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Signing Authority

This document of the Drug Enforcement Administration was signed on July 6, 2026, by Administrator Terrance Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Leslie Mayer,

Federal Register Liaison Officer, Drug Enforcement Administration.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 622**

[Docket No. 260706-0162]

RIN 0648-BN67

Fisheries of the Caribbean, Gulf of America, and South Atlantic; Puerto Rico Fishery Management Plan; Amendment 4

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement Amendment 4 to the Puerto Rico Fishery Management Plan (Puerto Rico FMP), as prepared and submitted by the Caribbean Fishery Management Council (Council). The proposed rule would reclassify rainbow runner from a reef fish to a pelagic fish under the Puerto Rico FMP. The proposed rule would implement management measures for rainbow runner based on the pelagic fish classification, including sector annual catch targets (ACTs) and accountability measures (AMs). The sector-specific annual catch limits (ACLs) would be retained after the reclassification. The purpose of this proposed rule and Amendment 4 is to ensure that rainbow runner is managed consistent with its life history

characteristics, fishing patterns, and with the Council's management of other pelagic species.

DATES: Written comments must be received by August 7, 2026.

ADDRESSES: A plain language summary of this proposed rule is available at <https://www.regulations.gov/docket/NOAA-NMFS-2025-0471>. You may submit comments on the proposed rule, identified by "NOAA-NMFS-2025-0471," by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit <https://www.regulations.gov> and enter "NOAA-NMFS-2025-0471" in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments.
- **Mail:** Submit all written comments to Maria Lopez-Mercer, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

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 Amendment 4, which includes a fishery impact statement, a regulatory impact review, and a Regulatory Flexibility Act (RFA) analysis, may be obtained from the Southeast Regional Office website at <https://www.fisheries.noaa.gov/action/amendment-4-puerto-rico-fishery-management-plan-reclassification-rainbow-runner-pelagic-fish>.

FOR FURTHER INFORMATION CONTACT: Maria Lopez-Mercer, 727-824-5305, maria.lopez@noaa.gov.

SUPPLEMENTARY INFORMATION: Rainbow runner is currently managed under the Puerto Rico FMP as a reef fish. The FMP was prepared by the Council and NMFS, approved by the Secretary of Commerce, and 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).

Background

The Magnuson-Stevens Act requires that NMFS and the regional fishery management councils prevent overfishing and achieve, on a continuing basis, the optimum yield from federally managed fish stocks to ensure that fishery resources are managed for the greatest overall benefit to the Nation, particularly with respect to providing food production and recreational opportunities and protecting marine ecosystems.

This action is proposed under the statutory authority of the Magnuson-Stevens Act section 303(a)(1) as necessary and appropriate for the conservation and management of the fishery to prevent overfishing and to promote the long-term health and stability of the fishery.

During development of the Puerto Rico FMP, the finfish stocks were classified into three descriptive categories: reef fish, pelagic fish, and rays. At that time, the rainbow runner and two other jack species that were new to Federal management under the Puerto Rico FMP (crevalle jack and African pompano) were classified as reef fish. Under the Puerto Rico FMP, each jack species is managed as an individual stock rather than in a stock complex because of differences in the primary location where they are caught. As described in the Puerto Rico FMP, rainbow runner is commonly caught in open water, while crevalle jack is commonly harvested closer to shore and around mangrove channels, and African pompano is commonly caught off the beach. With the implementation of the Puerto Rico FMP in October 2022, rainbow runner became subject to management measures applicable to reef fish in Federal waters around Puerto Rico. Federal waters around Puerto Rico extend seaward from 9 nautical miles (nmi) or 16.7 kilometers (km) from shore to the offshore boundary of the U.S. Caribbean exclusive economic zone (EEZ).

Under the Puerto Rico FMP, regulations that apply to all reef fish, including rainbow runner as currently classified, include anchoring restrictions, prohibited fishing gear types, seasonal closures, and a combined recreational bag and possession limit. Also, as a reef fish species, rainbow runner is subject to commercial and recreational ACLs, a total ACL, and sector-specific AMs.

Unless otherwise noted, all weights in this proposed rule are described in pounds (lb) round weight. Under the Puerto Rico FMP, commercial and recreational data were available to

establish sector-specific ACLs for rainbow runner, which were equal to 10.14 percent for commercial and 89.86 percent for recreational of the total ACL. For rainbow runner, the commercial ACL is 913 lb (414.1 kg), the recreational ACL is 8,091 lb (3,670 kg), and the total ACL is 9,004 lb (4,084.1 kg).

Under the Puerto Rico FMP, at or near the beginning of the fishing year landings for each stock, stock complex, or indicator stock of reef fish are evaluated relative to the ACL based on a moving multi-year average of landings, as described in the FMP (50 CFR 622.440(a)(4)). When landings for one sector are not available for comparison to that sector's ACL, the ACL for the sector with available landings is the applicable ACL for the stock or stock complex. At this time, recreational landings for rainbow runner are not available; therefore, commercial landings are evaluated relative to the commercial ACL to determine if the AM specified in 50 CFR 622.440(a)(7) applies. If NMFS estimates that available commercial landings for rainbow runner have exceeded the commercial ACL, the Assistant Administrator for NMFS will file a notification with the Office of the Federal Register to reduce the length of the commercial and recreational fishing seasons for rainbow runner within that fishing year by the amount necessary to prevent commercial landings from exceeding the commercial ACL, unless NMFS determines that a reduction is not necessary based on the best scientific information available, or unless the ACL was exceeded because data collection or monitoring improved rather than because landings increased (50 CFR 622.440(a)(7)).

The status of the Puerto Rico rainbow runner stock has not been assessed. Since implementation of the Puerto Rico FMP in 2022, rainbow runner is not undergoing overfishing and its overfished status is unknown. As described in Amendment 4, no AM-based fishing season reductions for rainbow runner have been applied. In 2024, the most recent commercial landings of rainbow runner (1,177 lb (534 kg) in 2022) exceeded the commercial ACL (913 lb (414.1 kg)) by 264 lb (120 kg). However, the AM was not implemented (*i.e.*, the lengths of the commercial and recreational fishing seasons were not reduced) because NMFS determined that the commercial ACL was exceeded because of improved data collection and monitoring, rather than an increase in landings.

At the April 2023 Council meeting, the Council began to discuss

reclassifying rainbow runner as a pelagic fish under the Puerto Rico FMP instead of as a reef fish to better reflect the way the species is fished. Methods and techniques used to harvest rainbow runner are consistent with those used for pelagic fishing in Federal waters around Puerto Rico. Around Puerto Rico, rainbow runner are caught in the water column, while reef fish are usually caught off the bottom. The Council requested its Scientific and Statistical Committee (SSC) to evaluate life history information and landings data available for rainbow runner and provide a recommendation on the classification of rainbow runner. The SSC determined that there was sufficient information to support the reclassification of the species as a pelagic fish and recommended that the Council reclassify rainbow runner as a pelagic fish under the Puerto Rico FMP. At the August 2023 Council meeting, the Council accepted the SSC's recommendation and began developing Amendment 4.

Management Measures Contained in This Proposed Rule

This proposed rule would reclassify rainbow runner from a reef fish to a pelagic fish under the Puerto Rico FMP definitions. The reclassification would subject rainbow runner to Federal regulations under the FMP applicable to pelagic fish and exclude the species from Federal regulations applicable to reef fish. The current sector ACLs would not change as a result of the reclassification. This proposed rule would also establish sector ACTs and subject rainbow runner to AMs consistent with management of pelagic fish.

Reclassification of Rainbow Runner as a Pelagic Fish

Rainbow runner is currently defined as a reef fish species under the Puerto Rico FMP (50 CFR 622.431). As such, regulations that pertain to managed reef fish apply to rainbow runner. Reef fish-specific regulations include anchoring restrictions, prohibited fishing gear types, seasonal closures, a combined recreational bag and possession limit, a total ACL (*i.e.*, combined commercial and recreational ACLs), and sector-specific AMs. This proposed rule would remove rainbow runner from the definition of "reef fish" in table 3 to 50 CFR 622.431 and add it to the definition of "pelagic fish" in table 1 to 50 CFR 622.431.

As a result of the changes to the definitions, reef fish-specific regulations under the FMP would no longer apply to rainbow runner. Specifically,

restrictions designed to protect reef fish populations, including a recreational bag and possession limit (50 CFR 622.444(a)(2)) and a seasonal closure in the Bajo de Sico area off western Puerto Rico (50 CFR 622.439(a)(3)), would not apply to rainbow runner as a pelagic fish.

As described in Amendment 4, rainbow runner behaves as a pelagic species and has been historically targeted by Puerto Rico commercial and recreational fishermen consistent with other pelagic species, although catches are infrequent and variable. Reclassifying rainbow runner as a pelagic fish is not expected to change how the species is currently fished in Federal waters around Puerto Rico or increase the risk of overfishing of the stock. Under the Puerto Rico FMP, crevalle jack and African pompano would continue to be classified and managed as reef fish, which is consistent with their life history characteristics and fishing patterns in Federal waters around Puerto Rico.

ACLs and ACTs

Reclassifying rainbow runner from a reef fish to a pelagic fish under the Puerto Rico FMP would not change the commercial ACL (913 lb (414 kg)) or the recreational ACL (8,091 lb (3,670 kg)). Rather, the reclassification would remove rainbow runner commercial, recreational, and total ACLs from the tables for reef fish under 50 CFR 622.440(a) and add the commercial and recreational ACLs to 50 CFR 622.440(b) for pelagic fish. The sector allocations of 10.14 percent commercial and 89.86 percent recreational that were established under the Puerto Rico FMP would remain unchanged. Because AMs for pelagic fish do not evaluate landings relative to total ACLs (*i.e.*, combined commercial and recreational ACLs), the total ACL value of 9,004 lb (4,084.1 kg) for rainbow runner would be removed from regulations.

Additionally, the reclassification as a pelagic fish would require the establishment of sector-specific ACTs as part of the AMs applicable to pelagic fish. Consistent with management of the other pelagic fish under the Puerto Rico FMP, the sector ACTs would be set at 90 percent of their respective sector ACLs.

Managing pelagic species with sector ACTs and ACLs is intended to serve as a precautionary measure to address harvest uncertainty for pelagic species that are new to Federal management. This proposed rule would set the commercial ACT of rainbow runner at 822 lb (373 kg) and the recreational ACT at 7,282 lb (3,303 kg).

AMs

This proposed rule would also change the AM applicable to rainbow runner from the AMs described in 50 CFR 622.440(a)(4) through (7) for reef fish and apply the pelagic fish AM described in 50 CFR 622.440(b)(7). Under the pelagic fish AM, if NMFS estimates that landings have exceeded the applicable ACT for a stock or stock complex, NMFS will determine the appropriate corrective action in consultation with the Council. Unlike a fixed seasonal closure, these measures are adaptive and could involve the future development and implementation of new management measures, such as seasonal or area closures, commercial trip limits, or recreational bag and possession limits.

By applying the pelagic AM to rainbow runner, the corrective action includes a consultation process to ensure the long-term sustainability of the resource, rather than an automatic season reduction.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with Amendment 4, the FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866. This proposed rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866.

The Magnuson-Stevens Act provides the statutory basis for this proposed rule. No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting, record-keeping, or other compliance requirements are introduced by this proposed rule. This proposed rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

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 certification follows. A copy of the full analysis is available from NMFS (see **ADDRESSES**). All monetary estimates in the following analysis are in 2022 dollars.

A description of this proposed rule, why it is being considered, and the objectives of this proposed rule are contained in the **SUMMARY** and **SUPPLEMENTARY INFORMATION** sections of this proposed rule.

This proposed rule would reclassify rainbow runner from a reef fish to a pelagic fish under the Puerto Rico FMP, which would remove the species from Federal regulations applicable to reef fish, retain the current sector ACLs under pelagic fish, establish sector ACTs, and apply pelagic fish AMs consistent with management of pelagic fish.

For rainbow runner, the current commercial ACL of 913 lb (414.1 kg) and the current recreational ACL of 8,091 lb (3,670 kg) would not change after being classified as a pelagic fish species. The reclassification of rainbow runner from a reef fish to a pelagic fish under the FMP would require that sector-specific ACTs be established as part of the AM applicable to pelagic fish. This proposed rule would establish a commercial ACT of 822 lb (373 kg) and a recreational ACT of 7,282 lb (3,303 kg) for rainbow runner.

This proposed rule would also implement AMs consistent with management of pelagic fish, such that if NMFS estimates that landings have exceeded the applicable ACT for a stock or stock complex, NMFS will determine appropriate corrective action in consultation with the Council. Under the current reef fish AMs, if NMFS estimates that landings for rainbow runner exceeded the applicable ACL for the stock (*i.e.*, the commercial ACL), NMFS will reduce the length of the fishing season for rainbow runner within the fishing year by the amount necessary to prevent landings from exceeding the ACL. However, no reduction in the fishing season is required if NMFS determines that a reduction is not necessary based on the best scientific information available or if the ACL was exceeded because data collection or monitoring improved rather than because landings increased.

This proposed rule would apply to all commercial fishing businesses, charter vessel and headboat (for-hire) fishing businesses, and recreational fishers (anglers) that fish for rainbow runner in the EEZ around Puerto Rico.

The RFA requires NMFS to describe the impact of the proposed rule on small entities (5 U.S.C. 603). Small entities include small businesses, small organizations, and small governmental jurisdictions (5 U.S.C. 601(3)–(6)). Recreational anglers are not businesses, organizations, or governmental

jurisdictions, so they are outside the scope of this analysis.

Although this proposed rule would apply to for-hire vessels, it would not be expected to have any direct effects on these entities. For-hire fishing businesses sell services to anglers and any change in demand for their fishing services as a result of this action would be dependent upon changes in anglers' behavior. Therefore, any impact on for-hire fishing businesses would be an indirect effect of this proposed rule and would fall outside the scope of the RFA. In summary, only the impacts on commercial fishing businesses are discussed here.

Estimates of the number of small commercial fishing businesses that are directly affected by this proposed rule are based on the number of commercial fishermen who report their landings. Any business that operates a commercial fishing vessel that lands fish in Puerto Rico must be licensed to do so by the territorial government. Each licensed fisherman represents a unique commercial fishing business. The process of reporting commercial landings has changed in the past 8 years in Puerto Rico. Prior to 2020, there was only one way that commercial fishermen could report their landings and that was with the commercial catch report (CCR) form for Puerto Rico, which was a paper form. Since 2020, fishermen can opt to report their landings using the Puerto Rico Department of Natural and Environmental Resources electronic reporting (e-reporting) system rather than the CCR form. Fishermen can access the e-reporting application with their phones, tablets, or computers. They collect and submit the required data, such as fish type, time of catch, quantity of catch and more, while they are out on the water, at the dock, or back at home. Some continue to use the CCR form, while others are opting to use the e-reporting application.

Rainbow runner has never been a species identified on the CCR form. For a fisherman to report landings of rainbow runner on the CCR form, they have to either include those landings within the broader listed category of jacks or write in rainbow runner and its landings on the form. There is a similar issue with e-reporting. Fishermen who land rainbow runner have to search for rainbow runner and mark it when using the app or can include its landings under the broader category of jacks. Consequently, it is expected that reported landings, specifically of rainbow runner, do not include all landings of rainbow runner, and that reported landings (specifically of jacks)

include not just rainbow runner, but other species as well.

Commercial landings data from 2021 through 2022 are used to estimate the number of small businesses that would be directly affected by this proposed rule. Note, earlier years of data are excluded to preserve confidentiality. From 2021 through 2022, there were an average of five fishermen that reported landings of rainbow runner annually and each landed, on average, approximately 180 lb (82 kg) of rainbow runner from all waters. During that same period, an annual average of 265 fishermen reported landings of jacks from the EEZ and unknown waters and each landed, on average, approximately 225 lb (102 kg) of jacks.

Each commercial fisherman in Puerto Rico is assumed to represent a unique commercial fishing business. The greatest annual total revenue from all landings among any of the fishermen who reported landings of either jacks (as a general category) or rainbow runner from the EEZ and unknown waters was less than \$100,000. More generally, maximum total annual revenue for any commercial fisherman operating in Puerto Rico was less than \$600,000 from 2015 through 2019.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System (NAICS) code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of \$11 million for all its affiliated operations worldwide. All of the commercial fishing businesses directly regulated by this proposed rule are believed to be small entities based on the NMFS size standard. No other small entities that would be directly affected by this proposed rule have been identified.

This proposed rule would reclassify rainbow runner from a reef fish to a pelagic fish under the Puerto Rico FMP. There are multiple impacts of the reclassification on small commercial fishing businesses that harvest rainbow runner from the EEZ and unknown waters.

First, currently as a reef fish, fishing for and possession of rainbow runner is prohibited from October 1 through March 31, each year, in or from those parts of Bajo de Sico that are in the EEZ around Puerto Rico. This seasonal closure does not apply to pelagic fish.

As such, the proposed reclassification of rainbow runner from a reef fish to a pelagic fish could directly benefit small commercial fishing businesses by allowing them to fish for and possess rainbow runner during the Bajo de Sico closed season. Bajo de Sico is an area of state and Federal waters off the west coast of Puerto Rico and most reported landings of rainbow runner or jacks occur on Puerto Rico's west coast. The magnitude of the potential direct economic benefit, however, cannot be estimated since CCR and e-reporting landings data are not of sufficient detail to estimate rainbow runner landings that derive from fishing in Federal waters of Bajo de Sico. Any potential increase in landings, ex-vessel revenue, or profits would be constrained by the commercial ACL and the proposed ACT.

Second, as a reef fish, rainbow runner currently has a commercial ACL of 913 lb (414.1 kg) and no corresponding commercial ACT. Each pelagic fish under the Puerto Rico FMP has both a commercial ACL and commercial ACT, the latter of which is set at 90 percent of the commercial ACL. This proposed rule would keep the commercial ACL for rainbow runner at 913 lb (414.1 kg) and establish a proposed commercial ACT of 822 lb (373 kg). Landings of rainbow runner as a pelagic fish would be compared to its commercial ACT rather than just its commercial ACL to determine if an action must be taken to limit its landings. The potential impact of this, however, is dependent on the proposed changes to the AM for rainbow runner, as discussed in the next paragraph.

Third, as a reef fish, rainbow runner currently has an AM that is more likely to cause a reduction in the length of the fishing season than if it were a pelagic fish. Currently, the AM for rainbow runner as a reef fish is as follows. At or near the beginning of the fishing year, commercial landings for reef fish are evaluated relative to the commercial ACL based on a moving multi-year average of landings, as described in the Puerto Rico FMP. If the multi-year average of commercial landings exceeds the commercial ACL (which is the trigger), the length of the fishing season is reduced. However, no reduction in the fishing season is required if NMFS determines that a reduction is not necessary based on the best scientific information available or if the ACL was exceeded because data collection or monitoring improved rather than because landings increased. In 2022, commercial landings of rainbow runner exceeded its commercial ACL. However, NMFS determined that the increased landings were indicative of

improvement in data collection and monitoring, rather than increased effort, and as such, there was no reduction in the length of the fishing season for rainbow runner. Nonetheless, if commercial landings continue to exceed the commercial ACL for rainbow runner, it could lead to a possible reduction in the length of a future fishing season.

If reclassified as a pelagic fish, the AM for rainbow runner would be as follows. At or near the beginning of the fishing year, commercial landings for rainbow runner will be evaluated relative to the commercial ACT based on a moving multi-year average of landings, as described in the Puerto Rico FMP. If NMFS estimates that commercial landings have exceeded the commercial ACT, NMFS, in consultation with the Council, will determine appropriate corrective action. In 2022, commercial landings exceeded the proposed commercial ACT, which indicates there could be more triggering of the AM for rainbow runner as a pelagic fish rather than as a reef fish. As described above, if increased landings are indicative of improvement in data collection or monitoring, rather than increased effort, no corrective action may be necessary to limit landings. However, if there was an increase in effort, as a pelagic fish, a reduction in the length of the fishing season would be among the kinds of corrective actions that could be used to reduce commercial landings.

There have been no reductions in the length of a rainbow runner fishing season to date. No single year or multi-year average of reported commercial landings of rainbow runner (CCR form) from 2015 through 2019 reached or exceeded the commercial ACL of 913 lb (414.1 kg). However, in 2022 with the inclusion of e-reporting, commercial landings of rainbow runner exceeded its commercial ACL for the first time. NMFS determined that the overage was due to enhanced or improved data collection or monitoring and no AM was implemented for the species.

Assuming future fishing effort and rainbow runner landings remain consistent with historical effort and landings, the establishment of the proposed commercial ACT and the proposed changes to the rainbow runner AM would not be expected to have a significant economic impact on small businesses. This proposed rule could have a potential beneficial economic impact on small commercial fishing businesses in Puerto Rico by allowing them to fish for rainbow runner in Federal waters of Bajo de Sico when it is otherwise closed to reef fish fishing.

This potential beneficial impact cannot be estimated with available data; however, it would be constrained upwards by the commercial ACL and proposed ACT.

In summary, this proposed rule would reclassify rainbow runner from being a reef fish to a pelagic fish. The establishment of the proposed commercial ACT and the proposed changes to the rainbow runner AM would not be expected to have significant economic impacts on small businesses. This proposed rule could have a potential beneficial economic impact on small commercial fishing businesses in Puerto Rico by allowing them to fish for rainbow runner in Federal waters of Bajo de Sico when it is otherwise closed to reef fish fishing. This beneficial impact cannot be estimated with available data; however, it would be constrained upwards by the

commercial ACL and proposed ACT. In conclusion, this proposed rule would not be expected to have a significant economic impact on a substantial number of small entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

List of Subjects in 50 CFR Part 622

Caribbean, Fisheries, Fishing, Puerto Rico, Rainbow runner.

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

Dated: July 6, 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 622 as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF AMERICA, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

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

■ 2. In § 622.431, under the definition of *Pelagic fish* revise Table 1 to § 622.431 and under the definition of *Reef fish* revise Table 3 to § 622.431 to read as follows:

§ 622.431 Definitions.

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TABLE 1 TO § 622.431

Class or family	Scientific name	English common name
Dolphinfishes—Coryphaenidae	<i>Coryphaena hippurus</i>	Dolphinfish.
	<i>Coryphaena equiselis</i>	Pompano dolphinfish.
Barracudas—Sphyraenidae	<i>Sphyraena barracuda</i>	Great barracuda.
Jacks—Carangidae	<i>Elagatis bipinnulata</i>	Rainbow runner.
Mackerels and tunas—Scombridae	<i>Thunnus atlanticus</i>	Blackfin tuna.
	<i>Scomberomorus regalis</i>	Cero.
	<i>Scomberomorus cavalla</i>	King mackerel.
	<i>Euthynnus alletteratus</i>	Little tunny.
	<i>Acanthocybium solandri</i>	Wahoo.
Tripletails—Lobotidae	<i>Lobotes surinamensis</i>	Tripletail.

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TABLE 3 TO § 622.431

Class or family	Scientific name	English common name
Angelfishes—Pomacanthidae	<i>Pomacanthus paru</i>	French angelfish.
	<i>Pomacanthus arcuatus</i>	Gray angelfish.
	<i>Holacanthus ciliaris</i>	Queen angelfish.
Groupers—Serranidae	<i>Mycteroperca bonaci</i>	Black grouper.
	<i>Cephalopholis fulva</i>	Coney.
	<i>Epinephelus itajara</i>	Goliath grouper.
	<i>Cephalopholis cruentata</i>	Graysby.
	<i>Hyporthodus mystacinus</i>	Misty grouper.
	<i>Epinephelus striatus</i>	Nassau grouper.
	<i>Epinephelus morio</i>	Red grouper.
	<i>Epinephelus guttatus</i>	Red hind.
	<i>Epinephelus adscensionis</i>	Rock hind.
	<i>Mycteroperca tigris</i>	Tiger grouper.
	<i>Hyporthodus flavolimbatus</i>	Yellowedge grouper.
	<i>Mycteroperca venenosa</i>	Yellowfin grouper.
	<i>Mycteroperca interstitialis</i>	Yellowmouth grouper.
Grunts—Haemulidae	<i>Haemulon plumieri</i>	White grunt.
Jacks—Carangidae	<i>Alectis ciliaris</i>	African pompano.
	<i>Caranx hippos</i>	Crevalle jack.
Parrotfishes—Scaridae	<i>Scarus coeruleus</i>	Blue parrotfish.
	<i>Scarus coelestinus</i>	Midnight parrotfish.
	<i>Scarus taeniopterus</i>	Princess parrotfish.
	<i>Scarus vetula</i>	Queen parrotfish.
	<i>Scarus guacamaia</i>	Rainbow parrotfish.
	<i>Sparisoma aurofrenatum</i>	Redband parrotfish.
	<i>Sparisoma chrysopteron</i>	Redtail parrotfish.
	<i>Sparisoma viride</i>	Stoplight parrotfish.

TABLE 3 TO § 622.431—Continued

Class or family	Scientific name	English common name
Snappers—Lutjanidae	<i>Scarus iseri</i>	Striped parrotfish.
	<i>Apsilus dentatus</i>	Black snapper.
	<i>Lutjanus buccanella</i>	Blackfin snapper.
	<i>Pristipomoides macrophthalmus</i>	Cardinal snapper.
	<i>Lutjanus cyanopterus</i>	Cubera snapper.
	<i>Lutjanus jocu</i>	Dog snapper.
	<i>Lutjanus synagris</i>	Lane snapper.
	<i>Lutjanus analis</i>	Mutton snapper.
	<i>Etelis oculatus</i>	Queen snapper.
	<i>Lutjanus apodus</i>	Schoolmaster.
	<i>Lutjanus vivanus</i>	Silk snapper.
	<i>Rhomboplites aurorubens</i>	Vermilion snapper.
	<i>Pristipomoides aquilonaris</i>	Wenchman.
	<i>Ocyurus chrysurus</i>	Yellowtail snapper.
Surgeonfishes—Acanthuridae	<i>Acanthurus coeruleus</i>	Blue tang.
	<i>Acanthurus chirurgus</i>	Doctofish.
	<i>Acanthurus tractus</i>	Ocean surgeonfish.
Triggerfishes—Balistidae	<i>Balistes caprisus</i>	Gray triggerfish.
	<i>Canthidermis sufflamen</i>	Ocean triggerfish.
	<i>Balistes vetula</i>	Queen triggerfish.
Wrasses—Labridae	<i>Lachnolaimus maximus</i>	Hogfish.
	<i>Halichoeres radiatus</i>	Puddingwife.
	<i>Bodianus rufus</i>	Spanish hogfish.

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■ 3. In § 622.440, revise paragraphs (a)(1) through (a)(3) and paragraph (b) to read as follows:

§ 622.440 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).

(a) * * *

(1) *Commercial ACLs.* The commercial ACLs are as follows and given in round weight.

TABLE 1 TO § 622.440(a)(1)

Family	Stock or stock complex and species composition	Commercial ACL
Angelfishes	Angelfish—French angelfish, gray angelfish, queen angelfish	137 lb (62.1 kg).
Groupers	Grouper 3—coney, ¹ graysby	23,890 lb (10,836.3 kg).
	Grouper 4—black grouper, red grouper, tiger grouper, yellowfin grouper, yellowmouth grouper	2,492 lb (1,130.3 kg).
	Grouper 5—misty grouper, yellowedge grouper	15,327 lb (6,952.2 kg).
Grunts	Grouper 6—red hind, ¹ rock hind	121,729 lb (55,215.3 kg).
	Grunts—white grunt	177,923 lb (80,704.5 kg).
Jacks	Jacks 1—crevalle jack	46 lb (20.8 kg).
Parrotfishes	Jacks 2—African pompano	1,052 lb (477.1 kg).
	Parrotfish 2—princess parrotfish, queen parrotfish, redband parrotfish, redtail parrotfish, stoplight parrotfish, striped parrotfish	147,774 lb (67,029.1 kg).
Snappers	Snapper 1—black snapper, blackfin snapper, silk snapper, ¹ vermilion snapper, wenchman	424,009 lb (192,327.2 kg).
	Snapper 2—cardinal snapper, queen snapper ¹	257,236 lb (116,680.2 kg).
	Snapper 3—lane snapper	244,376 lb (110,847 kg).
	Snapper 4—dog snapper, mutton snapper, ¹ schoolmaster	116,434 lb (52,813.5 kg).
	Snapper 5—yellowtail snapper	315,806 lb (143,247.1 kg).
	Snapper 6—cubera snapper	119 lb (53.9 kg).
Surgeonfishes	Surgeonfish—blue tang, doctofish, ocean surgeonfish	147 lb (66.6 kg).
Triggerfishes	Triggerfish—gray triggerfish, ocean triggerfish, queen triggerfish ¹	83,099 lb (37,693 kg).
Wrasses	Wrasses 1—hogfish	70,140 lb (31,814.9 kg).
	Wrasses 2—puddingwife, Spanish hogfish	20,126 lb (9,129 kg).

¹ Indicator stock.

(2) *Recreational ACLs.* The recreational ACLs are as follows and given in round weight.

TABLE 2 TO § 622.440(a)(2)

Family	Stock or stock complex and species composition	Recreational ACL
Angelfishes	Angelfish—French angelfish, gray angelfish, queen angelfish	2,985 lb (1,353.9 kg).
Groupers	Grouper 3—coney, ¹ graysby	19,634 lb (8,905.8 kg).

TABLE 2 TO § 622.440(a)(2)—Continued

Family	Stock or stock complex and species composition	Recreational ACL
	Grouper 4—black grouper, red grouper, tiger grouper, yellowfin grouper, yellowmouth grouper.	5,867 lb (2,661.2 kg).
	Grouper 5—misty grouper, yellowedge grouper	4,225 lb (1,916.4 kg).
	Grouper 6—red hind, ¹ rock hind	34,493 lb (15,645.7 kg).
Grunts	Grunts—white grunt	2,461 lb (1,116.2 kg).
Jacks	Jacks 1—crevalle jack	41,894 lb (19,002.7 kg).
	Jacks 2—African pompano	5,719 lb (2,594 kg).
Parrotfishes	Parrotfish 2—princess parrotfish, queen parrotfish, redband parrotfish, redtail parrotfish, stoplight parrotfish, striped parrotfish.	17,052 lb (7,734.6 kg).
Snappers	Snapper 1—black snapper, blackfin snapper, silk snapper, ¹ vermilion snapper, wenchman.	111,943 lb (50,776.4 kg).
	Snapper 2—cardinal snapper, queen snapper ¹	24,974 lb (11,328 kg).
	Snapper 3—lane snapper	21,603 lb (9,798.9 kg).
	Snapper 4—dog snapper, mutton snapper, ¹ schoolmaster	76,625 lb (34,756.5 kg).
	Snapper 5—yellowtail snapper	23,988 lb (10,880.7 kg).
	Snapper 6—cubera snapper	6,448 lb (2,924.7 kg).
Surgeonfishes	Surgeonfish—blue tang, doctorfish, ocean surgeonfish	860 lb (390 kg).
Triggerfishes	Triggerfish—gray triggerfish, ocean triggerfish, queen triggerfish ¹	7,453 lb (3,380.6 kg).
Wrasses	Wrasses 1—hogfish	8,263 lb (3,748 kg).
	Wrasses 2—puddingwife, Spanish hogfish	5,372 lb (2,436.6 kg).

¹ Indicator stock.

(3) *Total ACLs.* The total ACLs (combined commercial and recreational ACLs) are as follows and given in round weight.

TABLE 3 TO § 622.440(a)(3)

Family	Stock or stock complex and species composition	Total ACL
Angelfishes	Angelfish—French angelfish, gray angelfish, queen angelfish	3,122 lb (1,416.1 kg).
Grouper	Grouper 3—coney, ¹ graysby	43,524 lb (19,742.1 kg).
	Grouper 4—black grouper, red grouper, tiger grouper, yellowfin grouper, yellowmouth grouper.	8,359 lb (3,791.5 kg).
	Grouper 5—misty grouper, yellowedge grouper	19,552 lb (8,868.6 kg).
	Grouper 6—red hind, ¹ rock hind	156,222 lb (70,861.1 kg).
Grunts	Grunts—white grunt	180,384 lb (81,820.8 kg).
Jacks	Jacks 1—crevalle jack	41,940 lb (19,023.6 kg).
	Jacks 2—African pompano	6,771 lb (3,071.2 kg).
Parrotfishes	Parrotfish 2—princess parrotfish, queen parrotfish, redband parrotfish, redtail parrotfish, stoplight parrotfish, striped parrotfish.	164,826 lb (74,763.8 kg).
Snappers	Snapper 1—black snapper, blackfin snapper, silk snapper, ¹ vermilion snapper, wenchman.	535,952 lb (243,103.7 kg).
	Snapper 2—cardinal snapper, queen snapper ¹	282,210 lb (128,008.3 kg).
	Snapper 3—lane snapper	265,979 lb (120,646 kg).
	Snapper 4—dog snapper, mutton snapper, ¹ schoolmaster	193,059 lb (87,570 kg).
	Snapper 5—yellowtail snapper	339,794 lb (154,127.9 kg).
	Snapper 6—cubera snapper	6,567 lb (2,978.7 kg).
Surgeonfishes	Surgeonfish—blue tang, doctorfish, ocean surgeonfish	1,007 lb (456.7 kg).
Triggerfishes	Triggerfish—gray triggerfish, ocean triggerfish, queen triggerfish ¹	90,552 lb (41,073.6 kg).
Wrasses	Wrasses 1—hogfish	78,403 lb (35,563 kg).
	Wrasses 2—puddingwife, Spanish hogfish	25,498 lb (11,565.6 kg).

¹ Indicator stock.

* * * * *

(b) *Pelagic fish.* The ACLs and ACTs are given in round weight. Indicator stocks are noted in the relevant tables to paragraph (a) of this section. For those fishing commercially, the applicable ACL is the commercial ACL and the applicable ACT is the commercial ACT. For those fishing recreationally, the applicable ACL is the recreational ACL and the applicable ACT is the recreational ACT. When landings for one sector are not available for

comparison to that sector's ACL and ACT, the ACL and ACT for the sector with available landings are the ACL and ACT for the stock or stock complex.

- (1) *Barracuda—great barracuda.*
 - (i) Commercial ACL—495 lb (224.5 kg).
 - (ii) Commercial ACT—445 lb (201.8 kg).
 - (iii) Recreational ACL—167,693 lb (76,064.2 kg).
 - (iv) Recreational ACT—150,924 lb (68,457.9 kg).

(2) *Dolphinfishes—dolphinfish, pompano dolphinfish.*

- (i) Commercial ACL—232,173 lb (105,311.9 kg).
- (ii) Commercial ACT—208,956 lb (94,780.8 kg).
- (iii) Recreational ACL—1,513,873 lb (686,681.2 kg).
- (iv) Recreational ACT—1,362,486 lb (618,013.2 kg).
- (3) *Jacks—rainbow runner.*
 - (i) Commercial ACL—913 lb (414.1 kg).
 - (ii) Commercial ACT—822 lb (373 kg).

(iii) Recreational ACL—8,091 lb (3,670 kg).

(iv) Recreational ACT—7,282 lb (3,303 kg).

(4) *Mackerels*—*cero*, *king mackerel*.

(i) Commercial ACL—232,422 lb (105,424.8 kg).

(ii) Commercial ACT—209,180 lb (94,882.4 kg).

(iii) Recreational ACL—129,180 lb (58,595 kg).

(iv) Recreational ACT—116,262 lb (52,735.5 kg).

(5) *Tripletail*.

(i) Commercial ACL—270 lb (122.4 kg).

(ii) Commercial ACT—243 lb (110.2 kg).

(iii) Recreational ACL—39,005 lb (17,692.3 kg).

(iv) Recreational ACT—35,105 lb (15,923.3 kg).

(6) *Tunas*—*blackfin tuna*, *little tunny*.

(i) Commercial ACL—82,779 lb (37,547.9 kg).

(ii) Commercial ACT—74,501 lb (33,793 kg).

(iii) Recreational ACL—34,485 lb (15,642.1 kg).

(iv) Recreational ACT—31,037 lb (14,078.1 kg).

(7) *Wahoo*.

(i) Commercial ACL—25,911 lb (11,753 kg).

(ii) Commercial ACT—23,320 lb (10,577.7 kg).

(iii) Recreational ACL—210,737 lb (95,588.6 kg).

(iv) Recreational ACT—189,663 lb (86,029.6 kg).

(8) *Pelagic fish AM application*. At or near the beginning the fishing year, landings for each stock, stock complex, or indicator stock will be evaluated relative to the applicable ACT for the stock or stock complex based on a moving multi-year average of landings, as described in the FMP. If NMFS estimates that landings have exceeded the applicable ACT specified in paragraph (b) of this section for a stock or stock complex, NMFS in consultation with the Caribbean Fishery Management Council will determine appropriate corrective action.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No.: 260702–0160]

RIN 0648–BO38

Fisheries of the Northeastern United States; Omnibus Management Flexibility Amendment to New England Fishery Management Council Fishery Management Plans

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to implement the Omnibus Management Flexibility Amendment to the New England Fishery Management Council (Council) Fishery Management Plans (FMPs) (Amendment), as prepared by the Council. This proposed rule would allow for changes to the specifications process, in-season adjustment authority, and preparation of Council reports and reviews. The purpose of this action is to address the need for increased management flexibility and consistency across all the Council's FMPs.

DATES: Comments must be received by August 7, 2026.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2026–0067, by the following method:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA–NMFS–2026–0067 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

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 Omnibus Management Flexibility Amendment may be obtained from <https://www.regulations.gov> and the New England Fishery Management Council website at <https://www.nefmc.org/library/omnibus-management-flexibility-amendment>.

FOR FURTHER INFORMATION CONTACT:

Travis Ford, 978–281–9233, travis.ford@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS and the Council manage fishery resources under nine separate FMPs for 27 species off the New England and Mid-Atlantic coasts. The Council prepares the FMPs and any associated amendments, and NMFS, reviews, and if approved, implements the FMPs and amendments to the FMPs through regulations at 50 CFR part 648 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Background

The Council developed this Amendment in response to Executive Order 14276, *Restoring American Seafood Competitiveness* to reduce regulatory burden and enhance access to fishery resources. At its September 2025 meeting, the Council voted to submit the Amendment to NMFS. Because the Monkfish FMP is jointly managed by the New England Fishery Management Council and the Mid-Atlantic Fishery Management Council, the Mid-Atlantic Council took final action on the monkfish aspects of the Amendment at its October 2025 meeting and adopted the New England Council's selected monkfish measures. If approved, NMFS proposes to implement this amendment. This proposed rule would apply across the New England Council's FMPs and would include administrative changes to specifications frequency, the specifications setting process, in-season adjustment authority, and the preparation of Council reports and reviews. The proposed action is intended to enhance consistency across all the Council's FMPs, streamline regulatory requirements, and provide the Council with increased flexibility in managing its FMPs.

Proposed Measures

Specifications Frequency

Currently, all the Council's FMPs require specifications to be set at varying frequencies (Table 1). Given the uncertainty in the availability of updated stock assessments and data updates, some FMPs may be required to set specifications even when there are no updated assessment products