

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 241203-0308; RTID 0648-XF391]

Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer From North Carolina to New York

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

ACTION: Temporary rule; quota transfer.

SUMMARY: NMFS announces that the State of North Carolina is transferring a portion of its 2025 commercial summer flounder quota to the State of New York. This adjustment to the 2025 fishing year quota is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) quota transfer provisions. This announcement informs the public of the revised 2025 commercial quotas for North Carolina and New York.

DATES: Effective December 22, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Matthew Rigdon, Fishery Management Specialist, (978) 281-9336.

SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are found in 50 CFR 648.100 through 648.111. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102, and the final 2025 allocations were published on December 10, 2024 (89 FR 99138).

The final rule implementing amendment 5 to the FMP, as published in the **Federal Register** on December 17, 1993 (58 FR 65936), provided a mechanism for transferring summer flounder commercial quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider three criteria in the evaluation of requests for quota transfers or combinations: (1) the transfers or combinations would not preclude the overall annual quota from being fully

harvested; (2) the transfers address an unforeseen variation or contingency in the fishery; and (3) the transfers are consistent with the objectives of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Regional Administrator has determined these three criteria have been met for the transfer approved in this notification.

North Carolina is transferring 100,000 pounds (lb; 45,359 kilograms (kg)) of summer flounder to New York through a mutual agreement between the states. This transfer was requested to ensure that New York would not exceed its 2025 state quota. The revised summer flounder quotas for 2025 are: North Carolina, 2,232,603 lb (1,012,692 kg); and New York, 822,157 lb (372,924 kg).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 648.102(c)(2)(i) through (iv), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempted from review under Executive Order 12866.

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

Dated: December 19, 2025.

Kelly Denit,

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

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 251208-0181; RTID 0648-XF413]

Fisheries of the Northeastern United States; 2026 Atlantic Herring Fishery Specifications

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

ACTION: Temporary rule; inseason.

SUMMARY: NMFS is finalizing the 2026 Atlantic herring specifications and river herring and shad catch caps for the Atlantic herring fishery. This action is necessary to implement previously projected 2026 Atlantic herring specifications, including the river herring and shad catch caps. This action is intended to achieve the objectives of the Atlantic Herring Fishery

Management Plan, including preventing overfishing, helping rebuild an overfished stock, and achieving optimum yield on a continuing basis.

DATES: The 2026 specifications for the Atlantic herring fishery are effective from January 1 through December 31, 2026.

FOR FURTHER INFORMATION CONTACT:

Carrie Nordeen, Fishery Policy Analyst, 978-281-9272.

SUPPLEMENTARY INFORMATION: NMFS and the New England Fishery Management Council (Council) manage the Atlantic herring fishery pursuant to the Atlantic Herring Fishery Management Plan. Regulations at 50 CFR 648.200 require the Council to recommend herring specifications for NMFS's approval and provide the Council with the discretion to recommend river herring and shad catch caps as part of the specifications. Prior to the start of 2026, the Council recommended herring specifications and river herring and shad catch caps for 2026. On December 11, 2025, NMFS published a final rule (90 FR 57376) setting the Council-recommended 2025 herring specifications and projecting the 2026-2027 herring specifications.

At the end of each fishing year, NMFS evaluates catch information to determine if there were catch overages or unharvested catch compared to the annual catch limit (ACL) or the sub-ACLs for the herring management areas. If catch exceeds a sub-ACL or the ACL, regulations at § 648.201(a)(3) may require a sub-ACL or ACL deduction in a subsequent year. Additionally, regulations at § 648.201(g)(2) prohibit the carryover of unharvested catch to 2026.

NMFS reviewed 2024 fishery information against the projected 2026 herring specifications. There were no catch overages, nor is there any new biological information that would require altering the projected 2026 specifications published in December 2025. Based on this information, NMFS is finalizing the 2026 herring specifications, including the river herring and shad catch caps, as projected in the December 2025 final rule and outlined below in tables 1 and 2. These 2026 herring fishery specifications are expected to prevent overfishing, help rebuild an overfished stock, and achieve optimum yield on a continuing basis. NMFS will provide notice of the final 2027 herring fishery specifications, and any necessary adjustments, prior to the start of 2027.