



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[Docket No. 260401-0091]

RIN 0648-BO47

Magnuson-Stevens Fishery Conservation and Management Act Provisions;

Modifications to Conform U.S. Fishery Regulations with the Presidential

Proclamation Unleashing Commercial Fishing in the Atlantic

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

ACTION: Final rule.

SUMMARY: This action rescinds regulations issued under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) that restrict commercial fishing within the Northeast Canyons and Seamounts Marine National Monument (Monument). This action is necessary to conform U.S. fishing regulations with the February 6, 2026, Presidential Proclamation *Unleashing Commercial Fishing in the Atlantic*.

DATES: Effective [INSERT DATE OF FILING FOR PUBLIC INSPECTION].

FOR FURTHER INFORMATION CONTACT: Allison Murphy, Fishery Policy Analyst, 978-281-9122.

SUPPLEMENTARY INFORMATION:

Background

On September 15, 2016, the Northeast Canyons and Seamounts Marine National Monument (Monument) was designated in the waters of the North Atlantic (Presidential Proclamation 9496; 81 FR 65161, September 21, 2016), including both a Canyons Unit

and a Seamounts Unit. This Proclamation prohibited commercial fishing within the Monument with a 7-year exemption for the American lobster and Atlantic deep-sea red crab fisheries. In June 2020, Monument prohibitions were revised via Proclamation 10049 (85 FR 35793, June 11, 2020), which removed commercial fishing from the list of prohibited activities set forth in the 2016 Proclamation. In October 2021, Proclamation 10287 (86 FR 57349, October 15, 2021) returned commercial fishing to the list of prohibited activities, providing “for the prohibition of all commercial fishing in the Monument, except for red crab and American lobster commercial fishing, which may be permitted until September 15, 2023.” NMFS published a final rule (89 FR 12282) on February 16, 2024, conforming the U.S. fishing regulations at 50 CFR part 600 to Proclamations 9496 and 10287, and adding § 600.725(x) to reflect the commercial fishing prohibition in the two Proclamations. On February 6, 2026, the Presidential Proclamation *Unleashing Commercial Fishing in the Atlantic* (91 FR 6489, February 11, 2026) again removed the prohibition on commercial fishing in the Monument.

Approved Measures

Consistent with the February 2026 Presidential Proclamation, which removed the prohibition on commercial fishing within the boundaries of the Monument, and the requirements of the Magnuson-Stevens Act, this action rescinds the regulations at 50 CFR 600.725(x).

Classification

NMFS is issuing this rule pursuant to section 305(d) of the Magnuson-Stevens Act to comply with section 303(a)(1)(C) by rescinding regulations at § 600.725(x) to ensure that all fishery management plans and measures implemented by the Secretary of Commerce are consistent with, and conform to, the February 2026 Proclamation and the Antiquities Act. The NMFS Assistant Administrator has determined that this rule is consistent with other applicable law.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and opportunity for public comment on this action. Prior notice and opportunity for public comment on this final rule would be impracticable, unnecessary, and contrary to the public interest. The removal of the prohibition on commercial fishing went into effect immediately upon issuance of the Proclamation. Subject to federal regulation, including regulations at 50 CFR 648.373, commercial fishing may now take place within the Monument. This rule removes the regulations at § 600.725(x), which reflected the prior Proclamations' prohibition on commercial fishing in the Monument, to conform to the current Proclamation. This rule provides clarity and certainty to the fishing industry that the restrictions on commercial fishing no longer apply. Therefore, it is impracticable and contrary to the public interest to provide for prior notice and opportunity for public comment for removal of a regulation whose legal justification no longer exists.

This final rule merely conforms U.S. fishing regulations to the requirements of the Antiquities Act and the Presidential Proclamation *Unleashing Commercial Fishing in the Atlantic*. The Magnuson-Stevens Act, which governs the activities associated with commercial fishing in the U.S. Exclusive Economic Zone, requires fishery management plans and measures implemented by the Secretary of Commerce to be consistent with all applicable law, including Presidential Proclamations issued under the authority of the Antiquities Act. The Antiquities Act authorizes the President to establish national marine monuments and to make the final decision on what is protected and what uses will be restricted. The Presidential Proclamation *Unleashing Commercial Fishing in the Atlantic* is, therefore, within the President's authority under the Antiquities Act. The President removed the prohibition on commercial fishing within the Monument in the February 2026 Proclamation. This action, which removes regulations that do not reflect current law, is therefore not discretionary, making the opportunity for prior public comment unnecessary because NMFS has no ability for public comment to inform decision-

making.

There is good cause to implement this action immediately upon publication without a 30-day delay pursuant to 5 U.S.C. 553(d)(3). Waiting an additional 30 days for this rule to become effective would be impracticable, unnecessary, and contrary to the public interest for all of the same reasons that it would be impracticable, unnecessary, and contrary to the public interest to provide prior notice and opportunity for public comment above and are not repeated. Further, commercial fishing was allowed in the Monument on February 6, 2026, upon release of the Presidential Proclamation *Unleashing Commercial Fishing in the Atlantic*. Delaying effectiveness would only lengthen the time period in which U.S. fishing regulations do not conform with other applicable law and would create confusion within the fishing industry as to whether commercial fishing is allowed within the Monument. Moreover, for the same reason, the regulated industry does not need time to prepare for the effectiveness of the removal of the regulation. *See* 5 U.S.C. 553(d)(1).

The National Environmental Policy Act does not apply to this action. Because this action merely conforms the Magnuson-Stevens Act regulations to applicable law under the Presidential Proclamation *Unleashing Commercial Fishing in the Atlantic*, NMFS has no discretion. As a result, there is no decision-making process, and no alternatives to consider. There is no “proposal” for action, as discussed in the June 30, 2025, NOAA Administrative Order 216-6A Companion Manual.

This rule has been determined to be significant for purposes of Executive Order (E.O.) 12866.

This final rule is considered an Executive Order 14192 deregulatory action.

NMFS has determined that this action would not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal

Government and Indian Tribes; therefore, consultation with Tribal officials under E.O. 13175 is not required, and the requirements of section (5)(b) and (c) of E.O. 13175 also do not apply. A Tribal summary impact statement under section (5)(b)(2)(B) and (c)(2)(B) of E.O. 13175 is not required and has not been prepared.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

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

List of Subjects in 50 CFR Part 600

Fisheries, Fishing.

Dated: April 1, 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 600 to read as follows:

PART 600—MAGNUSON-STEVENS ACT PROVISIONS

1. The authority citation for part 600 continues to read as follows:

Authority: 5 U.S.C. 561 and 16 U.S.C. 1801 *et seq.*

§ 600.725 [Amended]

2. Amend § 600.725 by removing and reserving paragraph (x).

[FR Doc. 2026-06663 Filed: 4/3/2026 8:45 am; Publication Date: 4/6/2026]