



BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XG047]

Fisheries of the Exclusive Economic Zone off Alaska; Application for an Exempted Fishing Permit

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

ACTION: Notice; receipt of application for exempted fishing permit.

SUMMARY: This notice announces NMFS' receipt of an application from SeaShare, Inc. and Glacier Fish Co. and the public comment period for an exempted fishing permit (EFP). If issued, this permit would allow the applicants to retain Pacific halibut up to a poundage limit and donate it through the Prohibited Species Donation (PSD) Program, after Pacific halibut deck sorting and after sampling by a fisheries observer. This EFP would exempt one catcher/processor vessel from complying with regulations that prohibit the retention of Pacific halibut and donation of Pacific halibut prohibited species. The EFP would place a poundage limit on the allowable retention of Pacific halibut. Effective dates of the EFP would be from May 1, 2027, to December 31, 2028. This experiment would allow retention of Pacific halibut to test an additional way to donate dead Pacific halibut to hunger relief causes that would otherwise be discarded at sea. If successful, this would promote the food-supply and conservation objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Comments on this EFP application must be submitted to NMFS on or before [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. The North Pacific Fishery Management Council (Council) will consider the application at its meeting from October 5 through 13, 2026.

ADDRESSES: The Council meeting will be held in Anchorage, Alaska. The agenda for the Council meeting is available at <http://www.npfmc.org>. In addition to submitting public comments during the Council meeting through the Council website, you may submit comments on this document, identified by NOAA-NMFS-2026-2641, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit <https://www.regulations.gov> and type NOAA-NMFS-2026-2641 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Gretchen Harrington, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Records Office. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

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), 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).

Electronic copies of the EFP application and the basis for a categorical exclusion under the National Environmental Policy Act are available from <https://www.regulations.gov> or from the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/region/alaska>.

FOR FURTHER INFORMATION CONTACT: Maggie Chan, (907) 243-0669 or Maggie.chan@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fisheries in the exclusive economic zone of the Bering Sea and Aleutian Islands Management Area (BSAI) under the Fishery Management Plan (FMP) for Groundfish of the BSAI (BSAI FMP). The Council prepared the BSAI FMP under the authority of the Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.* Regulations governing the BSAI groundfish fisheries appear at 50 CFR parts 600 and 679. The FMP and the EFP-implementing regulations at §§ 600.745(b) and 679.6 allow the NMFS Regional Administrator to authorize, for limited experimental purposes, fishing that would otherwise be prohibited. Under the Magnuson-Stevens Act, fishing is defined to include, among other things, “the catching, taking, or harvesting of fish.” 16 U.S.C. 1802(16)(A). Procedures for issuing EFPs are contained in the implementing regulations.

Background and Need for Exempted Fishing Permit

Current regulations prohibit trawl catcher/processor vessels from retaining and donating Pacific halibut under the PSD Program. In the Bering Sea trawl limited access (TLAS) yellowfin sole fishery, incidentally caught Pacific halibut are sorted on deck and

then discarded at sea, following regulations for the Pacific halibut deck sorting program at § 679.102. Pacific halibut that are unable to be sorted and discarded on deck within the time limits indicated on the Observer Sampling Station Inspection Report are then sorted in the vessel's factory and provided to the fisheries observer for sampling before they are discarded at sea, as required by regulations.

This EFP proposes to allow a portion of the Pacific halibut that remain in the catch, after Pacific halibut deck sorting and after sampling by a fisheries observer, to be retained, processed, and donated through the PSD Program, instead of being discarded at sea as required by regulation. Regulatory exemptions are requested, as described below, to allow the proposed EFP to test the logistical and operational requirements required for the donation of Pacific halibut for hunger relief purposes from one trawl catcher/processor vessel.

Exempted Fishing Permit

On August 21, 2026, Ms. Hannah Lindoff with SeaShare, Inc. and Mr. Glenn Merrill with Glacier Fish Co. submitted an application for an EFP to test the operational and logistical requirements needed for one trawl catcher/processor to donate Pacific halibut under the PSD Program. The proposed EFP aims to test donation of Pacific halibut on one trawl catcher/processor vessel in the TLAS yellowfin sole fishery in the Bering Sea. Gear and fishing operations will be conducted in compliance with current management regulations subject to exemptions under the EFP.

The EFP applicants requested to retain and donate a maximum of 5,000 net pounds of headed and gutted Pacific halibut, or 3.0 metric tons of round weight equivalent, to the PSD Program for hunger relief purposes through SeaShare, Inc, a

NMFS-authorized distributor under the PSD program. The proposed EFP does not seek any exemptions from existing Pacific halibut Prohibited Species Catch limits established by regulation, nor from applicable requirements for Pacific halibut deck sorting. Those limits and requirements would continue to apply. The proposed EFP also does not seek any changes in catch monitoring or catch accounting.

Exemption

To meet the proposed EFP's objective, two exemptions to Alaska Region regulations are necessary:

- 50 CFR 679.21(a)(2)(ii), which prohibits the retention of prohibited species catch. If granted, the exemption would allow one trawl catcher/processor vessel to retain, for donation only, up to 5,000 net pounds, or 3.0 mt round weight equivalent, of headed and gutted Pacific halibut.
- 50 CFR 679.26(a)(2), which allows the donation of Pacific halibut delivered by catcher vessels using trawl gear to shoreside processors and stationary floating processors, thereby prohibiting a catcher/processor vessel from participating in the PSD program.

Permit Conditions, Review, and Effects

If issued, the EFP vessel will comply with observer requirements at § 679.50, deck sorting requirements at § 679.102, and PSD Program requirements at § 679.26. The EFP vessel will work with NMFS on necessary communication and monitoring protocols.

If issued, the EFP would contain several conditions. Within 6 months of the end of EFP fishing, the applicant would be required to submit to NMFS a final report that

describes how well EFP objectives were accomplished, including any problems and successes, total amount of retained Pacific halibut, and total amount of donated Pacific halibut during the EFP. The Alaska Fisheries Science Center (AFSC) reviewed a draft EFP application that was submitted on August 21, 2026. The AFSC determined that the scientific design is valid and provided minor comments. All AFSC feedback has been incorporated in the final EFP application submitted to NMFS on September 15, 2026.

The activities that would be conducted under this EFP are limited in size, magnitude, and duration with no potential for significant individual or cumulative impacts, as detailed in the draft categorical exclusion for this action (see **ADDRESSES**).

In accordance with §§ 679.6 and 600.745, NMFS has determined that the application warrants further consideration and has forwarded the application to the Council to initiate consultation. The Council is scheduled to consider the EFP application during its October 2026 meeting, which will be held in Anchorage, Alaska. The applicants have been invited to speak in support of the application.

Public Comments

Interested persons may comment on the application during the October 2026 Council meeting during public testimony. Information regarding the meeting is available at the Council's website at <http://www.npfmc.org>. Comments may also be submitted directly to NMFS (see **ADDRESSES**) by the end of the comment period (see **DATES**). Copies of the application and categorical exclusion are available for review from NMFS (see **ADDRESSES**).

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

Dated: September 28, 2026.

Shannon Bettridge,

Acting Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.

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