



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF666]

Magnuson-Stevens Fishery Conservation and Management Act; General Provisions for Domestic Fisheries; Applications for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: NMFS received an exempted fishing permit (EFP) application for U.S. West Coast highly migratory species (HMS) fisheries that warrants further consideration at this time. The EFP applicant requests exemptions from regulatory provisions pertaining to the use of authorized gear types under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP). The applicant proposes to test the effects and efficacy of using monofilament rings as an alternative form of terminal tackle (herein referred to as “ring tackle”) used to harvest swordfish and other HMS off of the U.S. West Coast. During the March 2026 Pacific Fishery Management Council (Council) meeting, the Council reviewed and endorsed the EFP application and recommended that NMFS approve it. NMFS has determined that this application warrants further consideration and is requesting public comment on it.

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

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2026-1090, 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 enter NOAA-NMFS-

2026-1090 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Chris Fanning, NMFS West Coast Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Include the identifier “NOAA-NMFS-2026-1090” in the comments.

Instructions: Comments sent by any other method, to any other address or individual, 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, *etc.*), 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: Chris Fanning, NMFS, West Coast Region, 562-980-4198, Chris.Fanning@noaa.gov.

SUPPLEMENTARY INFORMATION: At its March 2026 meeting, the Council considered an EFP application¹ from the Pflegler Institute of Environmental Research that was first received by the Council in November 2025. At the November 2025 meeting, the Council requested that the Highly Migratory Species Management Team (HMSMT) return in March with additional information regarding the gear configuration and species bycatch in other parts of the world where the gear type has been used. The March 2026 report from the HMSMT² provides bycatch data and other information from available studies on ring tackle in other parts of the world. The EFP applicant also attended the March meeting to answer questions from the Council.

The Council recommended that NMFS approve the EFP application and expressed support for testing the use of ring tackle in a variety of EFP gear

configurations. The Council also recommended that NMFS prioritize flexibility in the operative terms and conditions of existing, approved, HMS EFPs, to build on lessons learned, and to support continued participation in fishery innovations (including consideration of more vessels), provided that such flexibilities can be accommodated within effort limits considered in the environmental review processes and analyses underpinning the issuance of EFPs for those configuration types.

If issued, the EFP would exempt the permitted vessels from the Commercial fishing gear definitions at 50 CFR 660.702, which specify that Deep-set buoy gear (DSBG) includes “gangions with hooks attached,” and from gear specifications at 50 CFR 660.715(b)(3), which require the use of circle hooks in DSBG. The EFP would allow use of monofilament rings as a substitute for one of the three hooks currently permitted on each vertical mainline of standard DSBG, and each section of linked DSBG. That is, the maximum of three pieces of terminal tackle per buoy would not be modified under this EFP, only the requirement that circle hooks must be used.

At this time, NMFS is requesting public comment on the ring tackle EFP application. NMFS will take the Council's comments into consideration along with public comments on whether to issue this EFP. Aside from regulatory exemptions to conduct the proposed EFP activities, vessels fishing under an EFP would be subject to all other regulations implemented at 50 CFR part 660, subpart K and 50 CFR part 300, subpart C, including measures to protect sea turtles, marine mammals, sharks, and seabirds.

NMFS will consider all public comments submitted in response to this **Federal Register** notice prior to issuance of any EFP. Additionally, NMFS will analyze the effects of issuing EFPs in accordance with the National Environmental Policy Act and NOAA's Administrative Order 216-6A, as well as for compliance with other applicable laws, including section 7(a)(2) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*), which requires the agency to consider whether the proposed action is likely to jeopardize

the continued existence and recovery of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.

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

Dated: April 13, 2026.

Kelly Denit,

Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.

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Endnotes:

¹ <https://www.pcouncil.org/documents/2026/02/g-3-attachment-1-draft-efp-pier-hookless-gear.pdf/>

² <https://www.pcouncil.org/documents/2026/03/g-3-a-supplemental-hmsmt-report-1-highly-migratory-species-management-team-report-on-exempted-fishing-permits-preliminary-or-final.pdf/>