

(B) Which mitigation and/or monitoring measures may need to be improved to reduce interactions with ringed seals;

(C) The effectiveness and practicality of implementing mitigation and monitoring measures;

(D) Any issues or concerns regarding implementation of mitigation and/or monitoring measures; and

(E) Potential effects of interactions based on observation data;

(v) Proposed updates (if any) to Wildlife Interaction Plan(s) or Mitigation and Monitoring Measures; and

(vi) The methods used for detection of seals and seal structures with an assessment of their effectiveness.

(2) In the event a seal is killed or seriously injured by ice road/trail activities, Hilcorp or Eni must immediately cease the specified activities and report the incident to the NMFS Office of Protected Resources (301–427–8401) and Alaska Region Stranding Coordinator (877–925–7773). The report must include the following information:

(i) Time and date of the incident;

(ii) Description of the incident;

(iii) Environmental conditions (*e.g.*, cloud over, and visibility);

(iv) Description of all marine mammal observations in the 24 hours preceding the incident;

(v) Species identification or description of the animal(s) involved;

(vi) Fate of the animal(s); and

(vii) Photographs or video footage of the animal(s).

(3) In the event ice road/trail personnel discover a dead or injured seal but the cause of injury or death is unknown or believed not to be related to ice road/trail activities, Hilcorp or Eni must report the incident to the NMFS Office of Protected Resources (301–427–8401) and Alaska Region Stranding Coordinator (877–925–7773) within 48 hours of discovery.

#### **§ 217.156 Letters of Authorization.**

(a) To incidentally take marine mammals pursuant to these regulations, Hilcorp and Eni must apply for and obtain an LOA.

(b) An LOA, unless suspended or revoked, may be effective for a period of time not to exceed the expiration date of these regulations.

(c) If an LOA expires prior to the expiration date of these regulations, Hilcorp or Eni may apply for and obtain a renewal of the LOA.

(d) In the event of projected changes to the activity or to mitigation and monitoring measures required by an LOA, Hilcorp and Eni must apply for

and obtain a modification of the LOA as described in § 217.57.

(e) The LOAs shall set forth:

(1) Permissible methods of incidental taking;

(2) Means of effecting the least practicable adverse impact (*i.e.*, mitigation) on the species, its habitat, and on the availability of the species for subsistence uses; and

(3) Requirements for monitoring and reporting.

(f) Issuance of the LOAs shall be based on a determination that the level of taking will be consistent with the findings made for the total taking allowable under these regulations.

(g) Notice of issuance or denial of an LOA shall be published in the **Federal Register** within 30 days of a determination.

#### **§ 217.157 Renewals and modifications of Letters of Authorization.**

(a) An LOA issued under §§ 216.106 of this chapter and 217.156 for the activity identified in § 217.150(a) shall be renewed or modified upon request by the applicant, provided that:

(1) The proposed specified activity and mitigation, monitoring, and reporting measures, as well as the anticipated impacts, are the same as those described and analyzed for these regulations (excluding changes made pursuant to the adaptive management provision in paragraph (c)(1) of this section); and

(2) NMFS determines that the mitigation, monitoring, and reporting measures required by the previous LOAs under these regulations were implemented.

(b) For LOAs modification or renewal requests by the applicants that include changes to the activity or the mitigation, monitoring, or reporting (excluding changes made pursuant to the adaptive management provision in paragraph (c)(1) of this section) that do not change the findings made for the regulations or result in no more than a minor change in the total estimated number of takes (or distribution by species or years), NMFS may publish a notice of proposed LOAs in the **Federal Register**, including the associated analysis of the change, and solicit public comment before issuing the LOA.

(c) The LOAs issued under §§ 216.106 of this chapter and 217.156 for the activity identified in § 217.150(a) may be modified by NMFS under the following circumstances:

(1) *Adaptive management.* NMFS may modify (including augment) the existing mitigation, monitoring, or reporting measures (after consulting with Hilcorp or Eni regarding the practicability of the

modifications) if doing so creates a reasonable likelihood of more effectively accomplishing the goals of the mitigation and monitoring set forth in the preamble for these regulations.

(i) Possible sources of data that could contribute to the decision to modify the mitigation, monitoring, or reporting measures in an LOA:

(A) Results from Hilcorp or Eni's monitoring from the previous year(s).

(B) Results from other marine mammal and/or sound research or studies.

(C) Any information that reveals marine mammals may have been taken in a manner, extent or number not authorized by these regulations or subsequent LOAs.

(ii) If, through adaptive management, the modifications to the mitigation, monitoring, or reporting measures are substantial, NMFS will publish a notice of proposed LOA in the **Federal Register** and solicit public comment.

(2) *Emergencies.* If NMFS determines that an emergency exists that poses a significant risk to the well-being of the species or stocks of marine mammals specified in LOAs issued pursuant to §§ 216.106 of this chapter and 217.156, an LOA may be modified without prior notice or opportunity for public comment. Notice would be published in the **Federal Register** within 30 days of the action.

#### **§§ 217.158–217.159 [Reserved]**

[FR Doc. 2020–26346 Filed 12–21–20; 8:45 am]

BILLING CODE 3510–22–P

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 679**

[Docket No. 200227–0066]

RTID 0648–XA727

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2021 Bering Sea and Aleutian Islands Pollock, Atka Mackerel, and Pacific Cod Total Allowable Catch Amounts**

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

**ACTION:** Temporary rule; inseason adjustment; request for comments.

**SUMMARY:** NMFS is adjusting the 2021 total allowable catch (TAC) amounts for the Bering Sea and Aleutian Islands

(BSAI) pollock, Atka mackerel, and Pacific cod fisheries. This action is necessary because NMFS has determined these TACs are incorrectly specified, and will ensure the BSAI pollock, Atka mackerel, and Pacific cod TACs are the appropriate amounts based on the best available scientific information. This action is consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area.

**DATES:** Effective 0001 hours, Alaska local time (A.l.t.), January 1, 2021, until the effective date of the final 2021 and 2022 harvest specifications for BSAI groundfish, unless otherwise modified or superseded through publication of a notification in the **Federal Register**.

Comments must be received at the following address no later than 4:30 p.m., A.l.t., January 6, 2021.

**ADDRESSES:** Submit your comments, identified by NOAA–NMFS–2019–0074, by either of the following methods:

- **Federal e-Rulemaking Portal:** Go to [www.regulations.gov/](http://www.regulations.gov/) #!docketDetail;D=NOAA-NMFS-2019-0074, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Records. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

**Instructions:** NMFS may not consider comments if they are sent by any other method, to any other address or individual, or received after the comment period ends. All comments received are a part of the public record, and NMFS will post the comments for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:**

Mary Furuness, 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.

The final 2020 and 2021 harvest specifications for groundfish in the BSAI (85 FR 13553, March 9, 2020) set the 2021 Aleutian Islands (AI) pollock TAC at 19,000 metric tons (mt), the 2021 Bering Sea (BS) pollock TAC at 1,450,000 mt, the 2021 BSAI Atka mackerel TAC at 54,482 mt, the 2021 BS Pacific cod TAC at 92,633 mt, and the 2021 AI Pacific cod TAC at 13,796 mt. In December 2020, the Council recommended a 2021 BS pollock TAC of 1,375,000 mt, which is less than the 1,450,000 mt TAC established by the final 2020 and 2021 harvest specifications for groundfish in the BSAI. The Council also recommended a 2021 BSAI Atka mackerel TAC of 62,257 mt, which is more than the 54,482 mt TAC established by the final 2020 and 2021 harvest specifications for groundfish in the BSAI. Furthermore, the Council recommended a 2021 BS Pacific cod TAC of 111,380 mt, and an AI Pacific cod TAC of 13,796 mt, which is more than the BS Pacific cod TAC of 92,633 mt, and the same as the AI Pacific cod TAC of 13,796 mt established by the final 2020 and 2021 harvest specifications for groundfish in the BSAI. The Council’s recommended 2021 TACs, and the area and seasonal apportionments, are based on the Stock Assessment and Fishery Evaluation report (SAFE), dated November 2020, which NMFS has determined is the best available scientific information for these fisheries.

Steller sea lions occur in the same location as the pollock, Atka mackerel, and Pacific cod fisheries and are listed as endangered under the Endangered Species Act (ESA). Pollock, Atka mackerel, and Pacific cod are a principal prey species for Steller sea lions in the BSAI. The seasonal apportionment of pollock, Atka mackerel, and Pacific cod harvest is necessary to ensure the groundfish fisheries are not likely to cause jeopardy of extinction or adverse modification of critical habitat for Steller sea lions. NMFS published regulations and the revised harvest limit amounts for pollock, Atka mackerel, and Pacific cod fisheries to implement Steller sea lion protection measures to insure that groundfish fisheries of the BSAI are not likely to jeopardize the continued existence of the western distinct population segment of Steller sea lions or destroy or adversely modify their designated critical habitat (79 FR 70286, November 25, 2014).

In accordance with § 679.25(a)(1)(iii), (a)(2)(i)(B), and (a)(2)(iv), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that, based on the November 2020 SAFE report for this fishery, the current BSAI pollock, Atka mackerel, and Pacific cod TACs are incorrectly specified. Pursuant to § 679.25(a)(1)(iii), the Regional Administrator is adjusting the 2021 BS pollock TAC to 1,375,000 mt, the 2021 BSAI Atka mackerel TAC to 62,257 mt, and the 2021 BS Pacific cod TAC to 111,380 mt. Therefore, Table 2 of the final 2020 and 2021 harvest specifications for groundfish in the BSAI (85 FR 13553, March 9, 2020) is revised consistent with this adjustment.

Pursuant to § 679.20(a)(5)(i) and (iii), Table 5 of the final 2020 and 2021 harvest specifications for groundfish in the BSAI (85 FR 13553, March 9, 2020) is revised for the 2021 BS and AI allocations of pollock TAC to the directed pollock fisheries and to the Community Development Quota (CDQ) directed fishing allowances consistent with this adjustment.

**TABLE 5—FINAL 2021 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	2021 Allocations	2021 A season <sup>1</sup>		2021 B season <sup>1</sup>
		A season DFA	SCA harvest limit <sup>2</sup>	B season DFA
Bering Sea subarea TAC <sup>1</sup> .....	1,375,000	n/a	n/a	n/a
CDQ DFA .....	137,500	61,875	38,500	75,625
ICA <sup>1</sup> .....	49,500	n/a	n/a	n/a
Total Bering Sea non-CDQ DFA .....	1,188,000	534,600	332,640	653,400

TABLE 5—FINAL 2021 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA) <sup>1</sup>—Continued

[Amounts are in metric tons]

Area and sector	2021 Allocations	2021 A season <sup>1</sup>		2021 B season <sup>1</sup>
		A season DFA	SCA harvest limit <sup>2</sup>	B season DFA
AFA Inshore .....	594,000	267,300	166,320	326,700
AFA Catcher/Processors <sup>3</sup> .....	475,200	213,840	133,056	261,360
Catch by CPs .....	434,808	195,664	n/a	239,144
Catch by CVs <sup>3</sup> .....	40,392	18,176	n/a	22,216
Unlisted CP Limit <sup>4</sup> .....	2,376	1,069	n/a	1,307
AFA Motherships .....	118,800	53,460	33,264	65,340
Excessive Harvesting Limit <sup>5</sup> .....	207,900	n/a	n/a	n/a
Excessive Processing Limit <sup>6</sup> .....	356,400	n/a	n/a	n/a
Aleutian Islands subarea ABC .....	58,384	n/a	n/a	n/a
Aleutian Islands subarea TAC <sup>1</sup> .....	19,000	n/a	n/a	n/a
CDQ DFA .....	1,900	1,900	n/a	.....
ICA .....	2,400	1,200	n/a	1,200
Aleut Corporation .....	14,700	14,700	n/a	.....
Area harvest limit <sup>7</sup> .....	n/a	n/a	n/a	n/a
541 .....	17,515	n/a	n/a	n/a
542 .....	8,758	n/a	n/a	n/a
543 .....	2,919	n/a	n/a	n/a
Bogoslof District ICA <sup>8</sup> .....	250	n/a	n/a	n/a

<sup>1</sup> Pursuant to § 679.20(a)(5)(i)(A), the Bering Sea subarea pollock TAC, after subtracting the CDQ DFA (10 percent) and the ICA (4 percent), is allocated as a DFA as follows: Inshore sector—50 percent, catcher/processor sector (CP)—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) through (iii), the annual Aleutian Islands subarea pollock TAC, after subtracting first for the CDQ DFA (10 percent) and second for 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 up to 40 percent of the Aleutian Islands pollock ABC.

<sup>2</sup> 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 noon, April 1.

<sup>3</sup> Pursuant to § 679.20(a)(5)(i)(A)(4), 8.5 percent of the DFA allocated to listed CPs shall be available for harvest only by eligible catcher vessels with a CP endorsement delivering to listed CPs, unless there is a CP sector cooperative for the year.

<sup>4</sup> 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/processor sector's allocation of pollock.

<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> 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.

<sup>8</sup> Pursuant to § 679.22(a)(7)(B), the Bogoslof District is closed to directed fishing for pollock. The amounts specified are for incidental catch only and are not apportioned by season or sector.

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

Pursuant to § 679.20(a)(8), Table 7 of the final 2020 and 2021 harvest specifications for groundfish in the BSAI (85 FR 13553, March 9, 2020) is

revised for the 2021 seasonal and spatial allowances, gear shares, CDQ reserve, incidental catch allowance, jig, BSAI trawl limited access, and Amendment

80 allocations of the BSAI Atka mackerel TAC consistent with this adjustment.

TABLE 7—FINAL 2021 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC

[Amounts are in metric tons]

Sector <sup>1</sup>	Season <sup>2 3 4</sup>	2021 Allocation by area		
		Eastern aleutian district/ Bering Sea	Central aleutian district <sup>5</sup>	Western aleutian district
TAC .....	n/a .....	25,760	15,450	21,047
CDQ reserve .....	Total .....	2,756	1,653	2,252
	A .....	1,378	827	1,126
	Critical Habitat .....	n/a	496	676
	B .....	1,378	827	1,126
	Critical Habitat .....	n/a	496	676
Non-CDQ TAC .....	n/a .....	23,004	13,797	18,795
ICA .....	Total .....	800	75	20
Jig <sup>6</sup> .....	Total .....	111	.....	.....
BSAI trawl limited access .....	Total .....	2,209	1,372	.....

TABLE 7—FINAL 2021 SEASONAL AND SPATIAL ALLOWANCES, GEAR SHARES, CDQ RESERVE, INCIDENTAL CATCH ALLOWANCE, AND AMENDMENT 80 ALLOCATIONS OF THE BSAI ATKA MACKEREL TAC—Continued

[Amounts are in metric tons]

Sector <sup>1</sup>	Season <sup>2 3 4</sup>	2021 Allocation by area		
		Eastern aleutian district/ Bering Sea	Central aleutian district <sup>5</sup>	Western aleutian district
Amendment 80 sector .....	A .....	1,105	686	.....
	Critical Habitat .....	n/a	412	.....
	B .....	1,105	686	.....
	Critical Habitat .....	n/a	412	.....
	Total .....	19,883	12,350	18,775
	A .....	9,942	6,175	9,387
	Critical Habitat .....	n/a	3,705	5,632
	B .....	9,942	6,175	9,387
	Critical Habitat .....	n/a	3,705	5,632
	.....	.....	.....	.....

<sup>1</sup> Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, jig gear allocation, and ICAs, to the Amendment 80 and BSAI trawl limited access sectors. The allocation of the ITAC for Atka mackerel to the Amendment 80 and BSAI trawl limited access sectors is established in Table 33 to 50 CFR part 679 and § 679.91. The CDQ reserve is 10.7 percent of the TAC for use by CDQ participants (see §§ 679.20(b)(1)(iii)(C) and 679.31).

<sup>2</sup> Sections 679.20(a)(8)(ii)(A) and 679.22(a) establish temporal and spatial limitations for the Atka mackerel fishery.

<sup>3</sup> The seasonal allowances of Atka mackerel are 50 percent in the A season and 50 percent in the B season.

<sup>4</sup> Section 679.23(e)(3) authorizes directed fishing for Atka mackerel with trawl gear during the A season from January 20 to June 10 and the B season from June 10 to December 31.

<sup>5</sup> Section 679.20(a)(8)(ii)(C)(1)(i) limits no more than 60 percent of the annual TACs in Areas 542 and 543 to be caught inside of Steller sea lion critical habitat; section 679.20(a)(8)(ii)(C)(1)(ii) equally divides the annual TACs between the A and B seasons as defined at § 679.23(e)(3); and section 679.20(a)(8)(ii)(C)(2) requires that the TAC in Area 543 shall be no more than 65 percent of ABC in Area 543.

<sup>6</sup> Sections 679.2 and 679.20(a)(8)(i) require that up to 2 percent of the Eastern Aleutian District and the Bering Sea subarea TAC be allocated to jig gear after subtracting the CDQ reserve and the ICA. NMFS sets the amount of this allocation for 2021 at 0.5 percent. The jig gear allocation is not apportioned by season.

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

Pursuant to § 679.20(a)(7), Table 9 of the final 2020 and 2021 harvest specifications for groundfish in the

BSAI (85 FR 13553, March 9, 2020) is revised for the 2021 gear shares and seasonal allowances of the BSAI Pacific

cod TAC consistent with this adjustment.

TABLE 9—FINAL 2021 SECTOR ALLOCATIONS AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC

[Amounts are in metric tons]

Sector	Percent	2021 Share of total	2021 Share of sector total	2021 Seasonal apportionment	
				Season	Amount
BS TAC .....	n/a	111,380	n/a	n/a .....	n/a
BS CDQ .....	n/a	11,918	n/a	see § 679.20(a)(7)(i)(B) .....	n/a
BS non-CDQ TAC .....	n/a	99,462	n/a	n/a .....	n/a
AI TAC .....	n/a	13,796	n/a	n/a .....	n/a
AI CDQ .....	n/a	1,476	n/a	see § 679.20(a)(7)(i)(B) .....	n/a
AI non-CDQ TAC .....	n/a	12,320	n/a	n/a .....	n/a
Western Aleutian Island Limit .....	n/a	2,166	n/a	n/a .....	n/a
Total BSAI non-CDQ TAC <sup>1</sup> .....	100	111,782	n/a	n/a .....	n/a
Total hook-and-line/pot gear .....	60.8	67,964	n/a	n/a .....	n/a
Hook-and-line/pot ICA <sup>2</sup> .....	n/a	400	n/a	see § 679.20(a)(7)(ii)(B) .....	n/a
Hook-and-line/pot sub-total .....	n/a	67,564	n/a	n/a .....	n/a
Hook-and-line catcher/processor .....	48.7	n/a	54,118	Jan 1–Jun 10 .....	27,600
				Jun 10–Dec 31 .....	26,518
Hook-and-line catcher vessel ≥60 ft LOA .....	0.2	n/a	222	Jan 1–Jun 10 .....	113
				Jun 10–Dec 31 .....	109
Pot catcher/processor .....	1.5	n/a	1,667	Jan 1–Jun 10 .....	850
				Sept 1–Dec 31 .....	817
Pot catcher vessel ≥60 ft LOA .....	8.4	n/a	9,334	Jan 1–Jun 10 .....	4,761
				Sept 1–Dec 31 .....	4,574
Catcher vessel <60 ft LOA using hook-and-line or pot gear .....	2.0	n/a	2,222	n/a .....	n/a
Trawl catcher vessel .....	22.1	24,704	n/a	Jan 20–Apr 1 .....	18,281
				Apr 1–Jun 10 .....	2,717
				Jun 10–Nov 1 .....	3,706
AFA trawl catcher/processor .....	2.3	2,571	n/a	Jan 20–Apr 1 .....	1,928
				Apr 1–Jun 10 .....	643
				Jun 10–Nov 1 .....	.....
Amendment 80 .....	13.4	14,979	n/a	Jan 20–Apr 1 .....	11,234
				Apr 1–Jun 10 .....	3,745
				Jun 10–Dec 31 .....	.....
Jig .....	1.4	1,565	n/a	Jan 1–Apr 30 .....	939
				Apr 30–Aug 31 .....	313

TABLE 9—FINAL 2021 SECTOR ALLOCATIONS AND SEASONAL ALLOWANCES OF THE BSAI PACIFIC COD TAC—Continued  
[Amounts are in metric tons]

Sector	Percent	2021 Share of total	2021 Share of sector total	2021 Seasonal apportionment	
				Season	Amount
				Aug 31–Dec 31 .....	313

<sup>1</sup> The sector allocations and seasonal allowances for BSAI Pacific cod TAC are based on the sum of the BS and AI Pacific cod TACs, after the subtraction of the reserves for the CDQ Program. If the TAC for Pacific cod in either the AI or BS is or will be reached, then directed fishing for Pacific cod in that subarea will be prohibited, even if a BSAI allowance remains (§ 679.20(d)(1)(iii)).

<sup>2</sup> The ICA for the hook-and-line and pot sectors will be deducted from the aggregate portion of Pacific cod TAC allocated to the hook-and-line and pot sectors. The Regional Administrator approves an ICA of 400 mt for 2021 based on anticipated incidental catch in these fisheries.

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

### Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, which was issued pursuant to section 304(b), 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 would be 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 allow for harvests that exceed the appropriate allocations for pollock, Atka mackerel, and Pacific cod in the BSAI based on the best scientific information available. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of December 12, 2020.

Without this inseason adjustment, NMFS could not allow the fishery for pollock, Atka mackerel, and Pacific cod in the BSAI to be harvested in an

expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until January 6, 2021.

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

Dated: December 17, 2020.

**Jennifer M. Wallace,**

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

[FR Doc. 2020–28190 Filed 12–21–20; 8:45 am]

**BILLING CODE 3510–22–P**