



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 260209-0039; RTID 0648-XF608]

Fisheries of the Northeastern United States; Scup Fishery; 2026 Scup Winter I Commercial Quota Harvested

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that the 2026 scup Winter I commercial quota has been harvested. Vessels issued a commercial Federal fisheries permit for the scup fishery may not land scup for the remainder of the Winter I quota period. Regulations governing the scup fishery require publication of this notification to advise vessel and dealer permit holders that no Federal commercial quota is available for landing scup through the end of Winter I (April 30, 2026).

DATES: Effective 0001 hours [*insert date of publication in the FEDERAL REGISTER*],
through April 30, 2026.

FOR FURTHER INFORMATION CONTACT: Matthew Rigdon, (978) 281-9336, or
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SUPPLEMENTARY INFORMATION: Regulations governing the scup fishery are found at 50 CFR 648.120 through 648.131. The regulations at § 648.123(a) require that, when NMFS projects that 100 percent of the commercial quota for a quota period has been harvested, the Regional Administrator must close the Exclusive Economic Zone (EEZ) to scup fishing by commercially permitted vessels for the remainder of that period.

No vessel may fish for, possess, or land scup that is harvested in or from the EEZ after the announced closure date.

The 2026 Winter I commercial quota for scup is 7,984,470 pounds (3,621,695 kilograms) (91 FR 7896, February 19, 2026). The NMFS Regional Administrator for the Greater Atlantic Region monitors commercial landings and determines when the commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the Winter I commercial quota has been harvested, and no commercial quota is available for landing scup through the remainder of the Winter I quota period (January 1 - April 30). Based on dealer reports and other available information, the Regional Administrator has determined that the available Winter I quota has been harvested.

The regulations at § 648.14(o) prohibit all vessels from fishing for, possessing, or landing scup that is harvested in or from the EEZ. They further prohibit federally permitted vessels from landing scup for sale that were harvested from either State waters or the EEZ. In addition, all persons are prohibited from purchasing or otherwise receiving scup harvested from the EEZ for a commercial purpose after the effective date of the **Federal Register** notification stating that the commercial quota is no longer available. Therefore, effective 0001 hours on [*insert date of publication in the FEDERAL REGISTER*], vessels may not fish for, possess, or land scup in or from the EEZ, federally permitted vessels may not land scup for sale, and dealers may not purchase or otherwise receive scup harvested from the EEZ through April 30, 2026.

Pursuant to §648.123(a)(2)(iv), during a fishing year in which the Winter I quota period is closed prior to April 15, a State may apply to the Regional Administrator for authorization to count scup landed for sale in that State from April 15 through April 30 by State-only permitted vessels fishing exclusively in waters under the jurisdiction of that

State against the Summer period quota. Requests to the Regional Administrator to count scup landings in a State from April 15 through April 30 against the Summer period quota must be made by letter signed by the principal State official with marine fishery management responsibility and expertise, or his/her designee, and must be received by the Regional Administrator no later than April 15. Within 10 working days following receipt of the letter, the Regional Administrator shall notify the appropriate State official of the disposition of the request.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA, finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be contrary to the public interest. This action closes the commercial scup fishery until April 30, 2026, pursuant to current regulations. The regulations at 50 CFR 648.123(a) require such action to ensure that scup vessels do not exceed quotas allocated to each quota period. If implementation of this closure was delayed to solicit prior public comment, the quota for this fishing year would be exceeded, which would require a reduction to the 2027 Winter I quota, thereby reducing future fishing opportunities and undermining the conservation objectives of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan. The Assistant Administrator further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reason stated above.

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

Dated: March 12, 2026.

David R. Blankinship,

Acting Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.

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