



## **DEPARTMENT OF COMMERCE**

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

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

**[Docket No. 260305-0066 and 260305-0067]**

**RTID 0648-XF542**

### **Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program**

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

**ACTION:** Temporary rule; opening.

**SUMMARY:** NMFS is opening directed fishing for sablefish with fixed gear managed under the Individual Fishing Quota (IFQ) Program and the Community Development Quota (CDQ) Program. The season will open at 1200 hours, Alaska local time (A.l.t.), March 26, 2026, and will close at 1200 hours, A.l.t., December 7, 2026. These dates are the same as the 2026 commercial halibut fishery dates adopted by the International Pacific Halibut Commission (IPHC), except the hours are not the same. The IFQ and CDQ halibut season dates are specified by a separate publication in the **Federal Register** of annual management measures, which should be referenced for the halibut-specific opening and closure times.

**DATES:** Effective 1200 hours, A.l.t., March 26, 2026, until 1200 hours, A.l.t., December 7, 2026.

**FOR FURTHER INFORMATION CONTACT:** Andrew Olson, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** Beginning in 1995, fishing for Pacific halibut and sablefish with fixed gear in the IFQ regulatory areas defined in 50 CFR 679.2 has been managed under the IFQ Program. The IFQ Program is a regulatory regime designed

to promote the conservation and management of these fisheries and to further the objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Northern Pacific Halibut Act. Persons holding quota share receive an annual allocation of IFQ. Persons receiving an annual allocation of IFQ are authorized to harvest IFQ species within specified limitations. Further information on the implementation of the IFQ Program, and the rationale supporting it, are contained in the preamble to the final rule implementing the IFQ Program published in the **Federal Register**, November 9, 1993 (58 FR 59375) and subsequent amendments.

Directed fishing for sablefish using fixed gear in any IFQ regulatory area is authorized only during the period specified by the Regional Administrator, Alaska Region, NMFS (Regional Administrator), who must take into account the opening date of the halibut season when determining the opening date for sablefish for the purposes of reducing bycatch and regulatory discards between the two fisheries (50 CFR 679.23(g)(1)). This announcement is consistent with and required by § 679.23(g)(1), which requires that the directed fishing season for sablefish managed under the IFQ Program be specified by the Regional Administrator and announced by publication in the **Federal Register**. Fishing for CDQ sablefish with fixed gear under an approved CDQ allocation may occur only during the IFQ fishing season specified pursuant to § 679.23(e)(4)(ii) and (g)(1).

These season dates for sablefish IFQ and CDQ fishing facilitate coordination between the sablefish season, chosen by the Regional Administrator, and the halibut season, adopted by the IPHC. The directed fishing season for sablefish with fixed gear managed under the IFQ Program will open 1200 hours, A.l.t., March 26, 2026, and will close 1200 hours, A.l.t., December 7, 2026. This period runs concurrently with the IFQ season for Pacific halibut announced by the IPHC, except the hours are not the same. The

IFQ and CDQ halibut season will be specified by a separate publication in the **Federal Register** of annual management measures pursuant to 50 CFR 300.62.

There is a difference in the time of day for opening and closing the halibut IFQ and CDQ commercial fishery and the Alaska sablefish IFQ and CDQ commercial fishery. IPHC regulations open the halibut IFQ and CDQ fishery at 0600 hours, A.l.t., on March 26, 2026, and NMFS will open the Alaska sablefish IFQ and CDQ fishery at 1200 hours, A.l.t., on March 26, 2026, pursuant to regulations that require that the time of all openings and closures of fishing seasons, other than the beginning and end of the calendar fishing year, is 1200 hours, A.l.t. (§ 679.23(b)). Therefore, if gear is deployed to fish for halibut in the commercial fishery off Alaska before 1200 hours, A.l.t., on March 26, 2026, then IFQ or CDQ sablefish caught from that deployment may not be retained. If a vessel operator holds both halibut IFQ or CDQ and sablefish IFQ or CDQ, and the operator intends to retain sablefish on March 26, then the vessel should deploy its commercial fishing gear after 1200 hours, A.l.t.

IPHC regulations close the halibut IFQ and CDQ fishery at 2359 hours, A.l.t., on December 7, 2026, and NMFS will close the Alaska sablefish IFQ and CDQ fishery at 1200 hours, A.l.t., on December 7, 2026 (§ 679.23(b)). Therefore, if gear is deployed to fish for halibut in the commercial fishery off Alaska after 1200 hours, A.l.t., on December 7, 2026, then IFQ and CDQ sablefish caught from that deployment may only be retained up to the Maximum Retainable Amount (MRA), except for catch of sablefish with longline pot gear in the Gulf of Alaska (§ 679.23(g)(2)) which must be treated as a prohibited species. If an individual aboard a vessel holds both unused halibut IFQ or CDQ and sablefish IFQ or CDQ, and the operator intends to retain sablefish on December 7, 2026, after 1200 hours, A.l.t., then the vessel may only retain IFQ or CDQ sablefish in accordance with the MRA regulations at 50 CFR 679.20(e).

### **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) 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 delay the opening of the sablefish fishery thereby preventing holders of sablefish IFQ and CDQ from participating in the Alaska sablefish IFQ and CDQ fishery, increasing bycatch and regulatory discards between the sablefish fishery and the halibut fishery, and preventing the accomplishment of the management objective for simultaneous opening of these two fisheries that are managed under the same IFQ Program. NMFS was unable to publish a notice providing time for public comment because the relevant information for opening the Alaska sablefish IFQ and CDQ fishery only became available as of March 23, 2026. In addition, NMFS developed this action to open the Alaska sablefish IFQ and CDQ fishery concurrently with the halibut IFQ and CDQ fishery as quickly as possible given the other rulemakings necessary to provide notice of the harvest limits, allocations, and halibut season dates for the fisheries.

There is good cause under 5 U.S.C. 553(d)(3) to establish an effective date less than 30 days after date of publication. 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: March 23, 2026.

**David R. Blankinship,**

*Acting Director, Office of Sustainable Fisheries,*

*National Marine Fisheries Service.*

