This document is scheduled to be published in the Federal Register on 2026-08-24 and available online at **https://www.federalregister.gov/d/2026-17228**, and on **https://govinfo.gov**

3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140722613-4908-02; RTID 0648-XF993]

Coastal Migratory Pelagic Resources of the Gulf and Atlantic Region; Commercial Closure for Atlantic Spanish Mackerel in the Northern Zone

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure (AM) for the commercial harvest of the Atlantic migratory group of Spanish mackerel in the northern zone of the Atlantic exclusive economic zone (EEZ). NMFS projects that landings will soon reach the revised commercial quota for Spanish mackerel in the northern zone of the Atlantic EEZ for the 2026-2027 fishing year. In accordance with the regulations for the Atlantic migratory group of Spanish mackerel, NMFS closes the northern zone for commercial harvest to protect this fishery resource.

DATES: This temporary rule is effective from August 25, 2026, through February 28, 2027.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727-824-5305, or email: *mary.vara@noaa.gov*.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish in the Atlantic includes king mackerel, Spanish mackerel, and cobia on the east coast of Florida, and is managed under the Fishery Management Plan for Coastal Migratory Pelagic Resources of the Gulf and Atlantic Region (FMP). The FMP was prepared by the Gulf and South Atlantic Fishery Management Councils and NMFS, was approved by the Secretary of Commerce, and is implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). All weights described for Spanish mackerel in the Atlantic EEZ apply as either round or gutted weight.

Atlantic Spanish mackerel are divided into northern and southern zones for management purposes. The northern zone for Spanish mackerel extends in the Atlantic EEZ from New York through North Carolina. The northern boundary of the northern zone extends from an intersection point off New York, Connecticut, and Rhode Island at 41°18'16.249" N latitude and 71°54'28.477" W longitude, and proceeds southeast to 37°22'32.75" N latitude and the intersection point with the outward boundary of the EEZ. The southern boundary of the northern zone extends from the North Carolina and South Carolina state border along a line in a direction of 135°34'55" from true north beginning at 33°51'07.9" N latitude and 78°32'32.6" W longitude to the

intersection point with the outward boundary of the EEZ (50 CFR 622.369(b)(2)).

The commercial annual catch limit (ACL; equal to the commercial quota) for the Atlantic migratory group of Spanish mackerel (Atlantic Spanish mackerel) is 3.33 million pounds (lb) (1.51 million kilograms (kg)) (50 CFR 622.384(c)(2)). The commercial quota for Atlantic Spanish mackerel in the northern zone is 662,670 lb (300,582 kg) and is 2,667,330 lb (1,209,881 kg) in the southern zone (50 CFR 622.384(c)(2)(i) and (ii)). For the 2026-2027 fishing year, the Atlantic Spanish mackerel fishing year is from March 1, 2026 through February 28, 2027 (50 CFR 622.7(b)(3)).

The regulation codified at 50 CFR 622.384(c)(2)(iii) allows for commercial quota transfers between the northern and southern zones with approval from the Regional Administrator (RA) of the NMFS Southeast Region. Specifically, North Carolina or Florida, in consultation with the other states in their respective zones, may request approval from the RA to transfer part or all of its respective zone's annual commercial quota to the other zone. For the purposes of quota closures as described in 50 CFR 622.8, the receiving zone's quota will be the original quota plus any transferred amount, for that fishing year only. Landings associated with any transferred quota will be included in the total landings for Atlantic Spanish

mackerel, which will be evaluated relative to the total ACL.

In a letter to NMFS dated July 16, 2026, the State of Florida requested the transfer of 250,000 lb (113,398 kg) of Atlantic Spanish mackerel commercial quota from the southern zone to the northern zone to allow the commercial quota for both zones in the current fishing year to be fully harvested. NMFS approved the transfer of commercial quota on July 20, 2026, and therefore, the revised northern zone commercial quota for Spanish mackerel is 912,670 lb (413,980 kg) and the revised southern zone commercial quota is 2,417,330 lb (1,096,482 kg) for the 2026-2027 fishing year.

The commercial AM for Atlantic Spanish mackerel requires NMFS to close the commercial sector for Atlantic Spanish mackerel in the northern zone when landings reach or are projected to reach the commercial quota for that zone (50 CFR 622.388(d)(1)(i)). For Atlantic Spanish mackerel from the northern zone, NMFS projects that the 2026-2027 revised commercial quota will have been reached by August 25, 2026. Accordingly, the commercial sector for Atlantic Spanish mackerel in the northern zone is closed effective on August 25, 2026, and remains closed through February 28, 2027, the end of the current fishing year.

During the commercial closure, a person on a vessel that has been issued a valid Federal commercial permit to

harvest Atlantic Spanish mackerel may continue to retain this species in the northern zone under the recreational bag and possession limits specified in 50 CFR 622.382(a), if recreational harvest of Atlantic Spanish mackerel in the northern zone has not been closed (50 CFR 622.384(e)(1)).

Also during the commercial closure, Atlantic Spanish mackerel from the northern zone, including those fish harvested under the recreational bag and possession limits, may not be purchased or sold. This prohibition does not apply to Atlantic Spanish mackerel from the northern zone that were harvested, landed ashore, and sold prior to the closure and were held in cold storage by a dealer or processor (50 CFR 622.384(e)(2)).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.388(d)(1)(i), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule implementing the commercial quota and AM has already been subject to notice and public comment, and all that remains is to notify the public of

the closure. Such procedures are also contrary to the public interest because of the need to immediately implement the closure to protect the resource of Atlantic Spanish mackerel, because the capacity of the fishing fleet allows for rapid harvest of the commercial quota. Prior notice and opportunity for public comment would require time and could result in additional harvest that exceeds the established commercial quota.

For the same reasons, there is good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: August 20, 2026.

David R. Blankinship,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2026-17228 Filed: 8/20/2026 4:15 pm; Publication Date: 8/24/2026]