	1,192,219	536,499	333,821	655,720
AFA Inshore .....	596,109	268,249	166,911	327,860
AFA Catcher/Processors <sup>3</sup> .....	476,888	214,599	133,529	262,288
Catch by C/Ps .....	436,352	196,358	n/a	239,994
Catch by CVs <sup>3</sup> .....	40,535	18,241	n/a	22,294
Unlisted C/P Limit <sup>4</sup> .....	2,384	1,073	n/a	1,311
AFA Motherships .....	119,222	53,650	33,382	65,572
Excessive Harvesting Limit <sup>5</sup> .....	208,638	n/a	n/a	n/a
Excessive Processing Limit <sup>6</sup> .....	357,666	n/a	n/a	n/a
Aleutian Islands subarea ABC .....	40,788	n/a	n/a	n/a
Aleutian Islands subarea TAC <sup>1</sup> .....	4,900	n/a	n/a	n/a
CDQ DFA .....	0	0	n/a	0