



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 260116-0030]

RIN 0648-BO30

Fisheries off West Coast States; Extension of Emergency Action to Temporarily Increase 2026 Harvest Specifications and Sector Allocations for Shortspine Thornyhead, Canary Rockfish, And Petrale Sole

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

ACTION: Temporary rule; extension of emergency action.

SUMMARY: This temporary rule extends emergency measures that increase 2026 harvest specifications and sector allocations for shortspine thornyhead, canary rockfish, and petrale sole in the Pacific Coast groundfish fishery. This increase in harvest specifications is based on new, recently discovered information from the latest catch-only projections, which show a higher biomass of these species available for harvest than determined by stock assessments used to set the 2025-2026 harvest specifications and management measures. This action is necessary to alleviate significant direct economic loss caused by restrictive annual catch limits for these species.

DATES: Effective July 20, 2026, through December 31, 2026.

ADDRESSES: A plain language summary of this emergency rule is available at <https://www.regulations.gov/docket/NOAA-NMFS-2025-0900>.

Electronic Access

This emergency rule is accessible via the Internet at the Office of the Federal Register website at <https://ecfr.federalregister.gov/>. A Supplemental Environmental

Assessment that addresses National Environmental Policy Act (NEPA) requirements may be obtained from the West Coast Groundfish Actions NEPA website at <https://www.fisheries.noaa.gov/west-coast/laws-policies/groundfish-actions-nepa-documents>. Additional background information is available at the Pacific Fishery Management Council's (Council) website at <http://www.pcouncil.org/groundfish/fishery-management-plan/groundfish-amendments-in-development/>.

FOR FURTHER INFORMATION CONTACT: Meghan Roberts, 206-526-4048, or meghan.roberts@noaa.gov.

SUPPLEMENTARY INFORMATION: The Pacific Coast groundfish fishery in the U.S. exclusive economic zone seaward of Washington, Oregon, and California is managed under the Pacific Coast Groundfish Fishery Management Plan (Groundfish FMP). The Council developed the Groundfish FMP pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*). The Secretary of Commerce approved the Groundfish FMP and implemented the provisions of the plan through federal regulations at 50 CFR part 660, subparts C through G. The Groundfish FMP manages species of roundfish, flatfish, rockfish, sharks, and skates.

On January 22, 2026, NMFS published an emergency rule (91 FR 2714) that temporarily increases 2026 harvest specifications and sector allocations for shortspine thornyhead, canary rockfish, and petrale sole in the Pacific Coast groundfish fishery. A full description of the issue can be found in the emergency rule (91 FR 2714, January 22, 2026). NMFS held a public comment period on the emergency rule for 30 days from January 21, 2026, to February 23, 2026, and received two non-substantive comments. Without extension, the emergency rule would expire on July 20, 2026.

Industry representatives provided testimony on the significant economics constraints caused by the 2025 ACLs for shortspine thornyhead, canary rockfish, and

petrale sole at several Council meetings in 2025 (see agenda item E.3.a, Supplemental GAP Report 1 from June 2025 and agenda item G.8.a, Supplemental GAP Report 1 from September 2025 at <https://www.pcouncil.org/> for detailed information on species-specific constraints). This issue remains relevant throughout the remainder of the 2025-2026 harvest specifications management cycle, which ends this calendar year. The emergency motivating this action will be permanently addressed by the Council's 2027-2028 groundfish harvest specifications action, which, if approved by NMFS, would be effective in January 2027. Therefore, consistent with section 305(c)(3) of the Magnuson-Stevens Act, NMFS finds good cause to extend the emergency measures until December 31, 2026.

Emergency Measures

In alignment with the Council's September 2025 recommendation, the January 2026 emergency rule temporarily increased the 2026 overfishing limit (OFL), acceptable biological catch (ABC), annual catch limit (ACL), harvest guidelines (HG), tribal set-asides, and sector allocations for shortspine thornyhead, canary rockfish, and petrale sole, effective January 21, 2026. This temporary rule will extend these increased harvest specifications through December 31, 2026. These increased harvest specifications include the implementation of alternative harvest control rules (HCRs) for canary rockfish and shortspine thornyhead. For canary rockfish, this extension of the emergency rule eliminates the buffer between the 2026 ABC and ACL that is applied when the stock is in the precautionary zone (*i.e.*, the "40-10" rule¹) and sets the ABC equal to the ACL. For shortspine thornyhead, this rule implements a phase-in ABC control rule that reduces the buffer between the OFL and ABC. Per the National Standard 1 guidelines (see 50 CFR

¹ The 40-10 HCR is applied when a stock's biomass falls below the management target of 40 percent unfished biomass; the further the stock's biomass is below the 40 percent threshold, the greater the reduction in ACL relative to the ABC. When a stock's biomass raises above the management target of 40 percent, the 40-10 rule automatically no longer applies.

600.310(f)(2)(ii)(A)), Councils can develop and recommend to NMFS ABC control rules that allow for changes in catch limits to be phased in over time to help stabilize catch levels as stock assessments are updated.

Finally, this action would increase the off-the-top deductions from ACLs for Tribal harvest; increase the set-aside for bycatch in the at-sea Pacific whiting sectors, which is deducted from the trawl allocation; and increase the non-trawl allocation for petrale sole, until December 31, 2026. The new harvest specifications, Tribal set-asides, and sector allocations are provided below in table 1. This emergency rule will not change any other aspect of the 2025-2026 harvest specifications and management measures. For additional explanation on the rationale and effects of this emergency rule extension, see the original emergency rule published on January 22, 2026 (91 FR 2714).

Table 1 -- Revised 2026 Harvest Specifications, Tribal set-asides, and Allocations in metric tons

Species	OFL	ABC	ACL	Tribal	HG	Trawl Allocation	At-Sea	Shorebased Trawl Allocation	Non-Trawl Allocation
Shortspine thornyhead	970	902	897	54.4	820.6	582.6	76.3	506	238
Canary rockfish	673	626	626	54.7	558.4	403.7	21.9	382	154.7
Petrale sole	2,676	2,489	2,489	322.5	2,138	2,104.6	5.6	2,099	33.4

Classification

NMFS is issuing an extension of this emergency rule pursuant to section 305(3)(c) of the Magnuson-Stevens Act. The NMFS Assistant Administrator has determined that this emergency rule is consistent with the Pacific Coast Groundfish FMP, section 305(c) and other provisions of the Magnuson-Stevens Act, the Administrative Procedure Act (APA), and other applicable law. Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries finds prior notice and public comment is not

required because it would be impracticable and contrary to the public interest. The reasons justifying promulgation of this rule on an emergency basis, coupled with the fact that the public had the opportunity to comment on the original emergency rule, make solicitation of additional comment unnecessary, impractical, and contrary to the public interest. This rule must be in place before the expiration of the original emergency rule to avoid immediate, significant adverse economic impacts to fishery participants and fishing communities. The new, increased harvest specifications and alternative HCRs are not expected to present conservation concerns in the fishery, as they are informed by new best scientific information available, which indicates that there is a higher biomass of all three species available for harvest than was projected in the 2023 stock assessments used to set 2025-2026 harvest specifications and which the Council's Scientific and Statistical Committee has deemed sufficient to support the new catch limits. For the reasons outlined above, NMFS finds it impracticable and contrary to the public interest to provide prior notice and public comment on these emergency measures.

Additionally, this rule is excepted from the 30-day delayed effectiveness provision of the APA under 5 U.S.C. 553(d)(1) because it removes a restriction in the form of the pre-existing, restrictive 2026 shortspine thornyhead, canary rockfish, and petrale sole specifications.

This action is being taken pursuant to the emergency provision of the Magnuson-Stevens Act and is exempt from Office of Management and Budget review.

This emergency rule is exempt from Executive Order 14192 because it is a routine fishing action.

The Regulatory Flexibility Act does not apply to this emergency rule because prior notice and opportunity for public comment is not required.

This emergency/interim rule contains no information collection requirements under the Paperwork Reduction Act.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Fishing vessels.

Dated: June 9, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

For the reasons set out in the preamble, NMFS amends 50 CFR part 660 as follows:

PART 660—FISHERIES OFF WEST COAST STATES

1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C 7001 *et seq.*

2. In § 660.50, revise paragraphs (f)(4), (18), and (21) to read as follows:

§ 660.50 Pacific Coast treaty Indian fisheries.

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(f) * * *

(4) *Canary rockfish*. The Tribal harvest guideline is 54.7 mt per year.

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(18) *Petrale sole*. The Tribal harvest guideline is 322.5 mt per year.

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(21) *Thornyheads*. The Tribal harvest guideline for shortspine thornyhead is 54.4 mt per year and the Tribal harvest guideline for longspine thornyhead is 30 mt per year.

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3. In tables 2a and 2b to part 660, subpart C, revise the entries for “Canary Rockfish”, “Petrale Sole”, and “Shortspine Thornyhead” to read as follows:

Table 2a to Part 660, Subpart C—2026, and Beyond, Specifications of OFL, ABC, ACL, ACT, and Fishery HG (Weights in Metric Tons). Capitalized Stocks are Rebuilding

Species/stock	Area	OFL	ABC	ACL ^a	Fishery HG ^b

Canary Rockfish	Coastwide	673	626	626	558.4

Petrale Sole	Coastwide	2,676	2,489	2,489	2,138

Shortspine Thornyhead ^e	Coastwide	970	902	897	820.6

a Annual catch limits (ACLs), annual catch targets (ACTs) and harvest guidelines (HGs) are specified as total catch values.

b Fishery HGs means the HG or quota after subtracting Pacific Coast treaty Indian Tribes allocations and projected catch, projected research catch, deductions for fishing mortality in non-groundfish fisheries, and deductions for EFPs from the ACL or ACT. These deductions, as well as any HG sharing agreements between states and/or sectors, are published in the SAFE.

e Shortspine thornyhead has a commercial ACT of 55 mt for north of 34° 27' N lat.

Table 2b to Part 660, Subpart C—2026, and Beyond, Allocations by Species or Species Group

Species/Stock & Complexes	Area	Fishery HG or ACT	Trawl		Non-Trawl	
			%	mt	%	mt

Canary rockfish	Coastwide	558.4	72.3	403.7	27.7	154.7

Petrale sole	Coastwide	2,138	--	2,104.6	--	33.4

Shortspine thornyhead	Coastwide	820.6	71	582.6	29	238

4. In § 660.140, in table 1 to paragraph (d)(1)(ii)(D), revise the entries for “Canary rockfish”, “Petrale sole”, and “Shortspine thornyhead” to read as follows:

§ 660.140 Shorebased IFQ Program.

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(d) * * *

(1) * * *

(ii) * * *

(D) * * *

**Table 1 to Paragraph (d)(1)(ii)(D)—Shorebased Trawl Allocations for 2025 and
2026**

IFQ species	Area	2025 Shorebased trawl allocation (mt)	2026 Shorebased trawl allocation (mt)
* * * * *			
Canary rockfish	Coastwide	348	382
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Petrale sole	Coastwide	2,001	2,099
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Shortspine thornyhead	Coastwide	406	506
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