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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[RTID 0648-XF466; Docket No. 260319-0085]

Pacific Halibut Fisheries of the West Coast; Annual Management Measures for the 2026 Area 2A Pacific Halibut Directed Commercial Fishery

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS is proposing annual management measures for the 2026 non-Tribal directed commercial Pacific halibut fishery that operates south of Point Chehalis, WA, (lat. 46°53.30′ N) in the International Pacific Halibut Commission's (IPHC) Regulatory Area 2A off Washington, Oregon, and California. Annual management measures include fishing periods and fishing period limits. This action is intended to conserve Pacific halibut and provide fishing opportunity where available.

DATES: Comments must be received by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: A plain language summary of this proposed rule is available at *https://www.regulations.gov/docket/NOAA-NMFS-2026-0100*. You may submit comments on this document, identified by NOAA-NMFS-2026-0100, by any of the following methods:

- *Electronic Submission*: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov* and type NOAA-NMFS-2026-0100 in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method or received after the end of the comment period may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *https://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).

Docket: This proposed rule is accessible at the Office of the Federal Register website at *https://www.federalregister.gov*. Background information and documents are available at the NMFS West Coast Region Pacific Halibut Directed Commercial Fishery website at *https://www.fisheries.noaa.gov/action/2025-pacific-halibut-directed-commercial-fishery* and at the Council's website at *https://www.pcouncil.org*. Other comments received may be accessed through *https://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Melissa Mandrup, West Coast Region, NMFS, (562) 980-3231, *melissa.mandrup@noaa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The Northern Pacific Halibut Act of 1982 (16 U.S.C. 773–773k; Halibut Act) gives the Secretary of Commerce the responsibility of implementing the provisions of the Convention between Canada and the United States for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea (Convention), signed at Ottawa, Ontario, on March 2, 1953, as amended by a Protocol Amending the Convention (March 29, 1979).

As provided in the Halibut Act at 16 U.S.C. 773b, the Secretary of State, with the concurrence of the Secretary of Commerce, may accept or reject, on behalf of the United

States, regulations recommended by the IPHC in accordance with the Convention. Following acceptance by the Secretary of State, the annual management measures recommended by the IPHC are published in the **Federal Register** through a NMFS rulemaking to provide notice of their immediate regulatory effectiveness and to inform persons subject to the regulations of their restrictions and requirements (50 CFR 300.62).

The Halibut Act also provides that Regional Fishery Management Councils may develop and recommend, and the Secretary of Commerce may implement, regulations governing Pacific halibut fishing in U.S. waters that are in addition to, and not in conflict with, approved IPHC regulations (16 U.S.C. 773c(c)). The Pacific Fishery Management Council (Council) developed a catch sharing plan (CSP) guiding the allocation of halibut across the various sectors for the IPHC's Regulatory Area 2A. The CSP is available on the Council's website at *https://www.pcouncil.org/managed_fishery/pacific-halibut/*.

Fishery Allocation

At its annual meeting held January 19–22, 2026, the IPHC adopted catch limits for 2026, including the Regulatory Area 2A catch limit, called a fishery constant exploitation yield (FCEY), of 1.54 million pounds (lb; 698.5 metric tons (mt)), net weight (*i.e.*, the weight of Pacific halibut that is without gills and entrails, head-off, washed, and without ice and slime). Upon acceptance by the Secretary of State, with concurrence from the Secretary of Commerce, the fishery allocations adopted by the IPHC will be published in the **Federal Register**, in accordance with 50 CFR 300.62. The Regulatory Area 2A FCEY was derived from the 2026 total constant exploitation yield of 1.65 million lb (748 mt), net weight, for Regulatory Area 2A, which includes commercial discards and bycatch projections calculated using a formula developed by the IPHC. Based on this FCEY for Regulatory Area 2A and the allocation framework in the Council's CSP, the non-Tribal directed commercial fishing allocation would be 261,211 lb (118.5 mt) net weight for the 2026 fishing season, which constitutes an increase of 1,696 lb (0.77 mt) from 2025.

Fishing Periods

Fishing periods, often referred to as fishery openers, are the time during the IPHC's annual commercial halibut season when non-Tribal directed commercial Pacific fishing for halibut in Regulatory Area 2A is allowed. At a December 2025 Council meeting, the Council recommended that NMFS establish a season structure similar to the previous year. Specifically, the Council recommended that the Regulatory Area 2A directed commercial fishery operate as a series of 3-day (58-hour) openings, with the first fishing period beginning at 8 a.m. (0800) Pacific Daylight Time (PDT) on the fourth Tuesday in June and ending at 6 p.m. (1800) PDT on Thursday of that week, and the second fishing period occurring 2 weeks later. The Council also recommended that, if there is a third fishing period, it be 2, or no more than 3 weeks after the second fishing period and that any subsequent fishing periods would occur as soon as possible. In addition, the Council requested that all potential season opening dates be specified at the outset of the fishing season.

Based on the Council's recommendations, NMFS is proposing that the first 2026 directed commercial fishery fishing period begin on June 23, 2026, at 8 a.m. PDT and close on June 25, 2026, at 6 p.m. PDT. The second fishing period would occur 2 weeks later, beginning on July 7, 2026, at 8 a.m. PDT and closing on July 9, 2026, at 6 p.m. PDT. If another fishing period is necessary to attain the allocation, NMFS is proposing to open, by inseason action, a third fishing period occurring 2 weeks after the second fishing period, beginning on July 23, 2026, at 8 a.m. PDT and closing on July 25, 2025, at 6 p.m. PDT. If subsequent fishing periods are necessary to reach the allocation, they would follow the same pattern, occurring 2 weeks after the previous fishing period, beginning on August 7, August 14, and so forth, as announced by inseason action. If for any reason a fishing period is not opened as scheduled, NMFS would skip that fishing period in order to follow the prescribed schedule.

After each fishing period, NMFS will assess the fishery harvest to that point and determine if the fishery has attained the allocation. If harvest estimates indicate the allocation has not been reached, NMFS may determine that subsequent fishing period(s) are necessary to attain the allocation and add such fishing period(s) through inseason action, consistent with 50 CFR 300.63.

Fishing Period Limits

A fishing period limit, also called a vessel catch limit, is the maximum amount of Pacific halibut that may be retained and landed by a vessel during one fishing period. Each vessel may retain no more than the applicable fishing period limit of Pacific halibut for its vessel size class, which is determined by vessel length. Fishing period limits are based on the directed fishery allocation, the number of permit applications received by vessel size class, and participation and catch rates from prior years, in accordance with 50 CFR 300.63(e)(1)(ii). Fishing period limits vary based on vessel size class (A–H).

The deadline to apply for this year’s Regulatory Area 2A non-Tribal directed commercial fishery permit was March 15, 2026. NMFS does not yet have final permit application information for this year. However, since 2021, there have been an average of 180 permits issued per year for the directed commercial fishery across 8 vessel size classes (A–H) with an average of 38 percent (68 vessels) of permitted vessels participating in the fishery. NMFS currently anticipates a similar number of permit applications and a similar proportion of vessels participating in the 2026 fishery. Therefore, NMFS is proposing that fishing period limits be grouped by vessel size class as was done in previous years.

Based on the Regulatory Area 2A FCEY adopted by the IPHC, the directed commercial fishery allocation for 2026 would be similar to the allocations adopted for the previous 5 years. Over this same timeframe, average catch per vessel and participation levels in the fishery have fluctuated for different reasons (*e.g.*, varying markets and ocean conditions). For example, the average catch per vessel in 2025 was higher than in 2021 and 2022 when there were similar fishing period limits; however, the participation level in 2025 was the lowest the fishery experienced in recent years. Despite this variability, NMFS proposes to maintain the 2025 fishing period limits for 2026 to provide stability for the fishery. Table 1 shows the proposed vessel limits for the first two fishing periods for the 2026 fishing season in accordance with 50 CFR 300.63(e)(1)(ii). These fishing period catch limits are intended to ensure that the Regulatory Area 2A non-Tribal directed commercial fishery can fully obtain, but not exceed, its annual allocation, while also providing fair and equitable access to an attainable amount of harvest.

Table 1 – Proposed Fishing Period Limits for the Initial Fishing Period Periods in 2026 of the Regulatory Area 2A Pacific Halibut Non-Tribal Directed Commercial Fishery

Vessel class	Length range in feet (meters)	Fishing period limit in lb (mt)
A – C	1 – 35 (0.3 – 10.9)	2,000 (0.907)
D – E	36 – 45 (11.0 – 13.9)	3,400 (1.542)
F – G	46 – 55 (14.0 – 16.9)	4,300 (1.950)
H	56+ (17.0+)	5,000 (2.268)

Notes: Fishing period limits are in dressed weight (head-on, with ice and slime). If a vessel's size is between lengths, its length will be rounded up for the purpose of fishing period limits. Fishing period limits adopted in the final rule will be based on the number of permit applications received for 2026. Over the past 5 years, there have been fewer than 200 permit applications received per year.

If NMFS determines that more than two fishing periods are warranted, NMFS will set the fishing period limits for subsequent fishing periods equal across all vessel classes through inseason action. Fishing period limits for the second fishing period may also be adjusted through inseason action if necessary to avoid exceeding the allocation.

Fishing period limits may be adjusted inseason consistent with 50 CFR 300.63.

Classification

Regulations governing the U.S. fisheries for Pacific halibut are developed by the IPHC, the Council, the North Pacific Fishery Management Council, and the Secretary of Commerce. Section 5 of the Halibut Act (16 U.S.C. 773c) allows the Regional Council having authority for a particular geographical area to develop regulations governing the allocation and catch of halibut in U.S. Convention waters as long as those regulations are consistent with IPHC regulations and approved by the Secretary. This proposed rule, if adopted, would implement management measures for the Pacific halibut non-Tribal directed commercial fishery in Regulatory Area 2A, specifically the 2026 season dates and catch limits.

This action is exempt from review under E.O. 12866. This rule is exempt from the requirements of E.O. 14192 because it is a routine fishing action.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities for the following reasons.

For Regulatory Flexibility Act purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System code 114111) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of $11 million for all its affiliated operations worldwide. The entities that would be affected by the proposed action are those vessels that harvest Pacific halibut as part of the non-Tribal directed commercial fishery and are all considered small businesses under the above size standards.

There are no large entities involved in Pacific halibut fisheries in Regulatory Area 2A off the West Coast.

In 2025, NMFS issued 171 permits to the commercial fishing fleet for the Regulatory Area 2A non-Tribal directed commercial fishery. Of those 171 vessels that obtained licenses, 33 percent (57 vessels) participated in the fishery. NMFS expects that a similar proportion of vessels will participate in the fishery this year and may be affected by these regulations, which would be consistent with other recent years as well. Since 2021, there have been an average of 180 permits issued per year for the directed commercial fishery across 8 vessel size classes (A–H) with an average of 38 percent (76 vessels) participating in the fishery. Cost data for the harvesting operations of non-Tribal commercial halibut vessels is limited or unavailable. For 2025, the non-Tribal directed commercial fishery allocation was 259,515 pounds (117.7 mt). Approximately 263,597 pounds (119.6 mt) of Pacific halibut were harvested and resulted in a total fishery ex-vessel value of approximately $1.56 million. Additionally, from 2021–2025, the non-Tribal directed commercial fishery allocation ranged from 249,338 lb (113.1 mt) to 259,515 lb (117.5 mt), harvest ranged from 242,224 lb (109.9 mt) to 308,636 lb (140 mt), and ex-vessel revenue ranged from approximately $1.5 million to $2.3 million. Therefore, because the entire projected fishery value falls below the limit of one vessel being considered a small business, NMFS considers all vessels affected by this action to be small entities.

The major effect of Pacific halibut management on small entities along the West Coast results from the Regulatory Area 2A allocation, which is decided by the IPHC—a decision independent from this proposed action. This action proposes changes to the Regulatory Area 2A Pacific halibut non-Tribal directed commercial fishery consistent with recommendations from the Council to provide commercial harvest opportunities under the allocations that result from the Regulatory Area 2A catch limit determined by the IPHC. Profitability is largely based on the total Regulatory Area 2A allocation decided by the IPHC, with subarea allocations determined based on the allocation formula in the Council’s CSP. Therefore, the proposed rule, if adopted, is unlikely to affect the profitability of the commercial fishery.

The Regulatory Area 2A non-Tribal directed commercial fishery allocation for 2026 is expected to be similar to 2025 at 261,211 lb (118.5 mt), net weight. Therefore, this proposed rule, if adopted, is unlikely to affect overall participation in the directed commercial fishery, as the allocation is similar to allocations in previous years. Because profitability is dependent on the total amount of allocation available and market forces independent of this action, it is highly unlikely that this proposed action would limit the fleet’s potential profitability from catching halibut as compared to last season or to recent catch levels. Fishing periods and fishing-period catch limits for 2026 are set using similar considerations as in previous years. Accordingly, vessel income from fishing for the small entities participating in the Regulatory Area 2A non-Tribal directed commercial fishery is not expected to be altered as a result of this proposed rule, if adopted, as it compares to recent catches in the fishery, including under the previous season’s regulations

Based on the analysis above, the proposed action, if adopted, would not have a significant economic impact on a substantial number of small entities. As a result, an Initial Regulatory Flexibility Analysis is not required, and none has been prepared.

This proposed rule contains no new information collection requirements under the Paperwork Reduction Act of 1995.

Dated: March 20, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

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