■ 2. In § 73.622, in the table in paragraph (j), under California, revise the entry for ''Colusa'' to read as follows:

§ 73.622 Digital television table of allotments.

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(j) * * *

Community	Channel No.
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California	
* * * * *	
Colusa	*14
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[FR Doc. 2026–18015 Filed 9–2–26; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 260817–0010]

RIN 0648–BO24

Pacific Halibut Fisheries; Catch Sharing Plan; Modify Pacific Halibut Individual Fishing Quota (IFQ) Vessel Use Caps in IFQ Regulatory Areas 4A, 4B, 4C, 4D, and 4E

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to modify the Pacific halibut (halibut) Individual Fishing Quota (IFQ) Program to revise vessel harvest limitations for IFQ halibut harvested in IFQ regulatory Areas (Areas) 4A, 4B, 4C, 4D, and 4E by establishing a vessel harvest limit of five percent of the total annual commercial catch limit across Areas 4A, 4B, 4C, 4D, and 4E. This action would also exclude IFQ halibut harvest derived from quota held by a Community Quota Entity (CQE) in Area 4B from accruing under the proposed five percent vessel harvest limit across Areas 4A, 4B, 4C, 4D, and 4E. This action would provide additional flexibility for halibut IFQ Program fishery participants in Areas 4A, 4B, 4C, 4D, and 4E, where fishery conditions continue to be challenging. This action would promote the goals and objectives of the IFQ Program, the Northern Pacific Halibut Act of 1982 (Halibut Act), and other applicable laws.

DATES: Submit comments on or before October 5, 2026.

ADDRESSES: A plain language summary of this proposed rule is available at *https://www.regulations.gov/docket/NOAA-NMFS-2026-1025.* You may submit comments on this document, identified by NOAA–NMFS–2026–1025, 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–2026–1025 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. 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 draft Regulatory Impact Review for a Proposed Regulatory Amendment to Adjust Vessel Cap Limitations for IFQ Halibut Harvested in IPHC Regulatory Area 4 (referred to as the Analysis) and the draft Categorical Exclusion prepared for this action are available at *https://www.regulations.gov* or from the NMFS Alaska Region website at *https://www.fisheries.noaa.gov/region/alaska.*

FOR FURTHER INFORMATION CONTACT: Lis Henderson, 907–586–7228, *lis.henderson@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Authority for Action

The International Pacific Halibut Commission (IPHC) and National Marine Fisheries Service (NMFS) manage fishing for halibut through regulations established under the authority of the Halibut Act. The IPHC promulgates regulations governing the halibut fishery under the Convention between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Convention). The IPHC's regulations are subject to approval by the Secretary of State with the concurrence of the Secretary of Commerce (Secretary). NMFS publishes the IPHC's regulations as annual management measures pursuant to 50 CFR 300.62. The IPHC's 2026 annual management measures were published in the **Federal Register** on March 25, 2026 (91 FR 14464).

The Halibut Act provides the Secretary with general responsibility for carrying out the Convention and the Halibut Act, including the authority to adopt regulations necessary to carry out the purposes and objectives of the Convention (16 U.S.C. 773c(a) and (b)). The Halibut Act also provides the North Pacific Fishery Management Council (Council) with authority to develop recommendations for regulations, including limited access regulations, that are in addition to, and not in conflict with, IPHC regulations (16 U.S.C. 773c(c)). Regulations the Council recommends may be implemented by NMFS only after approval by the Secretary.

The Council has exercised its authority to develop recommendations for halibut management programs for the subsistence, sport, and commercial halibut fisheries off Alaska. The Secretary has exercised its authority to implement the commercial halibut IFQ fishery management program, also known as ''the IFQ Program'' (58 FR 59375, November 9, 1993). The IFQ Program for the halibut fishery is implemented by Federal regulations at 50 CFR part 679.

Background

This proposed rule would modify the vessel harvest limitations for IFQ halibut harvested in Areas 4A, 4B, 4C, 4D, and 4E (collectively referred to in this preamble as ''Area 4''). This action is intended to provide additional flexibility to vessels harvesting IFQ halibut in Area 4 and to encourage harvest of CQE-derived IFQ halibut in Area 4B. This section provides brief descriptions of: (1) the IFQ Program; (2) IFQ halibut vessel use caps; and (3) catch utilization in Area 4. A more detailed description of the background information and need for this proposed rule is provided in the Analysis prepared for this action (see **ADDRESSES**).

IFQ Program

Commercial halibut and sablefish fisheries in Alaska are subject to regulation under the IFQ Program and the Western Alaska Community Development Quota (CDQ) Program (50 CFR part 679). A key objective of the IFQ Program is to support the social and economic character of the fisheries and the coastal fishing communities where many of these fisheries are based. Because this rule is specific to the IFQ halibut fishery, reference to the IFQ Program in this preamble is specific to halibut unless otherwise noted.

The IFQ halibut fishery is managed in specific Areas, which are defined as follows: Area 2C (Southeast Alaska), Area 3A (Central Gulf of Alaska), Area 3B (Western Gulf of Alaska), and Area 4 (subdivided into five Areas: 4A (eastern Aleutian Islands); 4B (central and western Aleutian Islands); and 4C, 4D, and 4E (Bering Sea)). These Areas are described in figure 15 to 50 CFR part 679.

The IFQ halibut fishery is limited to persons holding quota share (QS), which is the limited access permit NMFS uses to calculate a person's IFQ each year. Halibut QS is designated for a specific geographic area of harvest, for a specific vessel operation type (catcher vessel (CV) or catcher/processor), and for a specific range of vessel sizes that may be used to harvest the halibut (vessel category). Out of the four vessel categories of halibut QS, category A shares authorize catching and processing halibut onboard vessels of any length (*e.g.,* catcher/processor or freezer longline vessels), whereas category B, category C, and category D shares authorize IFQ halibut to be caught on CVs that meet specific length designations (50 CFR 679.40(a)(5)). There are also vessel harvest limits, commonly known as ''vessel use caps,'' on how much IFQ halibut a vessel may harvest each year in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E. Throughout this preamble, the term ''vessel use cap'' refers to regulations applicable to the IFQ halibut fishery (§ 679.42(h)(1)).

NMFS issues IFQ permits to each qualified QS holder annually. An IFQ permit authorizes a permit holder to harvest a specified amount of a particular IFQ species in an area and specified vessel category, consistent with the QS they hold. IFQ is expressed in pounds (lb) and is based on the amount of QS held by the permit holder in relation to the total QS pool for each area with an assigned catch limit.

The IFQ Program also establishes: (1) limits on the maximum amount of QS that a person could use (*i.e.,* the amount of QS that could be used to receive annual IFQ) (§ 679.42(f)); (2) limits on the number of small amounts of indivisible QS units, known as QS blocks, that a person can hold (§ 679.42(g)); (3) limits on the ability of IFQ assigned to one CV vessel category (vessel category B, C, or D) to be fished on a different (larger) vessel category with some limited exceptions (§ 679.42(a)(2)); and (4) limits on the maximum amount of IFQ halibut that may be harvested by a vessel during an IFQ fishing year (§ 679.42(h)). Only qualified individuals and initial recipients of QS are eligible to hold CV QS, and they are required to be on the vessel when the IFQ is being fished, with a few limited exceptions (§ 679.41(i)). All of these limitations were established to retain the owner-operator nature of the CV halibut IFQ fisheries, limit consolidation of QS, and ensure the annual IFQ is not harvested on a small number of larger vessels.

An eligible CQE is authorized to hold halibut QS in Area 4B on behalf of the community of Adak, Alaska (79 FR 8870, February 14, 2014). A CQE is a NMFS-approved non-profit organization that represents small, remote, coastal communities that meet specific criteria to purchase and hold QS on behalf of an eligible community. The CQE holds QS and leases the IFQ derived from the underlying QS to eligible community residents. NMFS also allocates halibut to the CDQ Program in Areas 4B, 4C, 4D, and 4E (§ 679.31(a)(2)), but those allocations are not subject to a vessel use cap and are not affected by this rulemaking.

Halibut IFQ Vessel Use Caps

The IFQ Program uses vessel use caps to limit the maximum amount of halibut that can be harvested on any one vessel. Vessel use caps are used to limit halibut IFQ consolidation on vessels and to preserve opportunities for smaller operations that would not otherwise participate in the fishery if additional consolidation occurs.

Vessel limits, or vessel use caps, are intended to help ensure that a minimum number of vessels are engaged in the halibut IFQ fishery and to address concerns about the socio-economic impacts of consolidation under the IFQ Program. For additional detail on vessel use caps, see the preamble to the proposed rule for the IFQ Program (57 FR 57130, December 3, 1992).

Several vessel use caps apply to vessels harvesting IFQ halibut during any fishing year (§ 679.42(h)). In Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, no vessel can be used to harvest more IFQ halibut than one-half percent of the combined total catch limits of halibut of those areas (this is also referred to as the ''Alaska coastwide'' vessel use cap in this preamble and proposed regulations and is currently specified at § 679.42(h)(1)). There is a temporary exception that exempts vessels harvesting IFQ halibut in Areas 4A, 4B, 4C, and 4D from this Alaska coastwide vessel use cap through 2027 (§ 679.42(h)(1)(iii)). Notably, halibut harvested in Area 4E is currently entirely allocated under the CDQ Program, and CDQ is not subject to IFQ Program vessel use caps specified at § 679.42(h). Additionally, no vessel fishing in Area 2C may be used to harvest more than one percent of the annual commercial catch limit for halibut in Area 2C (§ 679.42(h)(1)(i)). Finally, no vessel may be used, during any fishing year, to harvest more than 50,000 lb (22.7 metric tons (mt)) of IFQ halibut derived from QS held by a CQE as specified at § 679.42(h)(1)(ii).

The specific weight limits of the Alaska coastwide (§ 679.42(h)(1)) and Area 2C (§ 679.42(h)(1)) IFQ halibut vessel use caps in any given year depend on the applicable annual commercial catch limits for IFQ halibut.

Regulations at 50 CFR 300.61 define ''annual commercial catch limit'' three different ways, depending on the IFQ regulatory Area: (1) for Areas 2C and 3A, Area-specific annual commercial catch limits are calculated as the Area-specific annual commercial allocation minus an Area-specific estimate of commercial halibut wastage; (2) for Areas 3B and 4A, Area-specific annual commercial catch limits are the total allowable removals by persons fishing IFQ halibut; and (3) for Areas 4B, 4C, 4D, and 4E, Area-specific annual commercial catch limits are the annual total allowable halibut removals by persons fishing IFQ and CDQ. These Area-specific annual commercial catch limits for IFQ halibut (as specified in the regulations at § 300.61) are derived from management measures which NMFS publishes annually as specified at § 300.62 (NMFS publishes these Area-specific annual commercial catch limits for public viewing at *https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/alaska-fisheries-management-reports*). The 2026 annual management measures were published in the **Federal Register** on March 25, 2026 (91 FR 14464). Calculated as proportions of the applicable annual commercial catch limits, the 2026 Alaska coastwide and Area 2C IFQ halibut vessel use caps are 69,540 lb (31.5 mt) and 28,100 lb (12.7 mt), respectively.

Since 2020, the Council has recommended, and NMFS has implemented, multiple separate, temporary actions related to IFQ halibut vessel use caps which have, in effect, removed these caps in Areas 4B, 4C, and 4D for IFQ fishing years 2020–2027 and in Area 4A for 2021–2027 (85 FR 41197, July 9, 2020; 86 FR 28294, May 26, 2021; 87 FR 34215, June 6, 2022; 88 FR 48137, July 26, 2023). Area 4E was not included in these actions because all Area 4E halibut IFQ is allocated under the CDQ Program, which is exempt from vessel use caps specified at § 679.42(h). The Council recommended and NMFS implemented each of these temporary actions to provide interim flexibility to IFQ halibut fishery participants in Area 4 while analyzing the longer-term adjustments proposed in this action. Without additional action to modify Area 4 vessel use caps, the temporary removal of vessel use caps will expire, and the Alaska coastwide vessel use cap as specified at § 679.42(h)(1) would apply to all Area 4 halibut IFQ fishing activity beginning in the 2028 fishing season. When describing the impacts of this proposed rule, NMFS focuses on the impacts of the action after the 2027 fishing season (when prior actions removing the cap expire and the Alaska coastwide vessel use cap would again apply to vessels fishing in Area 4).

Need for Action

Across all Areas, IFQ halibut annual commercial catch limits have decreased dramatically since the early years of the IFQ Program. As commercial catch limits have declined, particularly since the early 2000s, vessel use caps (calculated as a percentage of combined annual commercial catch limits across applicable Areas) have declined as well.

Sections 3.2 and 3.3 of the Analysis (see **ADDRESSES**) demonstrate how reduced vessel use caps, as a function of lower commercial catch limits, inhibit the ability of vessels to operate efficiently, particularly in Area 4. The length of vessels harvesting IFQ halibut in Area 4 has increased in recent years, possibly necessitated by the need to travel longer distances between fishing grounds and a reduced number of active processing facilities. Due to the need for larger vessels to harvest greater amounts of fish in order to operate efficiently, vessels harvesting IFQ halibut in Area 4 also tend to operate closer to vessel use caps than in other Areas. IFQ halibut fishery participants have also reported increased incidents of whale depredation, further reducing operating efficiency. These factors affecting operating efficiency have led to reduced catch utilization (*i.e.,* percent of area commercial catch limits harvested) since 2015, particularly in Area 4.

Observed vessel-level harvest amounts under the recent removal of Area 4 vessel use caps suggest that raising vessel use caps may enable individual vessels to harvest greater amounts of IFQ halibut, potentially leading to greater catch utilization across Area 4. Larger vessel use caps in Area 4 would also allow crew members to consolidate their fishing effort across fewer vessels, potentially reducing time and financial burdens associated with cross-vessel coordination for crew members harvesting IFQ halibut on multiple vessels.

Proposed Action and Effects

This proposed rule would modify the halibut IFQ vessel use caps to: (1) establish a vessel use cap in Area 4 of five percent of the combined Area 4 commercial catch limits that would be separate from and could exceed the Alaska coastwide vessel use cap; (2) exempt IFQ halibut harvested in Area 4B, and derived from CQE-held QS, from counting toward the new five percent vessel use cap in Area 4; (3) clarify how IFQ halibut catch in Area 4 counts toward the existing Alaska coastwide vessel use cap; and (4) remove the temporary provision that removed vessel use caps in Area 4 in the years 2023 through 2027. The Council recommended, and NMFS proposes, this action to provide additional flexibility for IFQ Program participants in Area 4, where fishery conditions continue to be challenging, and to provide further incentive for vessels to harvest CQE-derived IFQ halibut in Area 4B, which has been underexploited in recent years (Section 1 of the Analysis; see **ADDRESSES**).

Under this proposed rule, the three existing vessel use caps would continue to apply: (1) the Alaska coastwide cap; (2) the Area 2C cap; and (3) the CQE cap. Proposed regulations at § 679.42(h)(1) are reorganized and labels are added to add a heading for each vessel limitation. These vessel limits are also described above under the *Halibut IFQ Vessel Use Caps* section of this preamble. As specified in current regulations, vessels would continue to be limited by the Alaska coastwide, Area 2C, and CQE vessel use caps as follows: (1) no vessel would be permitted to harvest more than one-half percent of the combined IFQ halibut catch limits across Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E (proposed § 679.42(h)(1)(i)); (2) no vessel operating in Area 2C would be permitted to harvest more than one percent of the IFQ halibut catch limit in Area 2C (proposed § 679.42(h)(1)(ii)); and (3) no vessel would be permitted to harvest more than 50,000 lb (22.7 mt) of CQE-derived IFQ halibut (proposed § 679.42(h)(1)(iv)). In addition to reorganization of the three existing and continuing vessel cap requirements, the proposed regulations would remove the provision that temporarily removed vessel use caps in Area 4 from 2023–2027, effectively replacing that provision with the halibut IFQ vessel limits proposed in this action.

NMFS proposes regulations at § 679.42(h)(1)(iii) to implement a five percent vessel use limit for IFQ halibut harvested in Areas 4A, 4B, 4C, 4D, and 4E. This Area 4 vessel use limit could exceed the Alaska coastwide vessel use limit. Under the proposed regulations, when this Area 4 vessel use limit exceeds the Alaska coastwide vessel use limit, harvest of IFQ halibut in Area 4 in an amount equal to the difference between the Area 4 limit and the Alaska coastwide limit would not accrue towards the Alaska coastwide limit. The Council recommended, and NMFS proposes, this revision to allow greater flexibility to vessels that are otherwise constrained by the one-half percent vessel use cap that would be applicable without this action to increase the vessel use cap in Area 4.

Section 3.3.2 of the Analysis (see **ADDRESSES**) demonstrates that the proposed five percent vessel use cap in Area 4 would generally be a larger amount of IFQ halibut than the coastwide vessel use cap. Based on the 2026 annual management measures (91 FR 14464, March 25, 2026), had this Area 4 vessel use cap been in place in 2026, it would have been 132,900 lb (60.3 mt), which is 63,360 lb (28.7 mt) greater than the 2026 coastwide vessel use cap of 69,540 lb (31.5 mt).

In recommending this action to increase the Area 4 vessel use cap, the Council also recommended, and NMFS proposes, new regulations at § 679.42(h)(1)(v) to specify how each of these vessel limits is applied and to adjust the amount of Area 4 landings that count toward the existing Alaska coastwide vessel use cap so that the addition of a greater Area 4 cap does not impact the order in which fishery participants harvest IFQ halibut across Areas. A vessel may operate in Areas 2C, 3A, 3B, and Area 4 in any order. If a vessel harvests IFQ halibut in Area 4 before harvesting IFQ halibut in Areas outside Area 4, the amount of Area 4 landings that count toward the Alaska coastwide vessel use cap will be adjusted. During years in which the Area 4 vessel use cap amount is greater than the Alaska coastwide vessel use cap amount, an amount up to the difference between the Area 4 and Alaska coastwide cap amounts will be subtracted from Area 4 landings before counting towards the Alaska coastwide vessel use cap.

Under this action, IFQ halibut landings in Area 4, up to an amount equal to the difference between the proposed five percent Area 4 limit and the existing Alaska coastwide limit (63,360 lb (28.7 mt) using the 2026 example), would not accrue towards the Alaska coastwide vessel limit. By excluding an amount of IFQ halibut catch up to the difference between the Area 4 cap (larger), and the Alaska coastwide cap (smaller), the order in which a vessel harvests halibut IFQ across Areas would not matter. For example, a vessel operating under the 2026 catch limits harvests 100,000 lb (45.4 mt)) in Area 4 and deducts the difference between the Area 4 and Alaska coastwide vessel limits (63,360 lb (28.7 mt)) before the remaining Area 4 landings apply to the Alaska coastwide vessel limit. This would allow that vessel to harvest an additional 32,900 lb (14.9 mt) across Areas 2C, 3A, and 3B under the 2026 Alaska coastwide vessel limit (69,540 lb (31.5 mt)).

The proposed regulations at § 679.42(h)(1)(iii) would exclude IFQ halibut derived from CQE-held QS in Area 4B from counting towards the proposed five percent Area 4 vessel use cap. The Council recommended this exclusion to provide further incentive for vessels to fish CQE-derived IFQ halibut in Area 4B. Additionally, proposed regulations at § 679.42(h)(1)(v)(A) clarify that, while CQE-derived IFQ halibut harvested in Area 4B would not count toward the proposed Area 4 vessel limit, all CQE-derived IFQ halibut would continue to count toward the Alaska coastwide vessel limit.

Proposed regulations at § 679.42(h)(1) also include revisions to update language referring to ''annual commercial catch limits'' (currently referred to as ''total catch limits'' under § 679.42(h)(1)). The meaning of ''annual commercial catch limit'' for each IFQ regulatory Area is currently specified in regulations at § 300.61. The revised language in this proposed rule clarifies the existing process for calculating the vessel limits and does not change the calculation of vessel limits.

The Council recommended, and NMFS proposes, this action to provide additional flexibility and stability to IFQ Program participants and vessel operators harvesting IFQ halibut in Area 4. This proposed rule would increase efficiency and utilization of quota and fishery revenues in Area 4 by providing additional harvest opportunities on vessels that have previously been constrained by vessel harvest limitations. This action would also help to maintain entry level opportunities for vessels and continue to support sustained participation by fishery dependent communities in the IFQ Program. Furthermore, a five percent Area 4 vessel use cap may afford vessel owners and crew members the opportunity to plan long-term operations to take advantage of the flexibility provided by this action, potentially increasing the number of fishery participants harvesting IFQ halibut in Area 4.

While this action would allow vessels that are otherwise constrained by the one-half percent Alaska coastwide vessel use cap to harvest some additional quota in Area 4, other aspects of the IFQ Program remain unchanged and would continue to limit consolidation in the IFQ halibut fishery. These include the limits on the number of QS blocks that restrict how QS can be consolidated, limits on IFQ use, and limited transfer provisions, that help to retain the owner-operator nature of the catcher vessel fisheries and limit consolidation of QS (§ 679.42(f)).

This proposed action is not in conflict with any existing regulations adopted by the IPHC and is consistent with requirements under the Halibut Act. This action would not modify any other aspects of the IFQ Program. It is within the authority of the Secretary to establish additional regulations governing the catch of halibut under the provisions of the Halibut Act. Specific to the Halibut Act, this action does not discriminate against residents of different states and would allow flexibility in harvesting IFQ halibut for vessels in Area 4 regardless of home state.

Classification

Regulations governing the U.S. fisheries for halibut are developed by the IPHC, the Pacific Fishery Management Council, the Council, and the Secretary. Section 5 of the Halibut Act allows the regional Fishery Management Council having authority for the geographic area concerned to develop regulations governing the allocation and catch of halibut in the United States portion of Convention waters provided those regulations do not conflict with IPHC regulations (16 U.S.C. 773c). This proposed action does not conflict with IPHC regulations and is consistent with the Council's authority to develop regulations governing the catch of halibut by fishery participants in Convention waters off Alaska.

This proposed rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866.

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

Regulatory Impact Review

A Regulatory Impact Review (RIR) was prepared to assess all costs and benefits of available regulatory alternatives. The RIR contains a description of the purpose and need for the proposed action, the statutory authority for the proposed action, and descriptions of the alternatives, including the status quo. A copy of the RIR, which is referred to as the Analysis in the preamble of this proposed rule, is available from NMFS (see **ADDRESSES**). The Council recommended this proposed rule based on those measures that would maximize net benefits to the nation. Specific aspects of the economic analysis are discussed below in the *Regulatory Flexibility Act (RFA)* section.

Regulatory Flexibility Act (RFA)

The Senior Lead 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. The factual basis for this determination is as follows. A description of the proposed rule, why it is being considered, and the objectives of, and legal basis for, this proposed rule are contained at the beginning of this proposed rule in the preamble and in the **SUMMARY** section. The Halibut Act (16 U.S.C. 773–773k) provides the statutory basis for this rule. No duplicative, overlapping, or conflicting Federal rules have been identified.

The RIR prepared for this action contains a description of the purpose and need for the proposed action, the statutory authority for the proposed action, and a description of the alternatives, including a description of the status quo. This action would directly regulate the owners and operators of vessels that harvest IFQ halibut in IFQ regulatory Areas 4A, 4B, 4C, 4D, or 4E. Across IFQ Areas, IFQ halibut catch limits have decreased dramatically since the early years of the IFQ program. As annual commercial catch limits have declined since the early 2000s, vessel use caps (calculated as a percentage of annual commercial catch limits) have declined as well. Due to lower annual commercial catch limits, vessel activity has significantly reduced in recent years. Furthermore, catch utilization (*i.e.,* the percent of area-specific annual commercial catch limits harvested) declined, particularly in Area 4.

NMFS has taken multiple, separate, temporary actions related to IFQ halibut vessel use caps since 2020 which have, in effect, removed these caps in Areas 4B, 4C, and 4D for IFQ fishing years 2020–2027 and in 4A for 2021–2027 (85 FR 41197, July 9, 2020; 86 FR 28294, May 26, 2021; 87 FR 34215, June 6, 2022; 88 FR 48137, July 26, 2023). In the absence of this action, after the 2027 fishing season, all vessels harvesting Area 4 IFQ halibut would be subject to the vessel use cap of one-half percent of the combined annual commercial catch limits across IFQ Areas 2C, 3A, 4A, 4B, 4C, 4D, and 4E.

In considering which entities are ''directly regulated,'' the operative phrase in the proposed action under consideration is: ''create new vessel limitations specific to IFQ regulatory Area 4.'' Under the proposed regulations, the universe of entities that might be directly regulated by this action is limited to the vessels that have traditionally harvested halibut IFQ in Area 4A, 4B, 4C, or 4D. However, this action only directly regulates vessels to the extent that they choose to take advantage of the increased vessel use cap limitation.

The thresholds applied to determine if an entity or group of entities are ''small'' under the RFA depend on the industry classification for the entity or entities. Under the RFA, businesses classified as primarily engaged in commercial fishing (NAICS 114111) are considered small entities if they have combined annual gross receipts not in excess of $11 million for all affiliated operations worldwide, regardless of the type of fishing operation (80 FR 81194, December 29, 2015). If a vessel has a known affiliation with other vessels (*e.g.,* through a business ownership or through a cooperative) it is measured against the small entity threshold based on the total gross revenues of all affiliated vessels.

There is a lag for revenue data due to the publishing and review schedule. Therefore, 2024 represents the most up-to-date set of gross revenue data by vessel. 2024 revenue data exist for 87 vessels that actively participated in the halibut IFQ fishery in Areas 4A, 4B, 4C, and 4D from 2020–2024. Of the 87 vessels, 85 were considered small entities in 2024. The increased flexibility afforded by this proposed action would affect individual vessels to the extent that each vessel operator chooses to use the flexibility; observed vessel-level harvests under the temporary vessel use cap exemptions in Area 4 do not indicate disproportionate usage of the flexibility by larger vessels. Though this action does not directly affect CDQ groups, some vessels that are affected by this action may be fully or partially owned by CDQ groups. Six CDQ groups are considered to be small entities under the RFA.

The proposed regulations would provide additional flexibility to IFQ participants to ensure allocations of halibut IFQ can be harvested by the limited number of vessels operating in these Areas. The added flexibility under this proposed rule would not rise to a level that would constitute significant economic impacts on IFQ participants because this proposed rule does not increase catch limits in Area 4. This proposed rule only provides additional operational flexibility which may improve the efficiency of harvesting available halibut IFQ and therefore has the potential to increase utilization and harvest of halibut IFQ in Area 4. The proposed action would not modify the primary economic benefit of this fishery that results from the allocation of halibut QS and resulting harvest of halibut IFQ. Overall, area-specific halibut catch limits are not affected by this action and would continue to be limited by existing catch limits. Observed vessel-level harvest amounts under the recent removals of Area 4 vessel use caps suggests that permanently raising Area 4 caps would enable individual vessels to harvest greater proportion of the available IFQ halibut in Area 4. In turn, crew members could potentially consolidate their own fishing efforts to harvest their full halibut IFQ across fewer vessels, thereby reducing time and financial burdens associated with cross-vessel coordination. In the long-term (after the 2027 fishing season), the regulations proposed by this action would add increased, yet limited, flexibility for vessels to consolidate IFQ halibut harvest across vessels operating in Area 4, thereby allowing for increased catch utilization and vessel efficiency. Furthermore, other aspects of the IFQ Program remain unchanged by this action and would continue to limit consolidation in the fishery.

This action would also exclude Area 4B CQE-derived IFQ halibut from counting towards the five percent Area 4 vessel use cap, thereby providing additional flexibility to vessels operating in Area 4 that may also want to harvest CQE-derived IFQ halibut in Area 4B. This flexibility may in turn increase the pool of vessels available to harvest IFQ halibut in Area 4B, which has been underexploited in recent years.

The increased Area 4 vessel use caps proposed by this action may be particularly beneficial to vessels that have been constrained by declining annual catch limits in recent years. Individual vessels may choose to take advantage of increased vessel-level harvest flexibility, potentially helping to offset operational costs (*i.e.,* fuel) and thereby increase net revenue. However, this action will not affect the primary economic benefit of this fishery to participants, the amount of halibut they can harvest. Due to the anticipated minor economic benefits this action may have on small, directly regulated entities, this action is not expected to have a significant economic impact on a substantial number of the small entities directly regulated by this proposed action. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

List of Subjects in 50 CFR Part 679

Alaska, Fisheries, Reporting and recordkeeping requirements.

Dated: August 28, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 679 as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

■ 1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.;* 1801 *et seq.;* 3631 *et seq.;* Pub. L. 108–447; Pub. L. 111–281.

■ 2. Amend § 679.42 by revising paragraph (h)(1) to read as follows:

§ 679.42 Limitations on use of QS and IFQ.

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(h) * * *

(1) *Halibut.* During any fishing year, vessels harvesting IFQ halibut in IFQ regulatory areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E are subject to vessel limitations as follows:

(i) *Alaska Coastwide Vessel Limit.* For purposes of paragraph (h)(1) of this section, ''Alaska coastwide'' collectively refers to IFQ regulatory areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E. No vessel may be used to harvest more IFQ halibut than one-half percent of the Alaska coastwide annual commercial catch limit.

(ii) *Area 2C Vessel Limit.* No vessel may be used to harvest more IFQ halibut than 1 percent of the IFQ regulatory area 2C annual commercial catch limit.

(iii) *Area 4 Vessel Limit.* For purposes of paragraph (h)(1) of this section, ''area 4'' collectively refers to IFQ regulatory areas 4A, 4B, 4C, 4D, and 4E. No vessel may be used to harvest more IFQ halibut than 5 percent of the area 4 annual commercial catch limit. IFQ halibut derived from CQE-held QS in IFQ regulatory area 4B does not count toward this area 4 vessel limit.

(iv) *CQE Vessel Limit.* No vessel may be used to harvest more than 50,000 lb (22.7 mt) of IFQ halibut derived from QS held by a CQE, and no vessel used to harvest IFQ halibut derived from QS held by a CQE may be used to harvest more IFQ halibut than the vessel limits specified in paragraphs (h)(1)(i) through (iii) of this section.

(v) *Calculations.* Vessel limitations (specified in paragraphs (h)(1)(i) through (iv) of this section) are applied at the time of landing and are calculated for each vessel as follows:

(A) *Alaska Coastwide Vessel Limit.* A vessel's Alaska coastwide vessel limit is calculated as the sum of all properly debited landings of IFQ halibut in IFQ regulatory areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E (including IFQ halibut derived from CQE-held QS). However, in any fishing year in which the area 4 vessel limit is greater than the Alaska coastwide vessel limit, the amount of a vessel's harvest of IFQ halibut in area 4 equal to the difference between the area 4 vessel limit and the Alaska coastwide vessel limit will not count towards the Alaska coastwide vessel limit.

(B) *Area 2C Vessel Limit.* A vessel's IFQ regulatory area 2C vessel limit is calculated as the sum of all properly debited landings of IFQ halibut harvested in IFQ regulatory area 2C.

(C) *Area 4 Vessel Limit.* A vessel's IFQ regulatory area 4 vessel limit is calculated as the sum of all properly debited landings of IFQ halibut harvested in area 4, with the exception of IFQ halibut derived from CQE-held QS in IFQ regulatory area 4B.

(D) *CQE Vessel Limit.* A vessel's CQE vessel limit is calculated as the sum of all properly debited landings of IFQ halibut derived from CQE-held QS.

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