



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 260305-0066; RTID 0648-XG001]

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel in the Bering Sea and Aleutian Islands Management Area

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 the 2026 Atka mackerel incidental catch allowance (ICA) for the Bering Sea subarea and Eastern Aleutian district (BS/EAI) to the Amendment 80 cooperative allocation for the BS/EAI in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the 2026 total allowable catch (TAC) of Atka mackerel in the BS/EAI to be fully harvested.

DATES: Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] through 2400 hours, A.l.t., December 31, 2026.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared and recommended by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens 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 2026 Atka mackerel ICA for the BSAI trawl limited access sector and the non-trawl gear sector for the BS/EAI is 800 metric tons (mt) and the 2026 Atka mackerel TAC allocated to the Amendment 80 sector for the BS/EAI is 32,819 mt as established by the final 2026 and 2027 harvest specifications for groundfish in the BSAI (91 FR 11750, March 10, 2026). For 2026, all Amendment 80 vessels are part of the sole Amendment 80 cooperative, so the TAC allocated to the Amendment 80 sector is allocated entirely to the sole Amendment 80 cooperative and no TAC is assigned to the Amendment 80 limited access fishery.

The Regional Administrator, Alaska Region, NMFS has determined that 700 mt of the Atka mackerel ICA for the BS/EAI will not be harvested. Therefore, in accordance with § 679.91(f), NMFS reallocates 700 mt of Atka mackerel from the BS/EAI ICA to the BS/EAI Amendment 80 cooperative allocation in the BS/EAI. In accordance with § 679.91(f), NMFS will reissue the cooperative quota permit for the reallocated Atka mackerel following the procedures set forth in § 679.91(f)(3).

The harvest specifications for Atka mackerel included in the final 2026 and 2027 harvest specifications for groundfish in the BSAI (91 FR 11750, March 10, 2026) are revised as follows: 100 mt of Atka mackerel for the BS/EAI ICA and 33,519 mt of Atka mackerel for the Amendment 80 cooperative allocation for the BS/EAI. Table 7 is revised and republished in its entirety as follows:

Table 7 -- Final 2026 Seasonal and Area Allowances, CDQ Reserve, Incidental Catch Allowances, Gear Shares, and BSAI Trawl Limited Access Sector and Amendment 80 Sector Allocations of the BSAI Atka Mackerel TAC (values are rounded to the nearest metric ton)

Sector ¹	Season ^{2 3 4}	Eastern Aleutian District/Bering Sea	Central Aleutian District ⁵	Western Aleutian District ⁵
TAC	Total	41,731	23,716	17,494
CDQ reserve	Total	4,465	2,538	1,872
	A	2,233	1,269	936
	Critical Habitat	n/a	761	562
	B	2,233	1,269	936
	Critical Habitat	n/a	761	562
non-CDQ TAC	Total	37,266	21,178	15,622
ICA	Total	100	100	20
Jig ⁶	Total	0	n/a	n/a
BSAI trawl limited access	Total	3,647	2,108	n/a
	A	1,823	1,054	n/a
	Critical Habitat	n/a	632	n/a
	B	1,823	1,054	n/a
	Critical Habitat	n/a	632	n/a
Amendment 80	Total	33,519	18,970	15,602
	A	16,760	9,485	7,801
	Critical Habitat	n/a	5,691	4,681
	B	16,760	9,485	7,801
	Critical Habitat	n/a	5,691	4,681

Note: Seasonal or sector apportionments may not total precisely due to rounding. The 2026 harvest specifications for Atka mackerel are effective from 1200 hours, A.l.t., March 18, 2026, through 2400 hours, A.l.t., December 31, 2026.

¹ Section 679.20(a)(8)(ii) allocates the Atka mackerel TACs, after subtracting the CDQ reserves, ICAs, and the jig gear allocation, 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 (§ 679.20(b)(1)(ii)(C)).

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

³ The seasonal allowances of Atka mackerel for the CDQ reserve, BSAI trawl limited access sector, and Amendment 80 sector are 50 percent in the A season and 50 percent in the B season.

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

⁵ Section 679.20(a)(8)(ii)(C)(I)(i) limits Atka mackerel catch within waters 0 nautical miles (nmi) to 20 nmi of Steller sea lion sites listed in table 6 to 50 CFR part 679 and located west of 178° W longitude to no more than 60 percent of the annual TACs in Areas 542 and 543; § 679.20(a)(8)(ii)(C)(I)(ii) equally divides the Atka mackerel catch between the A and B seasons as defined at § 679.23(e)(3); and § 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.

⁶ Section 679.20(a)(8)(i) requires that up to 2 percent of the EAI District and BS subarea TAC be allocated to jig gear after subtraction of the CDQ reserve and ICA. The jig gear allocation is not apportioned by season. NMFS sets the amount of this allocation for 2026 at 0 percent.

The Regional Administrator considered the following factors in reaching this decision: (1) the current catch of the Atka mackerel ICA in the BS/EAI, and (2) the harvest capacity and stated intent on future harvesting patterns of the Amendment 80 cooperative that participates in this BS/EAI fishery.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is authorized by 50 CFR part 679, 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 would be impracticable and contrary to the public interest, as it would prevent NMFS from responding to the most recent fisheries data on Atka mackerel catch in the BS/EAI in a timely fashion and would not allow for the full harvest of the Atka mackerel TAC in the BS/EAI fishery by the sector with harvesting capacity. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data on the catch of Atka mackerel in the BS/EAI only became available as of October 12, 2026.

There is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in the effective date of this action. This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

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

Dated: October 14, 2026.

Shannon Bettridge,

Acting Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.

[FR Doc. 2026-21239 Filed: 10/15/2026 8:45 am; Publication Date: 10/16/2026]