



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 260304-0064]

RIN 0648-BN23

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 69

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

ACTION: Final rule.

SUMMARY: NMFS approves regulations to implement specifications and management measures in Framework Adjustment 69 to the Northeast Multispecies Fishery Management Plan, as proposed, with one adjustment to Georges Bank haddock; approves Northeast multispecies (groundfish) sectors and allocations; sets recreational measures and common pool possession limits; and clarifies and corrects existing regulations. This action is necessary to respond to updated scientific information and to achieve the goals and objectives of the fishery management plan. The measures are intended to help prevent overfishing, rebuild overfished stocks, achieve optimum yield, and ensure that management measures are based on the best scientific information available.

DATES: This rule is effective [INSERT DATE OF PUBLICATION IN THE
FEDERAL REGISTER].

ADDRESSES: Copies of Framework Adjustment 69, including the Environmental Assessment, the Regulatory Impact Review, and the Regulatory Flexibility Act Analysis prepared by the New England Fishery Management Council in support of this action, are

available from Dr. Cate O’Keefe, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950. The supporting documents are also accessible via the Internet at: <https://www.nefmc.org/management-plans/northeast-multispecies> or <https://www.regulations.gov>. Copies of each sector’s approved operations plan and contracts and other supporting documents are available from the NMFS Greater Atlantic Regional Fisheries Office (GARFO), by contacting Heather Nelson at heather.nelson@noaa.gov. These documents are also accessible via the GARFO website.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to: <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting “Currently under 30-day Review - Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Liz Sullivan, Fishery Policy Analyst, phone: 978-282-8493; e-mail: Liz.Sullivan@noaa.gov.

SUPPLEMENTARY INFORMATION: The Northeast Multispecies Fishery Management Plan (FMP) regulates the commercial and recreational fishing of 13 species of groundfish through the use of various management programs designed to promote the long-term sustainability of the Northeast multispecies (groundfish) fishery. The FMP includes the annual specification of catch limits for each applicable component of the fishery. The directed groundfish fishery is divided into the recreational and commercial components, and the commercial fishery is further divided between sectors and the common pool. Annually, the commercial groundfish fishery has a value of approximately \$40 million (ex-vessel revenue from the most recent complete fishing year). Recreational fisheries, including the recreational groundfish fishery, contribute substantial value to the regional and national economies.

Summary of Approved Measures

The New England Fishery Management Council (Council) adopted Framework Adjustment 69 to the Northeast Multispecies FMP on December 4, 2024. The Council submitted Framework 69, including an environmental assessment (EA), for NMFS approval on March 11, 2025. NMFS published a proposed rule for Framework 69 on December 8, 2025, (90 FR 56836), with a 30-day comment period that closed on January 7, 2026.

Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and on behalf of the Secretary of Commerce, NMFS approves, disapproves, or partially approves measures that the Council recommends, based on consistency with the Magnuson-Stevens Act and other applicable law. NMFS reviews recommended specifications and proposed measures for consistency with the fishery management plan, plan amendments, the Magnuson-Stevens Act, and other applicable law; publishes proposed regulations; solicits public comment; and promulgates final regulations. Based on information provided in the EA and considered during the preparation of this action, and after consideration of comments, NMFS has approved all of the measures proposed in Framework 69 as recommended by the Council, as described below, except for the Georges Bank (GB) haddock acceptable biological catch (ABC), which is increased from the proposed amount. The Framework 69 measures implemented in this final rule:

- Set the shared United States/Canada quotas for GB yellowtail flounder for fishing years 2025 and 2026 and eastern GB haddock for fishing year 2025;
- Set specifications, including catch limits for six groundfish stocks: Gulf of Maine (GOM) haddock, American plaice, witch flounder, pollock, and Atlantic halibut for fishing years 2025-2027; and GB yellowtail flounder for fishing years 2025-2026;

- Remove a requirement for sectors to submit State and Federal permit information to NMFS; and,
- Modify the catch threshold for implementing the Atlantic sea scallop fishery's accountability measures (AM) for GB yellowtail flounder and northern windowpane flounder.

This action also implements regulatory changes and other measures that are not part of Framework 69, but that may be considered and implemented under section 305(d) authority in the Magnuson-Stevens Act to make changes necessary to carry out the FMP. NMFS is implementing these changes in conjunction with the Framework 69 measures for expediency purposes. Through this rulemaking, NMFS:

- Sets specifications, including catch limits, for GB haddock for fishing year 2025 above the amount recommended by the Council;
- Approves sector operations plans and allocates quotas to sectors;
- Removes a requirement for weekly reporting by sectors;
- Sets recreational management measures for GOM haddock;
- Updates the common pool possession and trip limits for stocks to reflect potential fishing year 2025 limits; and,
- Revises existing regulatory text to correct and increase readability and clarity of existing regulations.

On May 2, 2025, NMFS published an emergency rule that temporarily implemented specifications and management measures for 2025 for two stocks of cod, approved sector operations plans, and allocated sector quota for the 2025 fishing year (90 FR 18804) and subsequently extended the emergency rule to remain in effect through April 30, 2026 (90 FR 47989). In the emergency rule, NMFS acknowledged the significant administrative challenges and disruptions to NMFS, the sectors, and fishing participants that would be caused by transitioning from two stock units of cod to four

stock units mid-fishing year. Further, Amendment 25 to the FMP (90 FR 11246, March 5, 2025) would have established four stocks of cod and Framework 69 would have implemented management measures and allocations for the four stocks. Amendment 25 was disapproved on May 15, 2025, due to procedural concerns over the separation of Amendment 25 and Framework 69. As a result, NMFS removed the portions of Framework 69 specific to four stocks of cod because they can no longer be implemented through this action. The specifications for GOM cod and GB cod (including the United States/Canada quotas) remain in place as set by the emergency rule and are not changed in this rule. Although the Council has recommended and submitted a revised Amendment 25 for NMFS review (91 FR 1257, January 13, 2026), that action is no longer tied to Framework 69 and this rulemaking.

Some measures in the emergency rule, such as the United States/Canada quotas and specifications for GB haddock, were already part of the Council's recommendations for Framework 69. Framework 69 replaces the measures implemented by the emergency rule. While the emergency rule authorized sector operations plans and allocated quota for the 2025 fishing year, this rule approves the two-year (2025-2026) sector operations plans and allocates quota for the full 2025 fishing year to reflect the specifications approved in Framework 69. Similarly, this final rule sets common pool possession limits for groundfish stocks and recreational management measures for GOM haddock. These measures would replace those set by the emergency rule.

Fishing Years 2025 Shared United States/Canada Quotas

As described in the proposed rule, eastern GB cod, eastern GB haddock, and GB yellowtail flounder are shared stocks that are jointly managed with Canada under the United States/Canada Resource Sharing Understanding. This action adopts shared United States/Canada quotas for eastern GB haddock and GB yellowtail for fishing year 2025 (see table 1), based on updated assessments and the recommendations of the

Transboundary Management Guidance Committee and consistent with the Council’s Scientific and Statistical Committee (SSC) recommendations. The 2025 emergency rule set United States/Canada quotas for eastern GB cod.

Table 1 -- 2025 Fishing Year United States/Canada Quotas (metric tons (mt), live weight) and Percent of Quota Allocated to Each Country

Quota	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared Quota	7,410	200
United States Quota	1,556 (21 percent)	96 (48 percent)
Canadian Quota	5,854 (79 percent)	104 (52 percent)

The regulations implementing the United States/Canada Resource Sharing Understanding at § 648.85(a) require deducting any overages of the United States quota for eastern GB cod, eastern GB haddock, or GB yellowtail flounder from the United States quota in the following fishing year. Based on preliminary data, the U.S. fishery did not exceed its 2024 fishing year quota for any of the shared stocks. However, if catch information indicates that the U.S. fishery exceeded its quota for any of the shared stocks, NMFS will reduce the respective U.S. quotas for the 2025 fishing year in a future management action, as soon as possible in the 2025 fishing year. If any fishery component (*e.g.*, groundfish sectors or scallop fishery) that is allocated a portion of the U.S. quota exceeds its sub-ACL and there is an overage of the overall U.S. quota, the overage reduction would be applied only to that fishery’s allocation in the following fishing year. This ensures that catch by one component of the overall fishery does not negatively affect another component of the overall fishery.

Catch Limits for Fishing Years 2025-2027

This rule adopts catch limits for GOM haddock, American plaice, witch flounder, pollock, and Atlantic halibut for the 2025-2027 fishing years; GB yellowtail flounder for the 2025-2026 fishing years; and GB haddock for the 2025 fishing year. Specifications

are projected for fishing years 2026 and 2027 and will be considered and reaffirmed or changed in a future action. Fishing year 2025 catch limits for other groundfish stocks were previously projected by Framework 65 (88 FR 56527; August 18, 2023) and Framework 66 (89 FR 35755; May 2, 2024), and this rule reaffirms those catch limits. The catch limits implemented in this action, including overfishing limits (OFL), ABCs, and annual catch limits (ACL), are listed in tables 2 through 8. A summary of how these catch limits were developed, including the distribution to the various fishery components, was provided in the proposed rule and in appendix II (Calculation of Northeast Multispecies Annual Catch Limits, FY 2025 – FY 2027) to the EA, and is not repeated here.

In the proposed rule, NMFS acknowledged the commercial fishery's concerns regarding the GB haddock ABC and U.S. ABC, which resulted in no haddock quota being allocated to the western GB area (although sectors can transfer haddock quota from eastern to western GB). In response to comments received on the proposed rule and concerns raised regarding the amount of GB haddock quota available to the U.S. fishery and its economic impacts on the fishery, NMFS has determined that it is appropriate to increase the GB haddock ABC to equal the OFL of 8,034 mt.

During the development of Framework 69, the Northeast Fisheries Science Center (Center) ran projections to calculate OFLs and ABCs for each stock that had been assessed in 2024, including GB haddock. Because these projections were needed before the 2024 calendar year ended, the Groundfish Plan Development Team (PDT) provided an estimate of calendar year 2024 catch. This estimated catch was the basis of the 8,034 mt OFL that was calculated to have a 50-percent probability of preventing overfishing and that the SSC recommended to the Council to include in Framework 69. In response to the public comments the Council received during the development of this action regarding the economic impacts of the resulting U.S. ABC for GB haddock, NMFS

examined the risk of overfishing that might result from increasing the GB haddock ABC to equal the OFL. The unanticipated delays in implementing Framework 69 resulted in the availability of realized 2024 catch that was lower than the PDT's prior estimated catch, and the time to update the projections for GB haddock. Because the 8,034 mt ABC recommended by the Council was based on higher catch estimates for 2024 than actually occurred, an ABC equal to the OFL for GB haddock still has a greater than 50-percent probability of preventing overfishing.

Setting the ABC to 8,034 mt does not change the quotas set under the United States/Canada Resource Sharing Understanding (see above). This increased ABC results in a U.S. ABC of 2,180 mt and an additional 567 mt allocated to the commercial fishery in the western portion of GB. The increase is expected to increase the flexibility of sectors to access the available stock biomass without increasing the risk of overfishing for the stock above 50 percent.

Fishermen commenting on the proposed GB haddock ABC during the Council's development of Framework 69 noted a concern about potential lease costs that could result from the lower ABC this fishing year that would impose an additional financial hardship from the decline in available catch. A review of leasing activity this fishing year revealed that to fish for western GB haddock some sectors are acquiring eastern GB haddock through trades from other sectors to convert to western GB haddock, consistent with sector provisions. This has resulted in nearly twice as many trades completed this year compared to each of the last 3 years and more than 10 times the number of conversions in 2025 compared to each of the prior 2 years. This has complicated sector operations this year relative to prior years and allocating more haddock this year will alleviate some of the need for these trades and conversions. Increasing the GB haddock ABC will provide GB haddock quota that is expected to be available for trading among

sectors. This increased supply of fish could relieve some of the financial burden on sectors from the overall decrease in available catch this fishing year.

Table 2 -- Fishing Years 2025-2027 Overfishing Limits and Acceptable Biological Catches (mt, live weight)

Stock	2025		Percent change from 2024	2026		2027	
	OFL	U.S. ABC		OFL	U.S. ABC	OFL	U.S. ABC
GB Haddock	8,034	2,180	-69%	-	-	-	-
GOM Haddock	4,430	3,410	+42%	4,709	3,634	4,700	3,631
GB Yellowtail Flounder	UNK	96	+36%	UNK	96	-	-
SNE/MA Yellowtail Flounder	345	40	0%	-	-	-	-
CC/GOM Yellowtail Flounder	1,184	915	-8%	-	-	-	-
American Plaice	11,048	8,697	+58%	8,866	6,979	7,368	5,791
Witch Flounder	UNK	1,526	+21%	UNK	1,526	UNK	1,526
GB Winter Flounder	2,100	1,490	-4%	-	-	-	-
GOM Winter Flounder	1,072	804	0%	-	-	-	-
SNE/MA Winter Flounder	1,536	627	0%	-	-	-	-
Redfish	10,982	8,273	0%	11,177	8,418	-	-
White Hake	2,591	1,921	-1%	-	-	-	-
Pollock	16,585	12,733	-9%	14,583	11,170	13,383	10,252
N. Windowpane Flounder	UNK	136	0%	UNK	136	-	-
S. Windowpane Flounder	284	213	0%	284	213	-	-
Ocean Pout	125	87	0%	-	-	-	-
Atlantic Halibut	UNK	35	-55%	UNK	35	UNK	35
Atlantic Wolffish	124	93	0%	-	-	-	-

UNK = Unknown; SNE/MA = Southern New England/Mid Atlantic; CC = Cape Cod

Note: An empty cell indicates no OFL/ABC is adopted for that year. These catch limits would be set in a future action.

At the start of the 2025 fishing year, the May 2, 2025, emergency rule allocated stocks to each sector and to the common pool based on the catch limits contained within that rule and the previous year's sector rosters. These were updated in the emergency extension to reflect the fishing year 2025 potential sector contributions (PSC) and sector rosters. This rule updates the sub-ACLs for sectors and the common pool based on the

final catch limits in this rule and fishing year 2025 rosters. See “**Sectors**” below for more information regarding allocations to individual sectors. Although Framework 69 does not implement specifications for GB cod and GOM cod, table 3 and tables 6 through 8 include specifications for these two stocks based on the emergency rule to provide a complete view of the fishery’s allocations.

Amendment 23 to the FMP (87 FR 75852; December 9, 2022) implemented a measure to remove the management uncertainty buffer for the sector sub-ACL for each allocated groundfish stock in years that the at-sea monitoring (ASM) coverage target is set at 100 percent, unless removal is unwarranted. On March 21, 2025, the NMFS Greater Atlantic Regional Administrator announced the preliminary fishing year 2025 ASM coverage target of 100 percent, and nothing has changed since that announcement to require a lower ASM coverage target or to change the determination that the coverage target provides a basis for removing the management uncertainty buffer. Therefore, in this action, NMFS is removing the management uncertainty buffer for each allocated stock for all sectors for the entirety of the 2025 fishing year, including for GOM cod and GB haddock (based on the catch limits set by the May 1, 2025, emergency rule). Because removal of the buffer is dependent on the annual determination of the ASM coverage target and consideration of its merit, the determination regarding the buffer in fishing year 2026 would be made in a future action.

Table 3 -- Catch Limits for the 2025 Fishing Year with management uncertainty buffer removed for sectors (mt, live weight)

Stock	Total ACL	Groundfish sub-ACL	Sector sub-ACL	Common Pool sub-ACL	Recreational sub-ACL	Midwater Trawl Fishery	Scallop Fishery	Small-Mesh Fisheries	State Waters sub-component	Other sub-component
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod*	194	147	142	5					16	31
GOM Cod*	336	306	178	7	120				30	0.0
GB Haddock	2,175	2,123	2,077	46		41			0	10.9
GOM Haddock	3,324	3,258	2,129	54	1,075	32			34	0.0
GB Yellowtail Flounder	95	79	74	5.0			14.9	1.8	0.0	0.0
SNE/MA Yellowtail Flounder	40	35	26	9.0			2.7		0.2	2.0
CC/GOM Yellowtail Flounder	913	848	801	48					28	37
American Plaice	8,684	8,640	8,385	255					0	44
Witch Flounder	1,523	1,477	1,424	54					7.6	38
GB Winter Flounder	1,488	1,473	1,402	71					0	15
GOM Winter Flounder	799	634	541	93					153	12.1
SNE/MA Winter Flounder	624	461	395	66					19	144
Redfish	8,268	8,268	8,170	98					0	0
White Hake	1,920	1,910	1,889	21					0	10
Pollock	12,727	11,263	11,145	117					764	700
N. Windowpane Flounder	127	94	na	94			27		0.0	6.8
S. Windowpane Flounder	205	30	na	30			71		6.4	98
Ocean Pout	83	49	na	49					0	34
Atlantic Halibut	34	23	na	23					9.1	1.6
Atlantic Wolffish	87	87	na	87					0	0

na: not allocated to sectors

* Specifications for GB cod and GOM cod were set by emergency action and are not implemented by this rule. They are included here for a complete view of allocations based on final 2025 rosters.

Table 4 -- Catch Limits for the 2026 Fishing Year* (mt, live weight)

Stock	Total ACL	Groundfish sub-ACL	Sector sub-ACL	Common Pool sub-ACL	Recreational sub-ACL	Midwater Trawl Fishery	Scallop Fishery	Small-Mesh Fisheries	State Waters sub-component	Other sub-component
	A to H	A+B+C	A	B	C	D	E	F	G	H
GOM Haddock	3,429	3,359	2,155	58	1,146	34			36	0.0
GB Yellowtail Flounder	93	76	71	5.0			15	1.8	0.0	0.0
American Plaice	6,632	6,597	6,393	204					0	35
Witch Flounder	1,452	1,406	1,352	54					7.6	38
Redfish	7,997	7,997	7,898	99					0	0
Pollock	10,676	9,391	9,288	103					670	614
N. Windowpane Flounder	127	94	na	94			27		0.0	6.8
S. Windowpane Flounder	205	30	na	30			71		6.4	98
Atlantic Halibut	34	23	na	23					9.1	1.6

na: not allocated to sectors

* Northeast multispecies stocks not included in table 4 do not have catch limits approved for fishing year 2026.

Table 5 -- Catch Limits for the 2027 Fishing Year* (mt, live weight)

Stock	Total ACL	Groundfish sub-ACL	Sector sub-ACL	Common Pool sub-ACL	Recreational sub-ACL	Midwater Trawl Fishery	Scallop Fishery	Small-Mesh Fisheries	State Waters sub-component	Other sub-component
	A to H	A+B+C	A	B	C	D	E	F	G	H
GOM Haddock	3,426	3,356	2,153	58	1,145	34			36	0.0
American Plaice	5,503	5,474	5,304	170					0	29
Witch Flounder	1,452	1,406	1,352	54					7.6	38
Pollock	9,798	8,619	8,525	94					615	564
Atlantic Halibut	34	23	na	23					9.1	1.6

na: not allocated to sectors

* Northeast multispecies stocks not included in table 5 do not have catch limits approved for fishing year 2027.

Table 6 -- Fishing Years 2025-2027 Common Pool Trimester TACs (mt, live weight)

Stock	2025			2026			2027		
	Trimester 1	Trimester 2	Trimester 3	Trimester 1	Trimester 2	Trimester 3	Trimester 1	Trimester 2	Trimester 3
GB Cod*	1.3	1.6	1.8						
GOM Cod*	3.4	2.3	1.2						

GB Haddock	12.5	15.3	18.6						
GOM Haddock	14.7	14.1	25.6	15.7	15.1	27.3	15.6	15.1	27.2
GB Yellowtail Flounder	1.0	1.5	2.6	1.0	1.5	2.6			
SNE/MA Yellowtail Flounder	1.9	2.5	4.6						
CC/GOM Yellowtail Flounder	27.1	12.4	8.1						
American Plaice	188.5	20.4	45.8	151.3	16.4	36.8	125.5	13.6	30.5
Witch Flounder	29.6	10.8	13.5	29.6	10.8	13.5	29.6	10.8	13.5
GB Winter Flounder	5.7	17.0	48.2						
GOM Winter Flounder	34.5	35.5	23.3						
Redfish	24.4	30.2	42.9	24.8	30.8	43.6			
White Hake	7.9	6.5	6.5						
Pollock	32.8	41.1	43.4	28.8	36.0	38.1	26.4	33.0	34.9

* Specifications for GB cod and GOM cod were set by emergency action and are not implemented by this rule. The resulting trimester TACs are included here for a complete view of allocations based on final 2025 rosters.

Table 7 -- Common Pool Incidental Catch TACs for the 2025-2027 Fishing Years (mt, live weight)

Stock	Percentage of Common Pool sub-ACL	2025	2026	2027
GB Cod*	1.68	0.08	0.00	0.00
GOM Cod*	1	0.07	0.00	0.00
GB Yellowtail Flounder	2	0.10	0.10	0.00
CC/GOM Yellowtail Flounder	1	0.48	0.00	0.00
American Plaice	5	12.74	10.22	8.48
Witch Flounder	5	2.69	2.69	2.69
SNE/MA Winter Flounder	1	0.66	0.00	0.00

* Specifications for GB cod and GOM cod were set by emergency action and are not implemented by this rule. The resulting incidental catch TACs are included here for a complete view of allocations based on final 2025 rosters.

Table 8 -- Fishing Years 2025-2027 Incidental Catch TACs for Each Special Management Program (mt, live weight)

Stock	Regular B DAS Program	Eastern United States/Canada Haddock SAP

	2025	2026	2027	2025	2026	2027
GB Cod*	0.05	0.00	0.00	0.03	0.00	0.00
GOM Cod*	0.07	0.00	0.00	n/a	n/a	n/a
GB Yellowtail Flounder	0.05	0.05	0.00	0.05	0.05	0.00
CC/GOM Yellowtail Flounder	0.48	0.00	0.00	n/a	n/a	n/a
American Plaice	12.74	10.22	8.48	n/a	n/a	n/a
Witch Flounder	2.69	2.69	2.69	n/a	n/a	n/a
SNE/MA Winter Flounder	0.66	0.00	0.00	n/a	n/a	n/a

DAS: day at sea; SAP: special access program.

* Specifications for GB cod and GOM cod were set by emergency action and are not implemented by this rule. The resulting incidental catch TACs are included here for a complete view of allocations based on final 2025 rosters.

Sectors

Sector Operations Plans and Exemptions

This rule approves all previously approved 15 sector operations plans for fishing years 2025-2026. No additional sectors are approved to operate in fishing year 2025.

For fishing years 2025 and 2026, sectors did not request any novel exemptions. This rule approves all 18 previously approved exemptions for fishing years 2025 and 2026. These exemptions are described fully in the proposed rule.

Sector Reporting Requirements

Framework 69 removes the regulation at § 648.87(b)(2) requiring sectors to include a list of all Federal and State permits held by participating vessels as part of a complete operations plan and sector contract package, as originally established in Amendment 16. Other requirements still apply.

In addition, this action removes the regulation at § 648.87(b)(1)(v)(B) requiring sectors to submit a weekly or daily, if required, catch report to NMFS. With the implementation of electronic reporting, NMFS receives catch and landing data simultaneously to sector managers, and weekly and daily reports from managers are no longer needed to track the most up-to-date annual catch entitlement (ACE) information.

Sector Allocations for Fishing Year 2025

This rule includes the allocations of ACE, to the nearest pound (lb), to each sector based on sectors' 2025 rosters, the specifications approved in this action (Framework 69), and the specifications for GOM cod and GB cod set by the 2025 emergency rule. The process for allocating ACE to sectors is more fully described in the Framework 69 proposed rule and is not repeated here. Table 9 shows the cumulative PSC by stock for each sector for fishing year 2025. Tables 10 and 11 show the ACEs allocated to each sector for fishing year 2025, in pounds and metric tons, respectively. NMFS has included the common pool sub-ACLs in tables 9 through 11 for comparison. NMFS uses final

allocations, along with later adjustments including ACE transfers, reductions for overages, or increases for carryover, monitor sector catch.

Table 9 -- Cumulative PSC (Percentage) Each Sector Would Receive by Stock for Fishing Year 2025*

Sector Name	MRI Count	GOM Cod	GB Cod	GB Haddock	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector	58	10.24212320	0.62118283	1.30036807	0.17541380	0.00311474	0.18875828	1.56423147	0.44969368	1.08624360	0.01703982	1.76326285	0.94546461	0.48359712	0.98554309	2.63604599
Maine Coast Community Sector	107	2.14381876	16.04726033	3.28024954	12.19493668	1.94946572	2.52191670	6.27087271	15.57982971	12.35893454	0.80738762	7.70307452	2.23292260	9.19871852	13.83337888	12.70465517
Maine Permit Bank	11	0.13439158	1.16168961	0.04453277	1.12521597	0.01387770	0.03207071	0.31964833	1.16764302	0.72914243	0.00021875	0.42733162	0.01820836	0.82280629	1.65674426	1.69636752
Moocussers Sector	51	11.75076850	7.21912792	3.63423596	3.80554950	0.85287050	0.71325693	3.90298129	0.95626703	2.17641454	0.06281761	3.89289999	1.81395127	4.76123074	10.82902490	10.91393118
NEFS 2	128	10.06043816	25.72844012	15.50795747	25.08012941	6.71533619	7.36598169	26.40703261	15.87508356	21.07064126	5.07183716	26.71999021	5.98070677	22.05072341	13.29452390	18.02512930
NEFS 4	58	8.63064256	11.18238598	6.05566788	8.86166344	2.17847227	2.28497979	6.42213790	9.43836833	8.82304185	0.69996268	7.42431328	1.03551783	6.69553103	8.27315447	7.26683531
NEFS 5	14	0.35472720	0.32881900	0.42498729	0.11063627	0.70255940	10.44623976	0.92544848	0.22763746	0.40210981	0.17313264	0.84381096	6.93905854	0.01320635	0.03510117	0.06575445
NEFS 6	3	0.53277963	0.16900617	0.55629310	0.15126005	0.06623359	0.00032970	0.02492228	0.88199052	0.47903712	0.08026315	0.07106409	0.01437646	1.11265148	0.52915152	0.31852137
NEFS 8	114	34.51388651	6.45087423	42.30010274	18.91885822	48.13967395	19.06150238	19.62941210	21.94659844	21.33080345	63.02944419	5.03318563	43.54807834	26.47961273	19.26726375	18.89354372
NEFS 10	20	0.17129915	1.67784253	0.10430337	0.71634962	0.00105439	0.56741495	3.07362115	0.30002267	0.59790479	0.01076827	5.69699804	0.43191024	0.01057169	0.02845311	0.07115414
NEFS 11	38	0.39824840	10.53615357	0.03378514	2.64634283	0.00088665	0.01017277	2.11441907	1.42997133	1.44683554	0.00097316	1.90333948	0.02232596	1.86077245	3.95170830	8.47767118
NEFS 12	25	0.87144678	3.84040388	0.79243704	1.41977269	1.33470334	1.55285130	9.57101150	1.86581763	2.04834200	0.39637667	12.41077504	0.72988422	0.58577546	0.92634941	1.40772701
NEFS 13	49	7.53239015	0.33857362	12.59623816	0.68350584	24.86780462	20.35771973	3.99132945	4.76528223	5.05798498	12.81770000	1.12900445	10.60284817	1.52348140	0.94824778	1.00456641
New Hampshire Permit Bank	4	0.00082696	1.15188056	0.00003421	0.03236754	0.00002041	0.00001803	0.02192453	0.02856511	0.00617883	0.00000326	0.06080509	0.00003694	0.01942370	0.08148030	0.11143814
Sustainable Harvest Sector 1	41	5.05343713	4.50212938	6.72957598	9.17479601	2.15655615	1.56139858	4.61957286	11.16236257	8.71237918	6.61130129	5.07805425	3.04571508	11.28978633	12.24469133	5.67281173
Sustainable Harvest Sector 2	14	1.29776006	1.13739128	1.99846045	4.03289027	0.70148248	1.99315808	2.13858024	2.09256157	2.33147501	0.36513799	2.03730190	2.22203502	4.16622848	2.83808242	2.72152125
Sustainable Harvest Sector 3	29	2.85517607	3.98021781	2.34273634	8.24985644	3.75909839	4.36586471	3.12368104	8.73405783	7.51949003	4.90221270	2.44199437	5.47302383	7.68590803	9.12453183	6.91687123
Common Pool	495	3.45583918	3.92662118	2.29803448	2.62045541	6.55678951	26.97636591	5.87917301	3.09824732	3.82304105	4.95342303	15.36279423	14.94393576	1.23997480	1.15256960	1.09545488
All Sectors	764	96.54	96.07	97.70	97.38	93.44	73.02	94.12	96.90	96.18	95.05	84.64	85.06	98.76	98.85	98.90

NEFS: Northeast Fishery Sector

* The data in this table are based on sector rosters for fishing year 2025.

Table 10 -- ACE (in 1,000 pounds), by Stock, for Each Sector for Fishing Year 2025*#

Sector Name	GB Cod East†	GB Cod West†	GOM Cod†	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector	19	15	3	45	16	8	0	0	29	86	35	1	25	10	88	42	655
Maine Coast Community Sector	4	3	66	113	41	588	3	2	118	2,972	403	26	109	23	1,678	583	3,156
Maine Permit Bank	0	0	5	2	1	54	0	0	6	223	24	0	6	0	150	70	421
Mooncusser Sector	21	17	30	125	46	183	1	1	73	182	71	2	55	19	868	456	2,711
NEFS 2	18	14	105	532	195	1,209	12	6	495	3,029	688	165	377	61	4,022	560	4,478
NEFS 4	16	12	46	208	76	427	4	2	120	1,801	288	23	105	11	1,221	349	1,805
NEFS 5	1	1	1	15	5	5	1	8	17	43	13	6	12	71	2	1	16
NEFS 6	1	1	1	19	7	7	0	0	0	168	16	3	1	0	203	22	79
NEFS 8	62	50	26	1,451	531	912	84	15	368	4,187	696	2,050	71	445	4,830	812	4,694
NEFS 10	0	0	7	4	1	35	0	0	58	57	20	0	80	4	2	1	18
NEFS 11	1	1	43	1	0	128	0	0	40	273	47	0	27	0	339	167	2,106
NEFS 12	2	1	16	27	10	68	2	1	180	356	67	13	175	7	107	39	350
NEFS 13	14	11	1	432	158	33	43	16	75	909	165	417	16	108	278	40	250
New Hampshire Permit Bank	0	0	5	0	0	2	0	0	0	5	0	0	1	0	4	3	28
Sustainable Harvest Sector 1	9	7	18	231	85	442	4	1	87	2,130	284	215	72	31	2,059	516	1,409
Sustainable Harvest Sector 2	2	2	5	69	25	194	1	2	40	399	76	12	29	23	760	120	676
Sustainable Harvest Sector 3	5	4	16	80	29	398	7	3	59	1,666	245	159	34	56	1,402	385	1,718
Common Pool	6	4	15	79	23	120	11	20	105	562	119	156	206	145	215	46	259
Sector Total	175	139	393	3,352	1,227	4,693	162	57	1,766	18,487	3,139	3,091	1,193	870	18,013	4,165	24,571

* The data in this table are based on fishing year 2025 sector rosters and represent the total allocations to each sector.

Numbers are rounded to the nearest thousand pounds. In some cases, this table shows an allocation of 0, but that sector may be allocated a small amount of that stock in tens or hundreds of pounds.

† Specifications for GB cod and GOM cod were set by emergency action. They are included here for a complete view of all allocations based on final 2025 rosters and the removal of the management uncertainty buffer for sectors.

Table 11 -- ACE (in mt), by Stock, for Each Sector for Fishing Year 2025**

Sector Name	GB Cod East†	GB Cod West†	GOM Cod†	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail	CC/GOM Yellowtail	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter	Redfish	White Hake	Pollock
Fixed Gear Sector	8	7	1	20	7	4	0	0	13	39	16	0	11	4	40	19	297
Maine Coast Community Sector	2	1	30	51	19	267	2	1	53	1,348	183	12	49	10	761	264	1,432
Maine Permit Bank	0	0	2	1	0	25	0	0	3	101	11	0	3	0	68	32	191
Mooncusser Sector	10	8	13	57	21	83	1	0	33	83	32	1	25	8.4	394	207	1,230
NEFS 2	8	7	48	241	88	548	5	3	225	1,374	312	75	171	28	1,824	254	2,031
NEFS 4	7	6	21	94	34	194	2	1	55	817	131	10	47	5	554	158	819
NEFS 5	0	0	1	7	2	2	1	4	8	20	6	3	5	32	1	1	7
NEFS 6	0	0	0	9	3	3	0	0	0	76	7	1	0	0	92	10	36
NEFS 8	28	23	12	658	241	414	38	7	167	1,899	316	930	32	202	2,191	368	2,129
NEFS 10	0	0	3	2	1	16	0	0	26	26	9	0	36	2	1	1	8
NEFS 11	0	0	20	1	0	58	0	0	18	124	21	0	12	0	154	76	955
NEFS 12	1	1	7	12	5	31	1	1	81	161	30	6	79	3	48	18	159
NEFS 13	6	5	1	196	72	15	20	7	34	412	75	189	7	49	126	18	113
New Hampshire Permit Bank	0	0	2	0	0	1	0	0	0	2	0	0	0	0	2	2	13
Sustainable Harvest Sector 1	4	3	8	105	38	201	2	1	39	966	129	98	32	14	934	234	639
Sustainable Harvest Sector 2	1	1	2	31	11	88	1	1	18	181	35	5	13	10	345	54	307
Sustainable Harvest Sector 3	2	2	7	36	13	180	3	2	27	756	111	72	16	25	636	174	779
Common Pool	3	2	7	36	11	54	5	9	48	255	54	71	93	66	97	21	117
Sector Total	79	63	178	1,520	557	2,129	74	26	801	8,385	1,424	1,402	541	395	8,170	1,889	11,145

* The data in this table are based on fishing year 2025 sector rosters and represent the total allocations to each sector.

Numbers are rounded to the nearest mt, but allocations are made in pounds. In some cases, this table shows a sector allocation of 0 mt, but that sector may be allocated a small amount of that stock in pounds.

† Specifications for GB cod and GOM cod were set by emergency action. They are included here for a complete view of all allocations based on final 2025 rosters and the removal of the management uncertainty buffer for sectors.

Common Pool Management Measures

Common Pool Trip Limits

For the Handgear B permit, Framework 69 approves a change to how trip limits could be set using Regional Administrator authority, eliminating the formulaic proportional method for adjusting trip limits for the Handgear B permit. Instead, Handgear B trip limits will be set in a manner consistent with trip limits for other permits, up to a maximum of 75 lb (34 kilograms (kg)) per trip. For Small Vessel Category permits, this action clarifies that these vessels are subject to limits for stocks below the 300-lb (136-kg) combined trip limit for cod, haddock, and yellowtail flounder.

This action approves changes under section 305(d) authority in the Magnuson-Stevens Act to clarify the regulations in § 648.86 that implement possession limits for the Northeast multispecies fishery. Trip limits in § 648.86 are now presented by permit category, and in a tabular format. Possession and trip limits for other multispecies permits, such as Handgear A and Handgear B, are also now in § 648.86.

In conjunction with these changes under section 305(d) authority of the Magnuson-Stevens Act, this action implements and reaffirms trip limits for Northeast multispecies stocks pursuant to Regional Administrator authority to implement or adjust trip limits that enable common pool catch of each stock to approach, but not exceed, the pertinent sub-ACL allocated to the common pool for the fishing year. Table 12 below summarizes the fishing year 2025 common pool trip limits for all stocks.

Table 12 -- 2025 Common Pool Daily and Trip Possession Limits

Stock	2025 Common Pool Daily and Trip Possession Limits			
	DAS permits	Handgear A	Handgear B	Small Vessel Category
GOM Cod	25 lb (11.3 kg) per DAS, up to 50 lb (22.7 kg) per trip	25 lb (11.3 kg) per trip	25 lb (11.3 kg) per trip	25 lb (11.3 kg) per trip
GB Cod	0 lb (0 kg) per trip; possession prohibited			

GB Haddock	1,000 lb (454 kg) per DAS, up to 2,000 lb (907 kg) per trip	1,000 lb (454 kg) per trip	300 lb (136.1 kg) per trip
GOM Haddock	1,000 lb (454 kg) per DAS, up to 2,000 lb (907 kg) per trip	1,000 lb (454 kg) per trip	300 lb (136.1 kg) per trip
GB Yellowtail Flounder	100 lb (45.4 kg) per trip		
SNE/MA Yellowtail Flounder	200 lb (90.7 kg) per DAS, up to 400 lb (181 kg) per trip	200 lb (90.7 kg) per trip	
Cape Cod (CC)/GOM Yellowtail Flounder	1,500 lb (680 kg) per DAS, up to 3,000 lb (1,361 kg) per trip	1,500 lb (680 kg) per trip	300 lb (136.1 kg) per trip
American Plaice	3,000 lb per (1,361 kg) DAS, up to 6,000 lb (2,722 kg) per trip	3,000 lb (1,361 kg) per trip	
Witch Flounder	1,500 lb (680 kg) per trip		
GB Winter Flounder	500 lb (227 kg) per trip		
GOM Winter Flounder	2,000 lb (907 kg) per trip		
SNE/MA Winter Flounder	2,000 lb (907 kg) per DAS, up to 4,000 lb (1,814 kg) per trip	2,000 lb (907 kg) per trip	
Redfish	No Limit		
White Hake	1,000 lb (454 kg) per trip		
Pollock	No Limit		
Atlantic Halibut	1 fish per trip		
Windowpane Flounder	Possession Prohibited		
Ocean Pout			
Atlantic Wolffish			

Differential Days-At-Sea (DAS) Counting for Common Pool Vessels

This action removes obsolete regulations in § 648.82 that describe the differential DAS counting AM for the common pool for fishing years 2010 and 2011. References to differential DAS counting would also be removed from other sections in Subpart F.

Additionally, Framework 69 approves the removal of regulations at § 648.82(o) that provide the Regional Administrator with the discretion to implement differential DAS counting beyond fishing year 2011.

Recreational Management Measures

This action sets recreational measures for GOM haddock (see table 13). The basis for these measures was described more fully in the proposed rule. Although the proposed

rule included the addition of a May season for GOM cod, this opening was developed as a measure for fishing year 2025. At its January 2026 Council meeting, the Council recommended that cod not have a May season in fishing year 2026. Given the timing of this final rule, and that it could not be implemented in time to have a May 2025 cod season, NMFS is not changing the cod season in this action from the current regulations, and the regulations in this action no longer include the May 1 to May 31 provision. Further consideration of the Council’s recommendations will be conducted in a future rulemaking. Recreational measures for GB cod were set by the 2025 emergency action and are not changed in this action.

Table 13 -- Recreational Management Measures

Stock	Possession Limit (For Hire and Private)	Minimum Size in Inches (centimeters)	Open Season
GOM Haddock	15	17 (43.2)	May 1 – February 28/29 and April 1 – 30
GOM Cod	1	23 (58.4)	September 1 – October 31

Catch Thresholds for Scallop Fishery Accountability Measures

Framework 69 permanently removes one of the two catch thresholds for GB yellowtail flounder and northern windowpane flounder, so that the scallop AMs for these two stocks would be implemented only if scallop fishery catch exceeds its sub-ACL by any amount and the total ACL is also exceeded. This change applies to overages caused by catch occurring in the 2025 fishing year and would not affect any AMs due to previous years’ overages.

Clarifying Regulatory Changes

This action approves multiple changes to clarify, correct, or remove existing regulations necessary to effectively implement the FMP. These changes were described in detail in the proposed rule and are not repeated here.

Comments and Responses on Measures Proposed in the Framework 69 Proposed Rule

NMFS received 118 comments in response to the Framework 69 proposed rule. Comments were submitted by Northeast Seafood Coalition (NSC), Massachusetts Division of Marine Fisheries (MADMF), Conservation Law Foundation (CLF), Oceana, 6 companies associated with the fishing industry, 2 companies unrelated to the fishing industry, and 106 members of the public, including both commercial and recreational fishermen. Statements in these comments that are specific to other groundfish actions, such as Amendment 25 and Framework 72, are outside the scope of this action and not addressed further. Two comments of the 118 were irrelevant to the Northeast groundfish fishery and this action and are not addressed further.

Specifications

Comment 1: CLF, MADMF, and Oceana support the proposed quotas contained in Framework 69. NSC commented in support of the quotas that Framework 69 proposes to increase. One member of the public wrote that the quotas in this action are wrong but did not provide alternative quotas or data to support alternative quotas.

Response 1: NMFS agrees that the specifications proposed in Framework 69 represent the best available science and therefore approves the quotas as proposed, except for GB haddock, which is increased as described more fully in the **Catch Limits for Fishing Years 2025-2027** section of this rule.

Comment 2: NSC commented in support of increasing the GB haddock ABC, highlighting concerns regarding the 2024 biomass apportionment. CLF and Oceana both commented in opposition to any increase to the GB haddock ABC and urged NMFS to implement the ABC recommended by the Council's SSC. Oceana commented that NMFS does not have the authority to set an ABC and should not increase catch limits above the SSC recommendation. MADMF included discussion of the process that developed the

proposed GB haddock ABC but did not advocate for or against a different ABC. Both NSC and MADMF indicated support for the Council's efforts to revisit the biomass apportionment methodology in the future.

Response 2: NMFS is increasing the ABC for GB haddock up to the OFL of 8,034 mt consistent with the Magnuson-Stevens Act, the FMP's goals and objectives for managing the fishery at sustainable levels, achieving optimum yield on a continuing basis, and mitigating adverse economic impacts on fishing communities to the extent practicable. The Magnuson-Stevens Act authorizes NMFS to take actions required to carry out FMPs and requires catch limits that prevent overfishing, which the increased ABC achieves. Optimum yield represents catch amounts that are prescribed on the basis of maximum sustainable yield from the fishery as reduced by relevant economic, social, or ecological factors. The increased ABC amount takes into account relevant catch and sector transaction information to provide an improved balance of economic, social, and ecological factors that will provide the greatest overall benefit to the nation. This action is uniquely situated in its timing and context. The GB haddock fishery is not overfished, overfishing is not occurring, and the unusual timing of this action provided access to information supporting a change that continues to have a strong probability of preventing overfishing while mitigating adverse economic impacts.

The increased ABC is based on newly available realized catch information that provides a more certain basis on which to base probability calculations than the catch estimates used by the SSC. The realized catch information was unavailable to the SSC when it recommended the ABC to the Council and became available to NMFS because of the unique timing for implementing this action. As described more fully in **Catch Limits for Fishing Years 2025-2027** of this rule, new analysis using realized — rather than estimated — 2024 catch, indicates that the increased catch limit also has a greater than 50-percent probability of preventing overfishing. As explained, the increase in the ABC

is expected to increase the flexibility of sectors to access the available stock biomass while maintaining a greater than 50-percent probability of preventing overfishing.

National Standard 8 requires minimizing adverse economic impacts on fishing communities to the extent practicable. National Standard 8 guidelines state that “[a]ll other things being equal, where two alternatives achieve similar conservation goals, the alternative that provides the greater potential for sustained participation of such communities and minimizes the adverse economic impacts on such communities would be the preferred alternative.” 50 CFR § 600.345. The Council-recommended ABC and associated ACLs represent a substantial decrease in available catch from the 2024 limits and are expected to result in serious adverse economic impacts on the fishery. Consistent with National Standard 8, the increased ABC achieves similar conservation goals as the Council recommended ABC. Both similarly avoid adverse impacts on the stock and have a greater than 50-percent probability of preventing overfishing. In addition to the greater than 50-percent probability of preventing overfishing, the GB haddock stock is currently not overfished and is not subject to overfishing, and in this instance, the higher catch limit will not cause the stock to be overfished. This slight increase from the Council recommended ABC also helps to minimize to the extent practicable the adverse economic impacts from the overall reduction in allowed catch from last year’s limit.

Comment 3: Obelisk Tech Systems (OTS) stated that 50 CFR Part 648 does not use the best available science, but it does not provide alternative data or models on which to base quotas. It also stated that a “conservation regime that suppresses lawful harvest... violates national production and resilience policy.”

Response 3: The Council developed Framework 69 based on all available science and stock assessments that go through rigorous peer review, consistent with the National Standard 2 Guidelines. The Council’s SSC considers all available science to recommend catch levels back to the Council. While OTS provides other ideas for getting more

scientific information, none of those are valid sources of information and data to support stock assessments at this time. Development of stock assessments and the Council's development of management actions are highly accessible public endeavors that OTS could participate in to provide input and potential solutions during the development of an assessment or action.

The Magnuson-Stevens Act mandates that FMPs must be consistent with National Standards. National Standard 1 states that "Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry." The specifications in Framework 69, as considered, developed, and recommended by the Council, reviewed by NMFS, and implemented through this action, comply with this and all Magnuson-Stevens Act National Standards. Higher harvest levels could not be legally implemented by NMFS.

Commercial Measures

Comment 4: NMFS received two comments from members of the public that commercial fishermen should be able to catch cod, one specifically stating that there should be a bycatch cod limit in southern New England. One comment stated that commercial fishing should not be allowed within 20 miles of shore, and four others that the commercial fishery should be closed or controlled.

Response 4: While this action did not set quotas for GOM cod or GB cod, as those were set by emergency action for fishing year 2025, it does reaffirm the common pool trip limits for GOM cod and GB cod that were set by that emergency action and updates the allocation of both GOM cod and GB cod to sectors, to reflect final rosters. These measures are intended to balance the goal of maintaining a fishery for cod with the requirement to rebuild overfished stocks. Closing the groundfish fishery within 20 miles of shore is a measure that is outside the scope of this action. Commercial fishing is in fact

tightly controlled, and additional fishery closures beyond those authorized in the FMP are outside the scope of this action.

Comment 5: One comment proposed that the common pool should be able to carry over unused quota from a fishing year into the next fishing year.

Response 5: At this time, the Northeast Multispecies FMP allows for carryover of unused quota only by sectors. This action did not propose any changes to annual management of common pool quota, and therefore such an action is outside the scope of this action.

Recreational Measures

Comment 6: Six charter boat companies and 96 members of the public commented on recreational measures. Almost all of these comments were directed at the prohibition of GB cod for recreational vessels or were presumed to be based on the similarity to other comments received, even if the comment itself did not specify a specific region or type of fishery associated with the comment. While most commenters requested the re-opening of the cod fishery, four stated that the fishery should remain closed. One comment stated that recreational fishing should be allowed in international waters. None of these comments were clearly directed at the GOM cod or GOM haddock recreational measures.

Response 6: Recreational measures for GB cod were not set by this action, but through the emergency rulemaking and therefore are not addressed further. Fishing in international waters is outside the scope of this action.

Cod

Comment 7: While most comments received on this proposed rule addressed recreational or commercial catch of cod, three comments from the public spoke more generally about the cod fishery, emphasizing its importance in the Northeast. This view

was echoed in many other comments that were specific to commercial or recreational fishing.

Response 7: NMFS acknowledges the importance of a cod fishery. While this action did not set quotas for GOM cod or GB cod, as those were set by emergency action for fishing year 2025, it does reaffirm the common pool trip limits for GOM cod and GB cod that were set by that emergency action. It also updates the allocation of both GOM cod and GB cod to sectors, to reflect final rosters for fishing year 2025. All of these measures are intended to balance the goal of maintaining a fishery for cod with the requirement to rebuild overfished stocks.

Catch Threshold for Scallop Fishery AMs

Comment 8: MADMF commented in support of the proposed change to the catch threshold for the scallop fishery AMs. CLF and Oceana's comments opposed this proposed change. Oceana stated that the past overages indicate that the existing AMs should be enhanced, rather than relaxed, regardless of the overall ACL for these stocks. CLF echoed this, stating that the reactive AMs have failed to reduce the scallop fishery's catch of northern windowpane flounder, and that the Council should prioritize more effective solutions to address the conditions that cause the overages.

Response 8: The catch threshold that considers the overall ACL remains in place, and NMFS asserts this will continue to constrain overall catch of GB yellowtail flounder and northern windowpane flounder. Therefore, NMFS is approving the modification, as proposed. In addition, during the development of this action, NMFS recognized the need for a measure to address concerns about operation of the scallop fishery and noted that the Council should continue to develop measures to minimize both the frequency and magnitude of overages and correct the problems that have contributed to the overages. In response, the Council has indicated that it will continue to consider approaches to update the AMs for the scallop fishery to improve the AMs.

Other Measures

Comment 9: NSC and MADMF support the proposed changes to sector reporting requirements.

Response 9: NMFS agrees and is approving the proposed changes to sector reporting requirements.

Comment 10: MADMF encouraged NMFS to prioritize funding of a 100-percent ASM coverage target, to allow for the removal of management uncertainty buffers.

Response 10: NMFS has set a 100-percent ASM coverage target for fishing year 2025, and removal of the management uncertainty buffers for sectors is warranted.

Comment 11: MADMF wrote in support of the numerous other regulatory changes proposed in this action, and Oceana indicated general support for the measures proposed in this action, unless otherwise noted. One member of the public commented on measures in the proposed action, stating that the East Coast gets “structure and accountability,” while another stated that NMFS has waited too long to control overfishing.

Response 11: NMFS is approving the proposed regulatory changes. The approved measures are intended to promote sustainable fisheries using best available science and rebuild overfished stocks.

Timing

Comment 12: MADMF stressed the importance of “expeditious implementation” of Framework 69 following the publication of the proposed rule. It highlighted that the delay has affected the industry’s ability to plan trips, maintain crews, align with market demand, and access the increased allocations for GOM haddock and several flatfish stocks. Oceana and CLF also urged NMFS to “promptly” approve Framework 69, and Oceana pointed out that NMFS does not have the flexibility to extend the emergency measures currently in place beyond April 30, 2026. CLF questioned the source of the

delays in publication of the proposed rule. NSC also commented on the timing concerns, highlighting the portion of the fishing year that has passed without implementation of this action.

Response 12: This action was developed by the Council as part of the annual Framework Adjustment process, during which final action was taken in December 2024, and the Council submitted the final Framework on March 11, 2025. However, NMFS's approval of certain measures contained within the Council's recommended Framework 69 were dependent on the agency's approval of a separate but related action, Amendment 25. The disapproval of the original Amendment 25 in May 2025 required adjustments to the Framework 69 proposed rule. That, combined with delays in rulemaking following the 6-week partial government shutdown, meant NMFS was unable to publish a proposed rule for Framework 69 until December 8, 2025.

NMFS understands the impact the rulemaking delays have had on the industry and on the ability to manage and rebuild overfished stocks in the fishery and is approving the measures in this action in this rulemaking.

Paperwork Reduction Act (PRA)

Comment 13: OTS commented on the PRA burdens associated with Part 648, stating that the actual burdens are at least three times NOAA's estimates.

Response 13: The changes to reporting requirements that were proposed in this action were minimal and resulted in a reduction of burden. For Office of Management and Budget (OMB) Control Number 0648-0605, NMFS contacted the primary members of the public that are affected by this control, specifically the sector managers, to update estimates of burden, and the estimates compiled reflected the input received. For OMB Control Number 0648-0202, only one change was proposed, the removal of a rarely used letter of authorization that relieved a requirement. Otherwise, NMFS did not change the requirements associated with this control number. Other control numbers associated with

Part 648 were not affected by this action. OTS provided no information or data to support its statement that the burden estimates should be tripled, and therefore NMFS maintains the burden estimates provided in the proposed rule.

Economic Analysis

Comment 14: OTS stated that NOAA's economic analysis fails to quantify economic losses, both direct and indirect, adequately or at all.

Response 14: While OTS names types of economic impacts, it did not provide additional data or information on which to base changes to the quota change model or the information used to estimate the economic impacts of this action. As a result, NMFS has not changed the conclusions provided in the proposed rule, IRFA, and FRFA.

Changes from the Proposed Rule

As more fully described in the section titled **Catch Limits for Fishing Years 2025-2027**, the GB haddock ABC approved in this final rule has been increased from the proposed amount of 7,410 mt to 8,034 mt. As described in the section titled **Recreational Management Measures**, the current GOM cod season is not changed by this final rule.

Classification

NMFS is issuing this rule pursuant to sections 304(b)(3) and 305(d) of the Magnuson-Stevens Act, which provide specific authority for implementing this action. Pursuant to section 305(d), this action sets specifications for stocks managed by the Northeast Multispecies FMP, as recommended by the Council, in accordance with § 648.90(a)(4), makes clarifying changes in the regulations for the Northeast Multispecies FMP, and is necessary to carry out the Northeast Multispecies FMP. The NMFS Assistant Administrator has determined that this final rule is consistent with Framework Adjustment 69, the Northeast Multispecies FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This rule has been determined to be not significant for purposes of Executive Order 12866.

This rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866.

The Assistant Administrator for Fisheries finds that waiver of the 30-day delayed effectiveness of this action pursuant to 5 U.S.C. 553(d)(1) and (3) is justified. This action relies on the best available science to set fishing year 2025 catch limits for groundfish stocks and adopts several other measures to improve the management of the groundfish fishery. This final rule must be implemented as soon as possible to ensure it is in effect during the current fishing year and fully captures the conservation and economic benefits of Framework 69 and avoids additional adverse economic impacts from further delay.

A delay in implementation of this rule increases negative economic effects for regulated entities. For several stocks, notably GOM haddock, the fishery is operating under quotas set by previous actions that are lower than those implemented by this rule. Additionally, all sectors are operating under quotas that are reduced to account for management uncertainty, and this action removes that buffer, resulting in higher quotas for all allocated stocks. Relieving the restriction on catch from application of the management uncertainty buffer also provides operational flexibility and prevents potential earlier closures of fisheries. A continued delay could limit economic opportunities for the fishery to fully access this quota within the 2025 fishing year. It could lead to confusion and uncertainty, because if the higher quotas are not implemented before the end of the fishing year, the fishery may be held to lower quotas for the purposes of final year catch accounting contrary to fishing participant expectations.

Additionally, this rule contains no new measures (*e.g.*, gear requirements) for which regulated entities need time to prepare or revise their current practices. Fishermen who are subject to this action expect and need timely implementation to avoid adverse

economic impacts. This action is similar to the process used to set quotas every 1-2 years and specifications that have been implemented regularly for over a decade. It approves all items as proposed, other than the increase to the GB haddock quota, and contains quotas and adjustments to the management plan that were discussed at multiple noticed meetings where the public was provided opportunity to learn about the action, ask questions, and provide input into the development of the measures. Affected parties and other interested parties participated in this public process to develop this action and desire and expect implementation as soon as possible.

Therefore, for the reasons described above, there is good cause pursuant to § 553(d)(3) to waive the 30-day delay requirement for this final rule.

Additionally, § 553(d)(1) permits waiving the 30-day delay in effectiveness for substantive rules that relieve a restriction. This rule removes several reporting requirements. Additionally, once this rule goes into effect, all fishermen impacted by the action will be under new quota limits that increase their opportunity to fish. Until the rule is in effect, those fishermen are effectively restricted in their opportunity to fish. Therefore, waiving the 30-day delay for this rule would relieve those restrictions on the fishermen.

In sum, a delay in implementation of this action would greatly diminish the benefits of these specifications and other approved measures and would restrict the fishery participants' ability to fish under increased quotas. For these reasons, a waiver of the requirement for a 30-day delay in the effectiveness of this rule is justified.

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 sections (5)(b) and (5)(c) of E.O. 13175

also do not apply. A Tribal summary impact statement under section (5)(b)(2)(B) and section (5)(c)(2)(B) of E.O. 13175 is not required and has not been prepared.

Final Regulatory Flexibility Analysis

Section 604 of the Regulatory Flexibility Act (RFA) requires Federal agencies to prepare a Final Regulatory Flexibility Analysis (FRFA) for each final rule that describes the economic impact of this action on small entities (5 U.S.C. 604). The FRFA includes a summary of significant issues raised by public comments, the analyses contained in Framework 66 and its accompanying Environmental Assessment, Regulatory Impact Review, and Initial Regulatory Flexibility Analysis (IRFA), the IRFA summary in the proposed rule, as well as the information provided below. A statement of the necessity for and for the objectives of this action are contained in Framework 69 and in the preamble to this final rule and is not repeated here.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule and shall designate such publications as “small entity compliance guides.” The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, a letter to permit holders that also serves as small entity compliance guide (the guide) was prepared. Copies of this final rule are available from the Greater Atlantic Regional Fisheries Office, and the guide (*i.e.*, permit holder letter) will be sent to all holders of permits for the fishery. The guide and this final rule will be available upon request.

A Summary of the Significant Issues Raised by the Public in Response to the IRFA, a Summary of the Agency’s Assessment of Such Issues, and a Statement of Any Changes Made in the Final Rule as a Result of Such Comments

NMFS received one comment regarding the economic analysis, stating that it failed to quantify economic losses, both direct and indirect, adequately or at all. However, while this comment listed types of economic impacts, it did not provide additional data or information on which to base changes to the quota change model results used to estimate the economic impacts of this action. As a result, NMFS has not changed the conclusions provided in the proposed rule, IRFA, and FRFA.

Description and Estimate of the Number of Small Entities to Which this Final Rule Would Apply

This final rule impacts the commercial and recreational groundfish, Atlantic sea scallop, small-mesh multispecies, Atlantic herring, and large-mesh non-groundfish fisheries. Individually permitted vessels may hold permits for several fisheries, harvesting species of fish that are regulated by several different FMPs, beyond those impacted by this action. Furthermore, multiple-permitted vessels and/or permits may be owned by entities affiliated by stock ownership, common management, identity of interest, contractual relationships, or economic dependency. For the purposes of the RFA analysis, the ownership entities, not the individual vessels, are considered to be the regulated entities.

As of June 1, 2024, NMFS had issued 669 commercial limited-access groundfish permits associated with vessels (including those in confirmation of permit history (CPH)), 719 party/charter groundfish permits, 696 limited access and general category Atlantic sea scallop permits, 761 small-mesh multispecies permits, 71 Atlantic herring permits, and 743 large-mesh non-groundfish permits (*e.g.*, limited access summer flounder and scup permits). Therefore, this action potentially regulates 3,659 permits. When accounting for overlaps between fisheries, this number reduces to 2,144 permitted vessels. Each vessel may be individually owned or part of a larger corporate ownership structure and, for RFA purposes, it is the ownership entity that is ultimately regulated by

this action. Ownership entities are identified on June 1st of each year based on the list of all permit numbers for the most recent complete calendar year that have applied for any type of Greater Atlantic Region Federal fishing permit. The current ownership data set is based on calendar year 2023 permits and contains gross sales associated with those permits for calendar years 2019 through 2023.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see § 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. The determination as to whether the entity is large or small is based on the average annual revenue for the 5 years from 2019 through 2023. The Small Business Administration (SBA) has established size standards for all other major industry sectors in the U.S., including for-hire fishing (NAICS code 487210). These entities are classified as small businesses if combined annual receipts are not in excess of \$8.0 million for all of an entity's affiliated operations. As with commercial fishing businesses, the annual average of the three most recent years (2019-2023) is utilized in determining annual receipts for businesses primarily engaged in for-hire fishing.

Based on the ownership data, 1,648 distinct business entities hold at least one permit that this action potentially regulates. All 1,648 business entities identified could be directly regulated by this action. Of these 1,648 entities, 891 are commercial fishing entities, 326 are for-hire entities, and 431 did not have revenues (were inactive in 2023). Of the 891 commercial fishing entities, 881 are categorized as small entities and 10 are categorized as large entities, per the NMFS guidelines. Furthermore, 412 of these

commercial fishing entities held limited access groundfish permits, with 408 of these entities being classified as small businesses and 4 of these entities being classified as large businesses. All 326 for-hire entities are categorized as small businesses.

Description of the Projected Reporting, Record-Keeping, and Other Compliance Requirements of this Final Rule

This action does not contain any new collection-of-information requirements subject to PRA (44 U.S.C. 3501 *et seq.*) requirements, but it does remove three existing reporting requirements. This action removes the regulation requiring sectors to provide a list of State and Federal permits owned by its members, the regulation requiring sectors to submit weekly catch reports, and the regulation requiring vessels not using VMS to request a letter of authorization to be exempt from the GOM cod landing limits when fishing outside of the GOM cod stock area, which will no longer exist. The removal of these requirements and PRA implications is described more fully below.

Description of the Steps the Agency Has Taken to Minimize the Significant Economic Impact on Small Entities Consistent with the Stated Objectives of Applicable Statutes

The economic impacts of each measure are discussed in more detail in sections 6.5 and 7.12 of the draft Framework 69 Environmental Assessment (see **ADDRESSES**), and in the IRFA, and are not repeated here. The EA also included the economic impact of measures relating to the four stocks of cod, which were not proposed and are not approved in this rule, due to the May 2025 disapproval of Amendment 25. Additionally, a supplemental information report was prepared to support the May 2, 2025, emergency action, which is the current status quo and represents the No Action alternative if the measures in this rule were not approved.

NMFS considered the Council's range of alternatives for each of the management measures included in this action that were included in the proposed rule, as well as the No Action alternatives for each measure. NMFS could have selected any combination of

alternatives or the No Action alternative for the range of measures. NMFS is implementing in this final rule, all of the alternatives to the No Action alternatives for each management measure (not including the measures that depended on Amendment 25 and were therefore excluded from the proposed rule).

Compared to the No Action alternative, implementation of this final rule is expected to create approximately \$1.3 million more gross revenue. Small entities engaged in common pool groundfish fishing are expected to be positively impacted by the final action, relative to the No Action alternative. NMFS took additional steps to increase the GB haddock ABC to minimize the impacts of quota reductions on small entities. By increasing allocations of a GB haddock, which is a quota-limited stock for sectors, this is expected to increase revenue by providing additional fishing opportunities and flexibility, and reducing the need for vessels to lease additional quota.

Paperwork Reduction Act

This rule contains a collection-of-information requirement subject to review and approval by the OMB under the PRA. First, this rule is requesting an extension to and a revision of the existing requirements for the collection of information 0648-0605, Northeast Multispecies Reporting Requirements, by removing the regulation that requires sectors to report ACE on a weekly basis; removing the regulation that provides an option for sectors increase the frequency of ACE reporting for sectors when the balance of remaining ACE is low, as specified in the sector operations plan and approved by NMFS; and removing the regulation that requires sectors to include in their operations plan a list of all Federal and State permits held by persons participating in the sector, including an indication for each permit whether it is enrolled and will actively fish in a sector, or will be subject to the provisions of the common pool. Removing these requirements reduces the burden hours for reporting by sectors by 0.2 hours per response for the removal of the regulation to report ACE on a weekly basis, and by 33 hours per response for the removal

of the regulation to include a list of permits. These changes will not affect the number of respondents or anticipated number of responses.

Public reporting burden for sector operations plan and membership list updates is estimated to average 77 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Public reporting burden for the weekly sector reports is estimated to average 0.1 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Second, this action removes the regulation requiring vessels not using VMS to request a letter of authorization to be exempt from the GOM cod landing limits when fishing outside of the GOM cod stock area. This changes the collection of information 0648-0202, Greater Atlantic Region Permit Family of Forms. The removal of this regulation is expected to reduce the public reporting burden by approximately 0.085 hours per response.

NMFS invites the general public and other Federal agencies to comment on the proposed and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Written comments and recommendations for this information collection should be submitted on the following website: <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by using the search function and entering either the title of the collection or the OMB Control Numbers 0648-0605 and 0648-0202.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping, and reporting requirements.

Dated: March 5, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

For the reasons stated in the preamble, NMFS amends 50 CFR part 648 as follows:

PART 648--FISHERIES OF THE NORTHEASTERN UNITED STATES

1. The authority citation for part 648 continues to read as follows:

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

2. In § 648.2, remove the definition “Stocks targeted by the default measures”.

3. Amend § 648.11 by revising paragraphs (1)(8) and (1)(10)(iii) to read as

follows:

§ 648.11 Monitoring coverage.

* * * * *

(1) * * *

(8) *Notification of monitoring service provider change.* A sector manager must first inform NMFS in writing in advance of the effective date of any change in the sector’s choice of approved monitoring service providers used to provide at-sea or electronic monitoring services required in paragraph (1)(2) of this section. A sector may use more than one approved monitoring service provider at any time, provided any monitoring service provider employed by or contracted with a sector meets the standards specified in paragraph (b)(4) of this section.

* * * * *

(10) * * *

(iii) *Sector requirements.* Each sector shall monitor its vessels' catch to ensure that ACEs are not exceeded during the fishing year, as specified in this paragraph (1)(10)(iii). The sector shall summarize trips validated by dealer reports; oversee the use of electronic monitoring equipment and review of associated data; maintain a database of VTR, dealer, observer, and electronic monitoring reports; determine all species landings by stock areas; apply discard estimates to landings; and deduct catch from ACEs allocated to sectors; and report sector compliance/enforcement issues on a weekly basis to NMFS, as required in § 648.87(b)(1)(v). Unless otherwise specified in this paragraph (1)(10), all catches of stocks allocated to sectors by vessels on a sector trip shall be deducted from the sector's ACE for each regulated species stock regardless of the fishery the vessel was participating in when the fish was caught. For the purposes of this paragraph (1)(10), any regulated species or ocean pout caught using gear capable of catching NE multispecies (*i.e.*, gear not listed as exempted gear under this part) would be deducted from a sector's ACE if such catch contributed to the specification of PSC, as described in § 648.87(b)(1)(i)(E), and would not apply to another ACL sub-component pursuant to § 648.90(a)(4). For example, any regulated species or ocean pout landed while fishing for or catching skates or monkfish pursuant to the regulations in this chapter for those fisheries would be deducted from the sector's ACE for each stock because such regulated species or ocean pout were caught while also operating under a NE multispecies DAS. However, for example, if a sector vessel is issued a limited access General Category Atlantic Sea Scallop permit and fishes for scallops under the provisions specific to that permit, any yellowtail flounder caught by the vessel on such trips would be deducted from the appropriate non-groundfish component, such as the other sub-component or the appropriate yellowtail flounder stock's ACL specified for the Atlantic Sea Scallop fishery and not from the yellowtail flounder ACE for the sector.

* * * * *

4. Amend § 648.14 as follows:

a. Remove and reserve paragraph (k)(9)(i);

b. Revise paragraphs (k)(11)(i)(A) introductory text and (B), (k)(11)(ii), (iii) introductory text, (iv) introductory text, (v) introductory text, and (vi), (k)(12)(ii), (iii) introductory text, (v) introductory text, (vi)(A) introductory text and (B) introductory text, and paragraph (k)(13)(ii) introductory text;

c. Remove paragraphs (k)(13)(ii)(D) through (H) and redesignate paragraphs (k)(13)(ii)(I) and (J) as (k)(13)(ii)(D) and (E), respectively;

d. Revise paragraph (k)(15)(i) introductory text;

e. Remove paragraph (k)(15)(i)(C);

f. Revise paragraph (k)(15)(ii)(A)(4);

g. Remove paragraph (k)(15)(ii)(A)(5); and

h. Revise paragraphs (k)(16)(iii)(A) and (C).

The revisions read as follows:

§ 648.14 Prohibitions.

* * * * *

(k) * * *

(11) * * *

(i) * * *

(A) *All Persons*. It is unlawful for any person to do any of the following:

* * * * *

(B) *Vessel and operator permit holders*. It is unlawful for any person to fail to comply with the GB yellowtail flounder trip limit specified under § 648.85(a)(3)(iv)(C).

(ii) *Gear requirements for all persons*. It is unlawful for any person, if fishing with trawl gear under a NE multispecies DAS or on a sector trip in the Eastern

U.S./Canada Area defined in § 648.85(a)(1)(ii), to fail to fish with a haddock separator trawl, flounder trawl net, or Ruhle trawl, as specified in § 648.85(a)(3)(iii) and (b)(6)(iv)(J)(I), unless using other gear authorized under § 648.85(b)(6) or (8).

(iii) *Notification and VMS requirements for all persons.* It is unlawful for any person to do any of the following:

* * * * *

(iv) *Reporting requirements for all persons.* It is unlawful for any person to do any of the following:

* * * * *

(v) *DAS.* It is unlawful for any person to do any of the following:

* * * * *

(vi) *Closure of the U.S./Canada Area for all persons.* It is unlawful for any person if fishing under a NE multispecies DAS or on a sector trip, to declare into, enter, or fish in the Eastern U.S./Canada Area specified in § 648.85(a)(1) if the area is closed under the authority of the Regional Administrator as described in § 648.85(a)(3)(iv)(D) or (E), unless fishing in the Closed Area II Yellowtail Flounder/Haddock SAP specified in § 648.85(b)(3) or the Eastern U.S./Canada Haddock SAP Program specified in § 648.85(b)(7).

(12) * * *

(ii) *General restrictions for vessel and operator permit holders.* It is unlawful for any person to discard legal-sized NE regulated multispecies, ocean pout, or Atlantic halibut while fishing under a SAP, as described in § 648.85(b)(3)(xi) or § 648.85(b)(7)(v)(I).

(iii) *Closed Area II Yellowtail Flounder/Haddock SAP restrictions for all persons.* It is unlawful for any person to do any of the following:

* * * * *

(v) *Regular B DAS Program restrictions for vessel and operator permit holders.*

It is unlawful for any person to do any of the following:

* * * * *

(vi) * * *

(A) *All Persons.* It is unlawful for any person to do any of the following:

* * * * *

(B) *Vessel and operator permit holders.* It is unlawful for any person to do any of the following:

* * * * *

(13) * * *

(ii) *Vessel and operator permit holders.* It is unlawful for any person to do any of the following:

* * * * *

(15) * * *

(i) *All persons.* It is unlawful for any person to do any of the following:

* * * * *

(ii) * * *

(A) * * *

(4) Fish for, possess, or land NE multispecies from March 1 to March 20, as specified in § 648.82(m)(1)(ii).

* * * * *

(16) * * *

(iii) * * *

(A) Fail to comply with the applicable restrictions if transiting a stock area with cod or haddock on board that was caught from a different stock area, as specified in § 648.89(b)(2)(ii) and (c)(8).

* * * * *

(C) If the vessel is a private recreational fishing vessel, fail to comply with the seasonal closure for cod or haddock described in § 648.89(c)(1) or, if the vessel has been issued a charter/party permit or is fishing under charter/party regulations, fail to comply with the seasonal closure for cod or haddock described in § 648.89(c)(2).

* * * * *

5. Amend § 648.82 as follows:

- a. Revise the section heading;
- b. Add paragraph heading for paragraph (a) introductory text;
- c. Revise paragraph heading of paragraph (b) introductory text;
- d. Revise paragraphs (b)(5) and (6), (d)(1)(iv)(A) and (B), (d)(2)(i)(B)(4)(i), and (d)(2)(ii)(B)(4)(i);
- e. Add paragraph (e)(1)(ii);
- f. Revise paragraph (e)(3);
- g. Add paragraph (m);
- h. Remove and reserve paragraph (n)(1);
- i. Revise paragraph (n)(2) introductory text;
- j. Remove paragraph (o).

The revisions and additions read as follows:

§ 648.82 Effort-control program for NE multispecies vessels.

(a) *Limited access NE multispecies vessels.* * * *

* * * * *

(b) *Limited access permit categories.* * * *

* * * * *

(5) *Small Vessel category.* A vessel qualified and electing to fish under the Small Vessel category may operate without using a DAS, provided the vessel does not exceed

the possession restrictions specified at § 648.86(a)(2). The vessel may not fish for, possess, or land regulated species from March 1 through March 20 of each year, as described in paragraph (g) of this section. Any vessel may elect to switch into the Small Vessel category, as provided in § 648.4(a)(1)(i)(I)(2), if the vessel meets or complies with the following:

(i) The vessel is 30 ft (9.1 m) or less in length overall, as determined by measuring along a horizontal line drawn from a perpendicular raised from the outside of the most forward portion of the stem of the vessel to a perpendicular raised from the after most portion of the stern.

(ii) If construction of the vessel was begun after May 1, 1994, the vessel must be constructed such that the quotient of the length overall divided by the beam is not less than 2.5.

(iii) Acceptable verification for vessels 20 ft (6.1 m) or less in length shall be U.S. Coast Guard documentation or State registration papers. For vessels over 20 ft (6.1 m) in length overall, the measurement of length must be verified in writing by a qualified marine surveyor, or the builder, based on the vessel's construction plans, or by other means determined acceptable by the Regional Administrator. A copy of the verification must accompany an application for a NE multispecies permit.

(iv) Adjustments to the Small Vessel category requirements, including changes to the length requirement, if required to meet fishing mortality goals, may be made by the Regional Administrator following framework procedures of § 648.90.

(6) *Handgear A category.* A vessel qualified and electing to fish under the Handgear A category, as described in § 648.4(a)(1)(i)(A), may retain, per trip, the possession limits for all regulated species and ocean pout, as specified under § 648.86(a)(3). Qualified vessels electing to fish under the Handgear A category are subject to the following restrictions:

(i) The vessel must not use or possess on board gear other than handgear while in possession of, fishing for, or landing NE multispecies; and

(ii) Tub-trawls must be hand-hauled only, with a maximum of 250 hooks.

* * * * *

(d) * * *

(1) * * *

(iv) * * *

(A) For a vessel fishing under the provisions of the common pool, as defined in this part, Category A DAS are defined as 27.5 percent of the vessel's used DAS baseline specified in paragraph (c)(1) of this section, unless otherwise reduced pursuant to § 648.87(b)(1)(iii).

(B) For a sector vessel, Category A DAS allocated for use when fishing in other fisheries that require the concurrent use of a NE multispecies DAS are defined as 45 percent of the vessel's used DAS baseline specified in paragraph (c)(1) of this section.

(2) * * *

(i) * * *

(B) * * *

(4) * * *

(i) For a common pool vessel, Regular B DAS are defined as 36.25 percent of the vessel's used DAS baseline specified in paragraph (c)(1) of this section.

* * * * *

(ii) * * *

(B) * * *

(4) * * *

(i) For a common pool vessel, Reserve B DAS are defined as 36.25 percent of the vessel's used DAS baseline specified in paragraph (c)(1) of this section.

* * * * *

(e) * * *

(1) * * *

(ii) *Sector vessels*. For the purposes of complying with the restrictions of other fisheries that require the use of a NE multispecies DAS, a vessel on a sector trip shall accrue DAS to the nearest minute and shall be counted as actual time called or logged into the DAS program, consistent with the DAS notification requirements specified in § 648.10.

* * * * *

(3) *Regular B DAS Program 24-hr clock*. For a vessel electing to fish in the Regular B DAS Program, as specified at § 648.85(b)(6), that remains fishing under a Regular B DAS for the entire fishing trip (without a DAS flip), DAS shall accrue at the rate of 1 full DAS for each calendar day, or part of a calendar day fished. For example, a vessel that fished on 1 calendar day from 6 a.m. to 10 p.m. would be charged 24 hr of Regular B DAS, not 16 hr; a vessel that left on a trip at 11 p.m. on the first calendar day and returned at 10 p.m. on the second calendar day would be charged 48 hr of Regular B DAS instead of 23 hr, because the fishing trip would have spanned 2 calendar days. For the purpose of calculating trip limits specified under § 648.86, the amount of DAS deducted from a vessel's DAS allocation shall determine the amount of fish the vessel can land legally. For vessels electing to fish in both the Regular B DAS Program, as specified in § 648.85(b)(6), and in the Eastern U.S./Canada Area, as specified in § 648.85(a), DAS counting will begin and end according to the DAS rules specified in § 648.10(e)(5)(iv).

* * * * *

(m) *Multispecies open access permit restrictions--(1) Handgear B permit*. A vessel issued a valid Handgear B permit, as described in § 648.4(a)(1)(ii), may retain, per

trip, the possession limits for all regulated species and ocean pout, as specified under § 648.86(a)(4). Qualified vessels electing to fish under the Handgear B category are subject to the following restrictions:

(i) The vessel may not use or possess on board gear other than handgear while in possession of, fishing for, or landing NE multispecies, and must have at least one standard tote on board;

(ii) The vessel may not fish for, possess, or land regulated species from March 1 through March 20 of each year as described in paragraph (g) of this section; and

(iii) The vessel, if fishing with tub-trawl gear, may not fish with more than a maximum of 250 hooks.

(2) *Charter/party permit.* A vessel that has been issued a valid open access NE multispecies charter/party permit is subject to the additional restrictions on gear, recreational minimum fish sizes, possession limits, and prohibitions on sale specified in § 648.89, and any other applicable provisions of this part.

(3) *Scallop NE multispecies possession limit permit.* A vessel that has been issued a valid open access scallop NE multispecies possession limit permit must not exceed the possession limit restrictions in § 648.86(c)(3).

(4) *Non-regulated NE multispecies permit.* A vessel issued a valid open access non-regulated NE multispecies permit may possess and land one Atlantic halibut and unlimited amounts of the other non-regulated NE multispecies, unless otherwise restricted by § 648.86. The vessel is subject to restrictions on gear, area, and time of fishing specified in § 648.80 and any other applicable provisions of this part.

(n) * * *

(2) *Trimester TAC AM.* Common pool vessels shall be subject to the following restrictions:

* * * * *

6. Amend § 648.85 as follows:

a. Revise paragraph (a)(3)(iv) introductory text, paragraph (b)(3)(viii)

introductory text, and paragraph (b)(6)(iv)(F);

b. Remove and reserve paragraph (b)(6)(v); and

c. Revise paragraph (b)(7)(v)(F).

The revisions read as follows:

§ 648.85 Special management programs.

(a) * * *

(3) * * *

(iv) *Harvest controls.* Unless otherwise specified in this paragraph (a)(3)(iv), any NE multispecies vessel fishing in the U.S./Canada Management Areas is subject to the following restrictions. A common pool vessel is subject to the trip limits specified in this paragraph (a)(3)(iv), as well as the possession or landing limits in this part, including § 648.86. A sector vessel is subject to the trip limits specified in § 648.87(b)(1)(viii).

* * * * *

(b) * * *

(3) * * *

(viii) *Trip limits.* Vessels subject to the provisions of the common pool that are fishing in the Closed Area II Yellowtail Flounder/Haddock SAP are subject to the following trip limits, as well as the possession or landing limits in this part, including § 648.86. Vessels subject to the restrictions and conditions of an approved sector operations plan fishing in the Closed Area II Yellowtail Flounder/Haddock SAP are subject to the trip limits specified in § 648.87(b)(1)(viii).

* * * * *

(6) * * *

(iv) * * *

(F) *Minimum Category A DAS and B DAS accrual.* For a vessel fishing under the Regular B DAS Program, the number of Regular B DAS that may be used on a trip cannot exceed the number of Category A DAS that the vessel has at the start of the trip. A vessel fishing in the Regular B DAS Program for its entire trip shall accrue DAS in accordance with § 648.82(e)(1).

* * * * *

(7) * * *

(v) * * *

(F) *Landing limits.* Vessels subject to the provisions of the common pool that are fishing any portion of a trip in the Eastern U.S./Canada Haddock SAP are subject to the following possession limits, as well as the possession or landing limits in this part, including paragraph (a)(3)(iv) of this section and § 648.86: 1,000 lb (453.6 kg) of cod, per trip, regardless of trip length and 100 lb (45.4 kg) per DAS, or any part of a DAS, of GB yellowtail flounder, up to a maximum of 500 lb (227 kg) of all flatfish species, combined. Possession of monkfish (whole weight) and skates (whole weight) is limited to 500 lb (227 kg) each, unless otherwise restricted by § 648.94(b)(3), and possession of lobsters is prohibited. A sector vessel is subject to the trip limits specified in § 648.87(b)(1)(viii).

* * * * *

7. Amend § 648.86 as follows:

- a. Revise the section heading;
- b. Revise paragraphs (a) through (c);
- c. Remove paragraph (e);
- d. Redesignate paragraph (d) as paragraph (e);
- e. Add new paragraph (d); and
- f. Remove paragraphs (f) through (o).

The revisions and additions read as follows:

§ 648.86 NE Multispecies commercial possession restrictions.

* * * * *

(a) *NE multispecies common pool vessels--(1) DAS Permits.* A common pool vessel issued a valid Federal NE multispecies DAS permit specified under § 648.4(a)(1) is subject to the following possession limits for regulated multispecies and may not possess or land more than the amounts listed in Table 1 to paragraph (a)(1) for each DAS or part of a DAS fished, up to the amount listed per trip, unless changed by the Regional Administrator through an inseason action, as specified at paragraph (a)(5) of this section. Current possession limits, as adjusted by any inseason actions, are available at:

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/northeast-multispecies-common-pool-fishery>.

Table 1 to Paragraph (a)(1)

Stock¹	DAS limit²	Trip limit²
GB cod ³	0 lb (0 kg) per DAS	0 lb (0 kg) per trip
GOM cod ³	25 lb (11.3 kg) per DAS	50 lb (22.7 kg) per trip
GOM haddock	1,000 lb (453 kg) per DAS	2,000 lb (907 kg) per trip
GB haddock	1,000 lb (453 kg) per DAS	2,000 lb (907 kg) per trip
CC/GOM yellowtail flounder ⁴	1,500 lb (680 kg) per DAS	3,000 lb (1,360 kg) per trip
GB yellowtail flounder ⁴	No daily limit	100 lb (45.4 kg) per trip
SNE yellowtail flounder ⁴	200 lb (90.7 kg) per DAS	400 lb (181 kg) per trip
American plaice	3,000 lb (1,360 kg) per DAS	6,000 lb (2,721 kg) per trip
Witch flounder	No daily limit	1,500 lb (680 kg) per trip
GB winter flounder	No daily limit	500 lb (227 kg) trip
GOM winter flounder	No daily limit	2,000 lb (907 kg) per trip
SNE/MA winter flounder	2,000 lb (907 kg) per DAS	4,000 lb (1,814 kg) per trip
Redfish	Unlimited	Unlimited
White hake	No daily limit	1,000 lb (453 kg) per trip
Pollock	Unlimited	Unlimited

¹ The stock areas that apply to these possession limits are specified in § 648.88.

² The possession limits in Table 1 to Paragraph (a)(1) may be adjusted in-season by the Regional Administrator, as specified under at § 648.86(a)(5). Current possession limits are available at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/northeast-multispecies-common-pool-fishery>.

³ Additional restrictions for cod stocks are specified at § 648.86(a)(6)(iii).

⁴ Additional restrictions for yellowtail flounder stocks are specified at § 648.86(a)(6)(iv).

(2) *Small vessel permits.* A vessel qualified and electing to fish under the Small Vessel category, as described at § 648.82(b)(5), may retain up to 300 lb (136.1 kg) of cod, haddock, and yellowtail flounder, combined, provided the vessel does not exceed the NE multispecies DAS permit daily possession restrictions for these stocks specified at paragraphs (a)(1) and (b) of this section. Such a vessel may retain, per trip, up to the daily possession limits for other NE multispecies, as specified at paragraphs (a)(1) and (b) of this section. If there is no daily possession limit for a stock, as specified in paragraph (a)(1), such a vessel may retain, per trip, up to the trip limit specified in paragraph (a)(1).

(3) *Handgear A permits.* A vessel qualified and electing to fish under the Handgear A category, as described at § 648.82(b)(6), may retain, per trip, up to the daily possession limit for NE multispecies, as specified under paragraphs (a)(1) and (b) of this section, provided the vessel complies with the restrictions and conditions specified in § 648.82(b)(6). If there is no daily possession limit for a stock, as specified in paragraph (a)(1) of this section, a Handgear A vessel may retain, per trip, up to the trip limit specified in paragraph (a)(1) of this section. The Handgear A possession limit for cod stocks cannot exceed 300 lb (136.1 kg) per trip. For example, if the GB cod trip limit for NE multispecies DAS vessels was increased to 350 lb (158.8 kg) per DAS, then the GB cod trip limit for a vessel issued a Handgear A category permit would be 300 lb (136.1 kg).

(4) *Handgear B permits.* A vessel qualified and electing to fish under the Handgear B category, as described in § 648.82(m)(1), may retain, per trip, up to the daily possession limit restrictions for NE multispecies other than cod as specified in paragraphs (a)(1) and (b) of this section, provided the vessel complies with the restrictions and conditions specified in § 648.82(m)(1). If there is no daily possession limit for a stock, as

specified in paragraph (a)(1) of this section, a Handgear B vessel may retain, per trip, up to the trip limit specified in paragraph (a)(1) of this section. For cod stocks, a vessel fishing under the Handgear B permit may retain up to 25 lb (11.3 kg) per trip, unless the trip limit applicable to a vessel fishing under a NE multispecies DAS permit has been set to 0 lb (0 kg), in which case the Handgear B possession limit is also 0 lb (0 kg). NMFS may adjust the cod possession limit for Handgear B vessels, as specified under at paragraph (a)(5) of this section, but this possession limit for cod stocks cannot exceed 75 lb (34 kg) per trip.

(5) Regional Administrator authority to implement or modify possession limits—

(i) Possession restrictions to prevent exceeding common pool sub-ACLs. If the Regional Administrator projects that the catch of any NE multispecies stock allocated to common pool vessels pursuant to § 648.90(a)(4) will exceed the pertinent sub-ACL, NMFS may implement or adjust at any time prior to or during the fishing year, in a manner consistent with the Administrative Procedure Act, a per-DAS possession limit and/or a trip limit, as specified in paragraphs (a)(1) through (4) of this section, in order to prevent exceeding the common pool sub-ACL in that fishing year.

(ii) Possession restrictions to facilitate harvest of sub-ACLs allocated to the common pool. If the Regional Administrator projects that the sub-ACL of any stock allocated to the common pool pursuant to § 648.90(a)(4) will not be caught during the fishing year, the Regional Administrator may remove or adjust, in a manner consistent with the Administrative Procedure Act, a per-DAS possession limit and/or a trip limit, as specified in paragraphs (a)(1) through (4) of this section, in order to facilitate harvest and enable the total catch to approach, but not exceed, the pertinent sub-ACL allocated to the common pool for that fishing year.

(6) Additional possession restrictions for common pool vessels--(i) Daily landing restriction. A vessel issued a limited access NE multispecies permit or an open access NE

multispecies Handgear B permit may land regulated species or ocean pout only once in any 24-hr period, based upon the time the vessel lands following the end of the previous trip. For example, if a vessel lands 1,600 lb (726 kg) of pollock at 6 p.m. on Tuesday, that vessel cannot land any more regulated species or ocean pout until at least 6 p.m. on the following Wednesday.

(ii) *Possession limits for vessels fishing in multiple areas.* If any NE multispecies permitted vessel fishes in more than one stock area on the same trip, as defined in § 648.88, the most restrictive trip limit for a species applies for the entire trip. For example, if the trip limit for GB winter flounder is 500 lb (227 kg) and the GOM winter flounder trip limit is 2,000 lb (907 kg), a vessel fishing in both the GB and GOM winter flounder stock areas on the same trip cannot possess more than 500 lb (227 kg) of winter flounder on that trip.

(iii) *Cod.* Cod on board a vessel subject to the possession limits in paragraph (a) of this section must be separated from other species of fish and stored so as to be readily available for inspection.

(iv) *Yellowtail flounder.* A vessel fishing in the GB yellowtail stock area defined at § 648.88(a)(7), but exclusively outside of the U.S./Canada Management Area, as defined in § 648.85(a)(1), is subject to the GB yellowtail flounder limit described in paragraph (a) of this section. A vessel fishing in the U.S./Canada Management Area defined in § 648.85(a)(1) is subject to the GB yellowtail flounder limit described in § 648.85(a)(3)(iv)(C). A vessel fishing outside and inside of the U.S./Canada Management Area on the same trip is subject to the most restrictive yellowtail flounder trip limit (*i.e.*, the most restrictive of all the trip limits for all three yellowtail flounder stocks, as specified by paragraph (a) of this section or § 648.85(a)(3)(iv)(C)).

(v) *Offloading requirement for vessels possessing species regulated by a daily possession limit.* A vessel that has ended a trip as specified in § 648.10(e)(2)(iii) or

§648.10(h)(5) that possesses on board species regulated by a daily possession limit (*i.e.*, pounds per DAS), as specified at § 648.85 or § 648.86, must offload species in excess of the daily possession limit prior to leaving port on a subsequent trip. A vessel may retain on board up to 1 day's worth of such species prior to the start of a subsequent trip. Other species regulated by an overall trip limit may be retained on board for a subsequent trip. For example, a vessel that possesses haddock and winter flounder harvested from Gulf of Maine is subject to a daily possession limit for haddock of 1,000 lb (453 kg)/DAS and an overall trip limit of 2,000 lb (907 kg)/trip for winter flounder (no daily possession limit). In this example, the vessel would be required to offload any haddock harvested in excess of 1,000 lb (453 kg) (*i.e.*, the vessel may retain up to 1,000 lb (453 kg) of GOM haddock, and must offload any additional haddock), but may retain 2,000 lb (907 kg) of winter flounder prior to leaving port and crossing the VMS Demarcation Line to begin a subsequent trip.

(b) *NE multispecies vessels--(1) Atlantic halibut.* A vessel issued a NE multispecies permit under § 648.4(a)(1) may land or possess on board no more than one Atlantic halibut per trip, provided the vessel complies with other applicable provisions of this part, unless otherwise specified in the Atlantic halibut accountability measures at § 648.90(a)(5)(i)(F).

(2) *Ocean pout, windowpane flounder, and Atlantic wolffish.* A vessel issued a limited access NE multispecies permit or an open access NE multispecies Handgear B permit may not fish for, possess, or land ocean pout, windowpane flounder, or Atlantic wolffish.

(3) *Calculation of weight of fillets or parts of fish.* The possession limits described under this part are based on the weight of whole, whole-gutted, or gilled fish. For purposes of determining compliance with the possession limits specified in this section,

the weight of fillets and parts of fish, other than whole-gutted or gilled fish, as allowed under § 648.83(a) and (b), will be multiplied by 3.

(4) *Other possession restrictions.* Vessels are subject to any other applicable possession limit restrictions of this part, including, but not limited to, the possession limits for other FMPs and special management programs.

(c) *Scallop dredge vessels--(1) Haddock prohibition.* No person owning or operating a scallop dredge vessel may land haddock from, or possess haddock on board, a scallop dredge vessel from January 1 through June 30.

(2) *Haddock possession.* Unless otherwise authorized by the Regional Administrator, scallop dredge vessels or persons owning or operating a scallop dredge vessel that is fishing under a scallop DAS allocated under § 648.53 may land or possess on board up to 300 lb (136.1 kg) of haddock, provided the vessel does not fish for, possess, or land haddock from January 1 through June 30, as specified under paragraph (c)(1) of this section, except as specified in paragraph (c)(3) of this section, provided that the vessel has at least one standard tote on board. This restriction does not apply to vessels also issued limited access NE multispecies permits that are fishing under a multispecies DAS. Haddock on board a vessel subject to this possession limit must be separated from other species of fish and stored so as to be readily available for inspection.

(3) *Scallop NE multispecies possession limit permit.* With the exception of vessels fishing in the Sea Scallop Access Areas as specified in § 648.59(b) through (d), a vessel that has been issued a valid open access scallop NE multispecies possession limit permit may possess and land up to 300 lb (136.1 kg) of regulated NE multispecies when fishing under a scallop DAS allocated under § 648.53, provided the vessel does not fish for, possess, or land haddock from January 1 through June 30, as specified under paragraph (c)(1) of this section, and provided that the amount of regulated NE multispecies on board the vessel does not exceed any of the pertinent trip limits specified under § 648.86,

and provided the vessel has at least one standard tote on board, as defined at § 648.2. A vessel fishing in the Sea Scallop Access Areas as specified in §§ 648.59(b) through (d) is subject to the possession limits specified in § 648.59(b)(5).

(d) *Incidental catch allowance for some Atlantic herring vessels.* A vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of gear or area fished, or a vessel issued a Category C, D, or E Herring Permit and fishing with midwater trawl gear pursuant to § 648.80(d), may possess and land haddock only in accordance with requirements specified in § 648.80(d) and (e).

(1) *Haddock incidental catch cap.* When the Regional Administrator has determined that the incidental catch allowance for a given haddock stock, as specified in § 648.90(a)(4)(iii)(E), has been caught, no vessel issued an Atlantic herring permit and fishing with midwater trawl gear in the applicable stock area, *i.e.*, the Herring GOM Haddock Accountability Measure (AM) Area or Herring GB Haddock AM Area, as defined in paragraphs (d)(2) and (3) of this section, may fish for, possess, or land herring in excess of 2,000 lb (907.2 kg) per trip in or from that area, unless all herring possessed and landed by the vessel were caught outside the applicable AM Area and the vessel's gear is stowed and not available for immediate use as defined in § 648.2 while transiting the AM Area. Upon this determination, the haddock possession limit is reduced to 0 lb (0 kg) for a vessel issued a Federal Atlantic herring permit and fishing with midwater trawl gear or for a vessel issued a Category A or B Herring Permit fishing on a declared herring trip, regardless of area fished or gear used, in the applicable AM Area, unless the vessel also possesses a NE multispecies permit and is operating on a declared (consistent with § 648.10(g)) NE multispecies trip. In making this determination, the Regional Administrator shall use haddock catches observed by observers or monitors on herring vessel trips using midwater trawl gear in Management Areas 1A, 1B, and/or 3, as defined

in § 648.200(f)(1) and (3), expanded to an estimate of total haddock catch for all such trips in a given haddock stock area.

(2) *Herring GOM Haddock Accountability Measure Area.* The Herring GOM Haddock AM Area is defined by the straight lines connecting the following points in the order stated (copies of a map depicting the area are available from the Regional Administrator upon request):

Table 2 to Paragraph (d)(2): Herring GOM Haddock Accountability Measure Area

Point	N. latitude	W. longitude
HGA1	(¹)	69°20'
HGA2	43°40'	69°20'
HGA3	43°40'	69°00'
HGA4	43°20'	69°00'
HGA5	43°20'	(²)
HGA6	42°20'	(³)
HGA7	42°20'	70°00'
HGA8	(⁴)	70°00'

¹ The intersection of the Maine coastline and 69°20' W. long.

² The intersection of the U.S./Canada maritime boundary and 43°20' N. lat.

³ The intersection of the U.S./Canada maritime boundary and 42°20' N. lat.

⁴ The intersection of the north-facing shoreline of Cape Cod, MA, and 70°00' W. long.

(3) *Herring GB Haddock Accountability Measure Area.* The Herring GB Haddock AM Area is defined by the straight lines connecting the following points in the order stated (copies of a map depicting the area are available from the Regional Administrator upon request):

Table 3 to Paragraph (d)(3): Herring GB Haddock Accountability Measure Area

Point	N. Latitude	W. Longitude
1	42° 20'	70° 00'
2	42° 20'	(¹)

Point	N. Latitude	W. Longitude
3	40° 30'	(¹)
4	40° 30'	66° 40'
5	39° 50'	66° 40'
6	39° 50'	68° 50'
7	(²)	68° 50'
8	41° 00'	(³)
9	41° 00'	69° 30'
10	41° 10'	69° 30'
11	41° 10'	69° 50'
12	41° 20'	69° 50'
13	41° 20'	(⁴)
14	(⁵)	70° 00'
15	(⁶)	70° 00'
16	(⁷)	70° 00'

¹ The intersection of the U.S./Canada maritime boundary.

² The intersection of the boundary of Closed Area I and 68° 50' W. long.

³ The intersection of the boundary of Closed Area I and 41° 00' N. lat.

⁴ The intersection of the east-facing shoreline of Nantucket, MA, and 41° 20' N. lat.

⁵ The intersection of the north-facing shoreline of Nantucket, MA, and 70° 00' W. long.

⁶ The intersection of the south-facing shoreline of Cape Cod, MA, and 70° 00' W. long.

⁷ The intersection of the north-facing shoreline of Cape Cod, MA, and 70° 00' W. long.

(4) *Fishing years.* The haddock incidental catch caps specified are for the NE multispecies fishing year (May 1-April 30), which differs from the herring fishing year (January 1-December 31). If the haddock incidental catch allowance is attained by the herring midwater trawl fishery for the GOM or GB, as specified in § 648.90(a)(4)(iii)(E), the 2,000-lb (907.2-kg) limit on herring possession in the applicable AM Area, as described in paragraph (d)(2) or (3) of this section, shall be in effect until the end of the NE multispecies fishing year. For example, the 2011 haddock incidental catch cap is specified for the period May 1, 2011-April 30, 2012, and the 2012 haddock catch cap

would be specified for the period May 1, 2012-April 30, 2013. If the catch of haddock by herring midwater trawl vessels reached the 2011 incidental catch cap at any time prior to the end of the NE multispecies fishing year (April 30, 2012), the 2,000-lb (907.2-kg) limit on possession of herring in the applicable AM Area would extend through April 30, 2012. Beginning May 1, 2012, the 2012 catch cap would go into effect.

(5) *Other regulated NE multispecies possession restrictions for some Atlantic herring vessels.* A vessel issued a Category A or B Herring Permit on a declared herring trip, regardless of area fished or gear used, or a vessel issued a Category C, D, or E Herring Permit and fishing with midwater trawl gear pursuant to § 648.80(d), may possess and land haddock, and up to 100 lb (45 kg), combined, of regulated NE multispecies other than haddock, in accordance with the requirements in § 648.80(d) and (e). Such fish may not be sold for human consumption.

* * * * *

8. Amend § 648.87 as follows:

- a. Remove paragraphs (b)(1)(ii)(A) through (F);
- b. Revise paragraph (b)(1)(iii)(B) introductory text, paragraph (b)(1)(iii)(B)(1) heading, and paragraphs (b)(1)(iii)(B)(3), (b)(1)(v)(B), and (b)(2) introductory text; and
- c. Remove and reserve paragraphs (b)(2)(ii) and (b)(2)(xii).

The revisions read as follows:

§ 648.87 Sector allocation.

* * * * *

(b) * * *

(1) * * *

(iii) * * *

(B) *Overage penalty if there is insufficient ACE to cover an overage.* If a sector exceeds an ACE allocated to it during the previous fishing year, but disbands in the year following the overage, or otherwise does not have sufficient ACE to address the overage pursuant to this paragraph (b)(1)(iii) based upon the cumulative PSCs of permits/vessels participating in that sector during the fishing year following the overage, individual permit holders that participated in the sector during the fishing year in which the overage occurred shall be responsible for reducing their DAS/ACE to account for that overage in the subsequent fishing year, as follows:

(1) *ACE reduction.* * * *

* * * * *

(3) *Fishing prohibition.* If a sector does not disband following an overage, but otherwise does not have sufficient ACE to cover an overage based upon the PSC of participating permits, that sector's ACE for the stock for which the overage occurred shall be temporarily reduced to zero for the following fishing year, and that sector shall be prohibited from fishing on a sector trip in the stock area associated with the stock for which the ACE was exceeded during the following year, unless and until that sector can acquire sufficient ACE from another sector to cover the remaining overage from the previous fishing year.

* * * * *

(v) * * *

(B) *Weekly enforcement report.* Each sector must submit weekly reports to NMFS stating any compliance/enforcement issues, as instructed by the Regional Administrator. These weekly enforcement reports must be submitted no later than 0700 hr on the second Monday after the reporting week, as defined in this part.

* * * * *

(2) *Operations plan and sector contract.* To be approved to operate, each sector must submit an operations plan and preliminary sector contract to the Regional Administrator no later than September 1 prior to the fishing year in which the sector intends to begin operations, unless otherwise instructed by NMFS. A final roster and sector contract must be submitted by December 1 prior to the fishing year in which the sector intends to begin operations, unless otherwise instructed by NMFS. The operations plan may cover a 1- or 2-year period, provided the analysis required in paragraph (b)(3) of this section is sufficient to assess the impacts of sector operations during the 2-year period and that sector membership, or any other parameter that may affect sector operations during the second year of the approved operations plan, does not differ to the point where the impacts analyzed by the supporting National Environmental Policy Act (NEPA) document are compromised. Each vessel and vessel operator and/or vessel owner participating in a sector must agree to and comply with all applicable requirements and conditions of the operations plan specified in this paragraph (b)(2) and the letter of authorization issued pursuant to paragraph (c)(2) of this section. It shall be unlawful to violate any such conditions and requirements unless such conditions or restrictions are identified in an approved operations plan as administrative only. If a proposed sector does not comply with the requirements of this paragraph (b)(2), NMFS may decline to propose for approval such sector operations plans, even if the Council has approved such sector. At least the following elements must be contained in either the final operations plan or sector contract submitted to NMFS:

* * * * *

9. Revise § 648.88 to read as follows:

§ 648.88 Multispecies stock area definitions.

(a) *Definition of stock areas.* The species stock areas applicable for possession and trip limits specified in § 648.86, recreational minimum and maximum fish sizes,

possession limits, and seasons specified in § 648.89, and for determining areas applicable to sector allocations of ACE pursuant to § 648.87(b) are defined in paragraphs (1) through (17) of this section. For stocks that have incidental catch TACs pursuant to § 648.85(b), the areas also identify stock areas associated with those incidental catch TACs. Copies of a chart depicting these areas are available from the Regional Administrator upon request.

(1) *GOM cod stock area.* The GOM cod stock is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and on the south by straight lines connecting the following points in the order stated:

Table 1 to Paragraph (a)(1) - GOM Cod Stock Area		
Point	N. latitude	W. longitude
GOM1	(¹)	70°00'
GOM2	42°20'	70°00'
GOM3	42°20'	67°40'
GOM4	(²)	67°40'
GOM5	(³)	67°40'
GOM6	43°50'	67°40'
GOM7	43°50'	(⁴)
GOM8	(⁴)	67°00'
GOM9	(⁵)	67°00'

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary (southern intersection with 67°40' W. long.).

³ U.S./Canada maritime boundary (northern intersection with 67°40' W. long.).

⁴ U.S./Canada maritime boundary.

⁵ Intersection of the south-facing ME coastline and 67°00' W. long.

(2) *GB cod stock area.* The GB cod stock is the area defined by straight lines connecting the following points in the order stated:

Table 2 to Paragraph (a)(2) - GB Cod Stock Area		
Point	N. latitude	W. longitude
GB1	(¹)	70°00'

Table 2 to Paragraph (a)(2) - GB Cod Stock Area		
Point	N. latitude	W. longitude
GB2	42°20'	70°00'
GB3	42°20'	(²)
GB4	35°00'	(²)
GB5	35°00'	(³)

¹ Intersection of north-facing Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary.

³ Intersection of east-facing coastline of Outer Banks, NC, and 35°00' N. lat.

(3) [Reserved]

(4) [Reserved]

(5) *GB haddock stock area.* The GB Haddock Stock Area is defined as the area bounded on the west by the coastline of the United States, on the south by a line running from the east-facing coastline of North Carolina at 35° N. lat. until its intersection with the EEZ, on the east by the U.S./Canadian maritime boundary, and bounded on the north by straight lines connecting the following points in the order stated:

Table 5 to Paragraph (a)(5) - GB Haddock Stock Area		
Point	N. Latitude	W. Longitude
GB1	(¹)	70° 00'
GB2	42° 20'	70° 00'
GB3	42° 20'	(²)

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70° 00' W. long.

² U.S./Canada maritime boundary.

(6) *GOM haddock stock area.* The GOM Haddock Stock Area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and on the south by straight lines connecting the following points in the order stated:

Table 6 to Paragraph (a)(6) - GOM Haddock Stock Area		
Point	N. Latitude	W. Longitude
GOM1	(¹)	70° 00'
GOM2	42° 20'	70° 00'

Table 6 to Paragraph (a)(6) - GOM Haddock Stock Area		
Point	N. Latitude	W. Longitude
GOM3	42° 20'	67° 40'
GOM4	(²)	67° 40'
GOM5	(³)	67° 40'
GOM6	43° 50'	67° 40'
GOM7	43° 50'	(⁴)
GOM8	(⁴)	67° 00'
GOM9	(⁵)	67° 00'

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70° 00' W. long.

² U.S./Canada maritime boundary southern intersection with 67° 40' W. long.).

³ U.S./Canada maritime boundary northern intersection with 67° 40' W. long.).

⁴ U.S./Canada maritime boundary.

⁵ Intersection of the south-facing ME coastline and 67° 00' W. long.

(7) *GB yellowtail flounder stock area*. The GB yellowtail flounder stock area is the area bounded by straight lines connecting the following points in the order stated:

Table 7 to Paragraph (a)(7) - GB Yellowtail Flounder Stock Area		
Point	N. latitude	W. longitude
USCA1	42°20'	68°50'
USCA16	42°20'	(¹)
USCA5	39°00'	(¹)
USCA17	39°00'	69°00'
USCA18	39°50'	69°00'
USCA2	39°50'	68°50'
USCA1	42°20'	68°50'

¹ U.S./Canada maritime boundary.

(8) *SNE/MA yellowtail flounder stock area*. (i) For the purposes of identifying stock areas for trip limits specified in § 648.86, and for determining areas applicable to sector allocations of SNE/MA yellowtail flounder ACE pursuant to § 648.87(b), the SNE/MA yellowtail flounder stock area is the area bounded by straight lines connecting the following points in the order stated:

Table 8 to Paragraph (a)(8)(i) - SNE/MA Yellowtail Flounder Stock Area		
Point	N. Latitude	W. Longitude
SNEMA1	35° 00'	(¹)
SNEMA2	35° 00'	(²)
SNEMA3	39° 00'	(²)
SNEMA4	39° 00'	69° 00'
SNEMA5	39° 50'	69° 00'
SNEMA6	39° 50'	68° 50'
SNEMA7	41° 00'	68° 50'
SNEMA8	41° 00'	69° 30'
SNEMA9	41° 10'	69° 30'
SNEMA10	41° 10'	69° 50'
SNEMA11	41° 20'	69° 50'
SNEMA12	41° 20'	(³)
SNEMA13	(⁴)	70° 00'
SNEMA14	(⁵)	70° 00'

¹ Intersection of east-facing coastline of Outer Banks, NC, and 35° 00' N. lat.

² U.S./Canada maritime boundary.

³ Intersection of east-facing coastline of Nantucket, MA, and 41° 20' N. lat.

⁴ Intersection of north-facing coastline of Nantucket, MA, and 70° 00' W. long.

⁵ Intersection of south-facing coastline of Cape Cod, MA, and 70° 00' W. long.

(ii) For the purposes of the Regular B DAS Program, the SNE/MA yellowtail flounder B DAS stock area is the area bounded on the north, east, and south by straight lines connecting the following points in the order stated:

Table 9 to Paragraph (a)(8)(ii) - SNE/MA Yellowtail Flounder B DAS Stock Area		
Point	N. latitude	W. longitude
SNEMA1	40°00'	74°00'
SNEMA2	40°00'	72°00'
SNEMA3	40°30'	72°00'
SNEMA4	40°30'	69°30'
SNEMA5	41°10'	69°30'
SNEMA6	41°10'	69°50'
SNEMA7	41°20'	69°50'
SNEMA8	41°20'	(¹)
SNEMA9	(²)	70°00'
SNEMA10	41°00'	70°00'

SNEMA11	41°00'	70°30'
SNEMA12	(³)	70°30'
SNEMA13	(⁴)	72°00'
SNEMA14	(⁵)	72°00'
SNEMA15	(⁶)	73°00'
SNEMA16	40°30'	73°00'
SNEMA17	40°30'	74°00'
SNEMA1	40°00'	74°00'

¹ East-facing shoreline of Nantucket, MA.

² South-facing shoreline of Nantucket, MA.

³ Intersection of the south-facing shoreline of Cape Cod, MA.

⁴ South-facing shoreline of CT.

⁵ North-facing shoreline of Long Island, NY.

⁶ South-facing shoreline of Long Island, NY.

(9) *CC/GOM yellowtail flounder stock area.* (i) For the purposes of identifying stock areas for trip limits specified in § 648.86, and for determining areas applicable to sector allocations of CC/GOM yellowtail flounder ACE pursuant to § 648.87(b), the CC/GOM yellowtail flounder stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and on the south by straight lines connecting the following points in the order stated:

Table 10 to Paragraph (a)(9)(i) - CC/GOM Yellowtail Flounder Stock Area		
Point	N. Latitude	W. Longitude
CCGOM1	(¹)	70° 00'
CCGOM2	(²)	70° 00'
CCGOM3	41° 20'	(³)
CCGOM4	41° 20'	69° 50'
CCGOM5	41° 10'	69° 50'
CCGOM6	41° 10'	69° 30'
CCGOM7	41° 00'	69° 30'
CCGOM8	41° 00'	68° 50'
CCGOM9	42° 20'	68° 50'
CCGOM10	42° 20'	(⁴)

¹ Intersection of south-facing coastline of Cape Cod, MA, and 70° 00' W. long.

² Intersection of north-facing coastline of Nantucket, MA, and 70° 00' W. long.

³ Intersection of east-facing coastline of Nantucket, MA, and 41° 20' N. lat.

⁴ U.S./Canada maritime boundary.

(ii) For the purposes of the Regular B DAS Program pursuant to § 648.85(b), the CC/GOM yellowtail flounder B DAS stock area is the area defined by straight lines connecting the following points in the order stated:

Point	N. latitude	W. longitude
CCGOM1	43°00'	(¹)
CCGOM2	43°00'	70°00'
CCGOM3	42°30'	70°00'
CCGOM4	42°30'	69°30'
CCGOM5	41°30'	69°30'
CCGOM6	41°30'	69°00'
CCGOM7	41°00'	69°00'
CCGOM8	41°00'	69°30'
CCGOM5	41°30'	69°30'
CCGOM9	41°30'	70°00'
CCGOM10	(²)	70°00'
CCGOM11	42°00'	70°00'
CCGOM12	42°00'	(³)
CCGOM13	42°00'	(⁴)
CCGOM14	42°00'	(⁵)

¹ Intersection with the NH coastline.

² Intersection of the south-facing shoreline of Cape Cod, MA.

³ Intersection with the east-facing shoreline of Cape Cod, MA.

⁴ Intersection with the west-facing shoreline of Cape Cod, MA.

⁵ Intersection with the east-facing shoreline of Massachusetts.

(10) *American plaice stock area.* The American plaice stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line

running from the east-facing coastline of North Carolina at 35° N. lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(11) *Witch flounder stock area.* The witch flounder stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-facing coastline of North Carolina at 35° N. lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(12) *GB winter flounder stock area.* The GB winter flounder stock area is the area bounded by straight lines connecting the following points in the order stated:

Table 12 to Paragraph (a)(12) - GB Winter Flounder Stock Area		
Point	N. latitude	W. longitude
USCA1	42°20'	68°50'
USCA16	42°20'	(1)
USCA5	39°00'	(1)
USCA17	39°00'	69°00'
USCA18	39°50'	69°00'
USCA2	39°50'	68°50'
USCA1	42°20'	68°50'

¹ U.S./Canada maritime boundary.

(13) *GOM winter flounder stock area.* The GOM Winter Flounder Stock Area is the area bounded by straight lines connecting the following points in the order stated:

Table 13 to Paragraph (a)(13) - GOM Winter Flounder Stock Area		
Point	N. Latitude	W. Longitude
GOM1	(1)	70°00'
GOM2	42°20'	70°00'
GOM3	42°20'	67°40'
GOM4	(2)	67°40'
GOM5	(3)	67°40'
GOM6	43°50'	67°40'
GOM7	43°50'	(4)
GOM8	(4)	67°00'

Table 13 to Paragraph (a)(13) - GOM Winter Flounder Stock Area		
Point	N. Latitude	W. Longitude
GOM9	(⁵)	67°00'

¹ Intersection of the north-facing coastline of Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary (southern intersection with 67°40' N. lat.)

³ U.S./Canada maritime boundary (northern intersection with 67°40' N. lat.)

⁴ U.S./Canada maritime boundary.

⁵ Intersection of the south-facing ME coastline and 67°00' W. long.

(14) *SNE/MA winter flounder stock area*. The SNE winter flounder stock area is the area defined by straight lines connecting the following points in the order stated:

Table 14 to Paragraph (a)(14) - SNE/MA Winter Flounder Stock Area		
Point	N. latitude	W. longitude
SNEMA1	(¹)	70°00'
SNEMA2	42°20'	70°00'
SNEMA3	42°20'	68°50'
SNEMA4	39°50'	68°50'
SNEMA5	39°50'	69°00'
SNEMA6	39°00'	69°00'
SNEMA7	39°00'	(²)
SNEMA8	35°00'	(²)
SNEMA9	35°00'	(³)

¹ Intersection of the north-facing Coastline of Cape Cod, MA, and 70°00' W. long.

² U.S./Canada maritime boundary.

³ The intersection of the east-facing coastline of Outer Banks, NC, and 35°00' N. lat.

(15) *Redfish stock area*. The redfish stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-facing coastline of North Carolina at 35° N. lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(16) *White hake stock area*. The white hake stock area is defined as the area bounded on the north and west by the coastline of the United States, bounded on the east

by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-facing coastline of North Carolina at 35° N. lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(17) *Pollock stock area.* The pollock stock area is defined as the area bounded on the north and west by the coastline of the United States, on the east by the U.S./Canadian maritime boundary, and bounded on the south by a straight line running from the east-facing coastline of North Carolina at 35° N. lat. until its intersection with the EEZ. The coordinates for the area can be found in paragraph (b) of this section.

(b) *Stock area for unit stocks.* The stock area for all unit stocks listed in paragraph (a) of this section (American plaice, witch flounder, redfish, white hake, and pollock) are defined by straight lines connecting the following points in the order stated:

Table 15 to Paragraph (b) - Unit Stock Area		
Point	N. latitude	W. longitude
US1	(¹)	67°00'
US2	(²)	67°00'
US3	43°50'	(²)
US4	43°50'	67°40'
US5	(³)	67°40'
US6	(⁴)	67°40'
US7	42°30'	67°40'
US8	42°30'	(²)
US9	35°00'	(²)
US10	35°00'	(⁵)

¹ Intersection of south-facing ME coastline and 67°00' W. long.

² U.S./Canada maritime boundary.

³ U.S./Canada maritime boundary (northern intersection with 67°40' N. lat.).

⁴ U.S./Canada maritime boundary (southern intersection with 67°40' N. lat.).

⁵ Intersection of east-facing coastline of Outer Banks, NC, and 35°00' N. lat.

10. Amend § 648.89 as follows:

1. Revise Table 1 to Paragraph (b)(1), and paragraphs (b)(2)(ii), (c)(1) and (2);
2. Add paragraph (c)(8); and
3. Remove paragraph (g).

The revisions and addition read as follows:

§ 648.89 Recreational and charter/party vessel restrictions.

* * * * *

(b) * * *

(1) * * *

Table 1 to Paragraph (b)(1)						
Species	Charter/party minimum size		Private minimum size		Maximum size	
	inches	cm	inches	cm	inches	cm
Cod:						
Inside GOM Regulated Mesh Area ¹	23	58.4	23	58.4	N/A	N/A
Outside GOM Regulated Mesh Area ¹	23	58.4	23	58.4	N/A	N/A
Haddock:						
Inside GOM Regulated Mesh Area ¹	17	43.2	17	43.2	N/A	N/A
Outside GOM Regulated Mesh Area ¹	18	45.7	18	45.7	N/A	N/A
Pollock	19	48.3	19	48.3	N/A	N/A
Witch Flounder (gray sole)	14	35.6	14	35.6	N/A	N/A
Yellowtail Flounder	13	33.0	13	33.0	N/A	N/A
American Plaice (dab)	14	35.6	14	35.6	N/A	N/A
Atlantic Halibut	41	104.1	41	104.1	N/A	N/A
Winter Flounder (black back)	12	30.5	12	30.5	N/A	N/A
Redfish	9	22.9	9	22.9	N/A	N/A

¹ GOM Regulated Mesh Area specified in § 648.80(a).

(2) * * *

(ii) *Transiting*. If minimum size specified for cod and haddock differ between stock areas, vessels in possession of cod or haddock that meet the minimum size specified for fish caught in one stock area, as specified in § 648.88, may transit a

different stock area with that cod and haddock, provided all bait and hooks are removed from fishing rods, and any cod and haddock on board has been gutted and stored.

* * * * *

(c) * * *

(1) *Private recreational vessels.* Persons aboard private recreational fishing vessels during the open season listed in the column titled “Open Season” in table 2 to paragraph (c)(1), may not possess more fish in or from the EEZ than the amount listed in the column titled “Possession Limit” in table 2 to paragraph (c)(1). Persons aboard private recreational fishing vessels may not possess stocks, as specified in the column titled “Stock” in table 2 to paragraph (c)(1), in or from the EEZ during that stock’s closed season as specified in the column titled “Closed Season” in table 2 to paragraph (c)(1).

Table 2 to Paragraph (c)(1)			
Stock	Open season	Possession limit	Closed season
GB Cod	CLOSED	No retention	All Year.
GOM Cod	September 1-October 31	1	May 1-August 31; November 1-April 30.
GB Haddock	All Year	Unlimited	N/A.
GOM Haddock	May 1-February 28 (or 29); April 1-30	15	March 1-March 31.
GB Yellowtail Flounder	All Year	Unlimited	N/A.
SNE/MA Yellowtail Flounder	All Year	Unlimited	N/A.
CC/GOM Yellowtail Flounder	All Year	Unlimited	N/A.
American Plaice	All Year	Unlimited	N/A.
Witch Flounder	All Year	Unlimited	N/A.
GB Winter Flounder	All Year	Unlimited	N/A.
GOM Winter Flounder	All Year	Unlimited	N/A.
SNE/MA Winter Flounder	All Year	Unlimited	N/A.
Redfish	All Year	Unlimited	N/A.
White Hake	All Year	Unlimited	N/A.
Pollock	All Year	Unlimited	N/A.

Table 2 to Paragraph (c)(1)			
Stock	Open season	Possession limit	Closed season
Northern Windowpane Flounder	CLOSED	No retention	All Year.
Southern Windowpane Flounder	CLOSED	No retention	All Year.
Ocean Pout	CLOSED	No retention	All Year.
Atlantic Halibut	See paragraph (c)(3) of this section.		
Atlantic Wolffish	CLOSED	No retention	All Year.

(2) *Charter or Party Boats.* Persons aboard charter or party boats during the open season listed in the column titled “Open Season” in table 3 to paragraph (c)(2), may not possess more fish in or from the EEZ than the amount listed in the column titled “Possession Limit” in table 3 to paragraph (c)(2). Persons aboard charter or party boats may not possess stocks, as specified in the column titled “Stock” in table 3 to paragraph (c)(2), in or from the EEZ during that stock’s closed season as specified in the column titled “Closed Season” in table 3 to paragraph (c)(2).

Table 3 to Paragraph (c)(2)			
Stock	Open season	Possession limit	Closed season
GB Cod	CLOSED	No retention	All Year.
GOM Cod	September 1-October 31	1	May 1-August 31; November 1-April 30.
GB Haddock	All Year	Unlimited	N/A.
GOM Haddock	May 1-February 28 (or 29) April 1-30	15	March 1-March 31.
GB Yellowtail Flounder	All Year	Unlimited	N/A.
SNE/MA Yellowtail Flounder	All Year	Unlimited	N/A.
CC/GOM Yellowtail Flounder	All Year	Unlimited	N/A.
American Plaice	All Year	Unlimited	N/A.
Witch Flounder	All Year	Unlimited	N/A.
GB Winter Flounder	All Year	Unlimited	N/A.

Table 3 to Paragraph (c)(2)			
Stock	Open season	Possession limit	Closed season
GOM Winter Flounder	All Year	Unlimited	N/A.
SNE/MA Winter Flounder	All Year	Unlimited	N/A.
Redfish	All Year	Unlimited	N/A.
White Hake	All Year	Unlimited	N/A.
Pollock	All Year	Unlimited	N/A.
N. Windowpane Flounder	CLOSED	No retention	All Year.
S. Windowpane Flounder	CLOSED	No retention	All Year.
Ocean Pout	CLOSED	No retention	All Year.
Atlantic Halibut	See paragraph (c)(3) of this section.		
Atlantic Wolffish	CLOSED	No retention	All Year.

* * * * *

(8) *Transiting*. If the possession limits specified in paragraphs (c)(1) and (2) of this section for cod and haddock differ between stock areas, vessels in possession of cod or haddock that meet the possession limit specified for fish caught in one stock area, as specified in § 648.88, may transit a different stock area with that cod and haddock, provided all bait and hooks are removed from fishing rods, and any cod and haddock on board has been gutted and stored.

* * * * *

11. Amend § 648.90 as follows:

- a. Revise paragraph (a)(4)(iii) introductory text;
- b. Redesignate paragraphs (a)(4)(iii)(A) through (H) as (a)(4)(iii)(B) through (I);
- c. Add new paragraph (a)(4)(iii)(A);
- d. Revise newly redesignated paragraph (a)(4)(iii)(I); and
- e. Revise paragraphs (a)(5)(i)(A), and (a)(5)(iv)(A) and (B).

The revisions and additions read as follows:

§ 648.90 NE multispecies assessment, framework procedures and specifications, and flexible area action system.

* * * * *

(a) * * *

(4) * * *

(iii) *ABC/ACL distribution.* The ABCs/ACLs adopted by the Council for each regulated species or ocean pout stock pursuant to this paragraph (a)(4) shall be subdivided among the various sub-components of the fishery, as specified in paragraphs (a)(4)(iii)(A) through (I) of this section. For transboundary stocks managed by the Understanding, pursuant to § 648.85(a), the distribution of ABC/ACLs described in paragraphs (a)(4)(iii)(A) through (I) of this section shall be based upon the catch available to U.S. fishermen. The Council may revise its recommendations for the distribution of ABCs and ACLs among these and other sub-components through the process to specify ABCs and ACLs, as described in this paragraph (a)(4). Distribution of the ACL for each stock available to the NE multispecies fishery between and among commercial and recreational components of the fishery may be implemented through a framework adjustment pursuant to this section. Any changes to the distribution of ACLs to the NE multispecies fishery shall not affect the implementation of AMs based upon the distribution in effect at the time of the overage that triggered the AM.

(A) *Recreational allocation.* Unless otherwise specified in paragraph (a)(5) of this section, recreational catches shall be compared to the ACLs allocated pursuant to this paragraph (a)(4)(iii)(A) for the purposes of determining whether adjustments to recreational measures are necessary, pursuant to the recreational fishery AMs specified in § 648.89(f).

(I) *Stocks allocated.* Unless otherwise specified in this paragraph (a)(4)(iii)(A), the ABCs/ACLs for GOM cod and GOM haddock set pursuant to paragraph (a)(4) of this

section shall be divided between commercial and recreational components, based upon the average proportional catch of each component for each stock during fishing years 2001 through 2006.

(2) *Process for determining if a recreational allocation is necessary.* A recreational allocation will not be made if it is determined that, based upon available information, the ACLs for these stocks are not being fully harvested by the NE multispecies fishery, or if the recreational harvest, after accounting for State waters catch pursuant to paragraph (a)(4)(iii)(B) of this section, is less than 5 percent of the overall catch for a particular stock of regulated species or ocean pout.

* * * * *

(I) *Regulated species or ocean pout catch by the NE multispecies commercial fisheries.* Unless otherwise specified in the ACL recommendations developed pursuant to paragraph (a)(4)(i) of this section, after all of the deductions and considerations specified in paragraphs (a)(4)(iii)(A) through (H) of this section, the remaining ABC/ACL for each regulated species or ocean pout stock shall be allocated to the NE multispecies commercial fishery, pursuant to paragraphs (a)(4)(iii)(I)(1) through (3) of this section.

(1) *Commercial allocation.* Unless otherwise specified in paragraph (a)(4)(iii)(I), the ABC/ACL for regulated species or ocean pout stocks available to the commercial NE multispecies fishery shall be divided between vessels operating under approved sector operations plans as described at § 648.87(c), based upon the cumulative PSCs of vessels participating in sectors calculated pursuant to § 648.87(b)(1)(i)(E), and vessels operating under the provisions of the common pool, as defined in this part. The ABC/ACL of each stock not allocated to sectors pursuant to § 648.87(b)(1)(i)(E) (*i.e.*, Atlantic halibut, ocean pout, windowpane flounder, and Atlantic wolffish) that is available to the commercial NE multispecies fishery shall be allocated entirely to the common pool, and catch from sector and common pool vessels shall be attributed to this allocation. Unless otherwise specified

in paragraph (a)(5) of this section, regulated species or ocean pout catch by common pool and sector vessels shall be deducted from the sub-ACL/ACE allocated pursuant to this paragraph (a)(4)(iii)(I)(I) for the purposes of determining whether adjustments to common pool measures are necessary, pursuant to the common pool AMs specified in § 648.82(n), or whether sector ACE overages must be deducted, pursuant to § 648.87(b)(1)(iii).

(2) *Reserved*

* * * * *

(5) * * *

(i) * * *

(A) *Excessive catch by common pool vessels.* If the catch of regulated species and ocean pout by common pool vessels exceeds the amount of the ACL specified for common pool vessels pursuant to paragraph (a)(4)(iii)(I) of this section, then the AMs described in § 648.82(n) shall take effect. If such catch does not exceed the portion of the ACL specified for common pool vessels pursuant to paragraph (a)(4)(iii)(I) of this section, then no AMs shall take effect for common pool vessels.

* * * * *

(iv) * * *

(A) *Threshold for implementing the Atlantic sea scallop fishery AMs for SNE yellowtail flounder and southern windowpane flounder.* If scallop fishery catch exceeds the scallop fishery sub-ACL for SNE yellowtail flounder or southern windowpane flounder, as specified in paragraph (a)(4) of this section, by 50 percent or more, or if scallop fishery catch exceeds the scallop fishery sub-ACL by any amount and total catch exceeds the overall ACL for that stock, then the applicable scallop fishery AM will take effect, as specified in § 648.64 of the Atlantic sea scallop regulations.

(B) *Threshold for implementing the Atlantic sea scallop fishery AM for GB*

yellowtail flounder and northern windowpane flounder. If scallop fishery catch exceeds scallop fishery sub-ACL for GB yellowtail flounder or northern windowpane flounder, as specified in paragraph (a)(4) of this section, and total catch exceeds the overall ACL for that stock, then the applicable scallop fishery AM will take effect, as specified in § 648.64 of the Atlantic sea scallop regulations.

* * * * *

§§ 648.4, 648.10, 648.13, 648.14, 648.64, 648.80, 648.82, 648.83, 648.85, 648.86, 648.87, 648.90, and 648.201 [Amended]

12. In the table below, for each of the locations shown in the “Location” column, remove the phrase indicated in the “Remove” column and replace it with the phrase indicated in the “Add” column for the number of times indicated in the “Frequency” column.

Location	Remove	Add	Frequency
50 CFR 648.4(a)(1)(ii)	§ 648.88	§§ 648.82(m) and 648.86	2
50 CFR 648.4(a)(10)(ii)	§ 648.86(a)(3) and (k)	§ 648.86(d)	1
50 CFR 648.10(j)(2)	paragraph (k)(1)	paragraph (j)(1)	1
50 CFR 648.13(e)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.14(k)(13)(i)(A)	§ 648.86(i)	§ 648.86(b)(6)(v)	1
50 CFR 648.14(k)(13)(ii)(A)	§ 648.86(a), (b), (c), (d), (e), (g), (h), (j), (k), (l), (n), and (o)	§ 648.86(a) and (b)	1
50 CFR 648.14(k)(13)(ii)(B)	§ 648.86(a), (b), (c), (e), (g), (h), (j), (l), (m), (n), and (o); § 648.82(b)(5) and (6); § 648.85; or § 648.88	§ 648.86(a) and (b); or § 648.85	1
50 CFR 648.14(k)(13)(ii)(C)	§ 648.88	§ 648.82(m)	1
50 CFR 648.14(k)(14)(viii)	§ 648.87(b)(1)(v)	§ 648.11(l)(9)	1
50 CFR 648.14(k)(15)(i)(A)	§ 648.88	§ 648.82(m)	1
50 CFR 648.14(k)(15)(i)(B)	§ 648.88(a)(2)(i)	§ 648.82(m)(1)(i)	1
50 CFR 648.14(k)(15)(i)(B)	§ 648.88(a)(2)(iii)	§ 648.82(m)(1)(iii)	1
50 CFR 648.14(k)(15)(ii)(A)(1)	§ 648.88(a)	§ 648.82(m)(1)	1
50 CFR 648.14(k)(15)(ii)(A)(2)	§ 648.88(a)	§ 648.86	1
50 CFR 648.14(k)(15)(ii)(B)	§ 648.88(c)	§ 648.86(c)(3)	1
50 CFR 648.14(k)(15)(ii)(C)	§ 648.88	§ 648.82(m)(4)	2

50 CFR 648.14(r)(1)(vi)(B)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(B)	§ 648.86(a)(3)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(C)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	2
50 CFR 648.14(r)(1)(vi)(E)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(E)	§ 648.86(a)(3)	§ 648.86(d)	1
50 CFR 648.14(r)(1)(vi)(F)	§ 648.86(a)(3)(ii)(A)(I)	§ 648.86(d)	2
50 CFR 648.64(a)	§ 648.90(a)(4)(iii)(C) and (E)	§ 648.90(a)(4)(iii)(D) and (F)	1
50 CFR 648.80(a)(3)(vi)	§ 648.88(a)	§ 648.82(m)(1)	1
50 CFR 648.80(a)(3)(vi)	§ 648.88	§ 648.82(m)	1
50 CFR 648.80(a)(4)(iii)	§ 648.82(b)(5)	§ 648.82(b)(4)	1
50 CFR 648.80(a)(6)(i)(B)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.80(a)(9)(i)(A)	§ 648.86(d)	§ 648.86(e)	2
50 CFR 648.80(a)(15)(i)(B)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.80(b)(2)(vi)	§ 648.88(a)	§ 648.82(m)(1)	1
50 CFR 648.80(b)(2)(vi)	§ 648.88	§ 648.82(m)	1
50 CFR 648.80(b)(3)(i)	§ 648.86(d)	§ 648.86(e)	1
50 CFR 648.80(d)(4)	§ 648.86(a)(3) and (k)	§ 648.86(d)	1
50 CFR 648.80(e)(4)	§ 648.86(a)(3) and (k), respectively	§ 648.86(d)	1
50 CFR 648.80(h)(1)	§ 648.86(a)(2)	§ 648.86(c)	1
50 CFR 648.82(g)	§ 648.88(a)	paragraph (m)(1) of this section	1
50 CFR 648.82(n)(2)(vi)	§ 648.90(a)(4)(iii)(H)(2)	§ 648.90(a)(4)(iii)(I)	1
50 CFR 648.83(b)(4)	§ 648.86(a)(3) and (k)	§ 648.86(d)	1
50 CFR 648.85(a)(2)(ii)	§ 648.90(a)(5)(ii)	§ 648.90(a)(5)	1
50 CFR 648.85(a)(3)(ii)(A)(4)	§ 648.86(g)	§ 648.86(a)(1)	1
50 CFR 648.85(a)(3)(iii)	paragraphs (b)(6) and (8)	paragraphs (b)(6) and (7)	2
50 CFR 648.85(b)(3)(viii)(C)	paragraph (e)	paragraph (d)	1
50 CFR 648.85(b)(5)(iii)	paragraph (b)(8)	paragraph (b)(7)	1
50 CFR 648.85(b)(6)(iv)(D)	paragraph (e)	paragraph (d)	1
50 CFR 648.85(b)(6)(iv)(G)	paragraph (b)(6)(v) of this section	§ 648.88	1
50 CFR 648.85(b)(6)(iv)(J)(4)	paragraph (b)(6)(v)(B) of this section	§ 648.88	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(v)(E)	paragraph (b)(7)(v)(E)	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(ii)	paragraph (b)(7)(ii)	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(iv)	paragraph (b)(7)(iv)	1
50 CFR 648.85(b)(7)(i)	paragraph (b)(8)(v)(K) or (L)	paragraph (b)(7)(v)(K) or (L)	1
50 CFR 648.85(b)(7)(v)(A)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	2
50 CFR 648.85(b)(7)(v)(A)(I)	paragraph (b)(8)(v)(I)	paragraph (b)(7)(v)(I)	1
50 CFR 648.85(b)(7)(v)(A)(I)	paragraph (b)(8)(v)(J)	paragraph (b)(7)(v)(J)	1
50 CFR 648.85(b)(7)(v)(A)(2)	paragraph (b)(8)(i)	paragraph (b)(7)(i)	1
50 CFR 648.85(b)(7)(v)(A)(3)	paragraph (b)(8)(v)(D)	paragraph (b)(7)(v)(D)	1
50 CFR 648.85(b)(7)(v)(A)(4)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	2
50 CFR 648.85(b)(7)(v)(B)	paragraph (b)(8)(i)	paragraph (b)(7)(i)	1

50 CFR 648.85(b)(7)(v)(C)	paragraph (b)(8)(i)	paragraph (b)(7)(i)	1
50 CFR 648.85(b)(7)(v)(C)	paragraph (b)(8)(v)(D)	paragraph (b)(7)(v)(D)	1
50 CFR 648.85(b)(7)(v)(D)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	1
50 CFR 648.85(b)(7)(v)(E)(I)	paragraph (b)(8)(v)(E)(1)	paragraph (b)(7)(v)(E)(I)	1
50 CFR 648.85(b)(7)(v)(E)(I)	paragraph (b)(8)(v)(E)	paragraph (b)(7)(v)(E)	1
50 CFR 648.85(b)(7)(v)(G)	paragraph (b)(8)	paragraph (b)(7)	1
50 CFR 648.85(b)(7)(v)(H)	paragraph (b)(8)(v)(A)	paragraph (b)(7)(v)(A)	1
50 CFR 648.85(b)(7)(v)(I)	paragraph (b)(8)(v)(F)	paragraph (b)(7)(v)(F)	2
50 CFR 648.85(b)(7)(v)(I)	paragraph (b)(8)(ii)	paragraph (b)(7)(ii)	1
50 CFR 648.85(b)(7)(v)(K)	paragraph (b)(8)(v)(H)	paragraph (b)(7)(v)(H)	1
50 CFR 648.86(f)(1)(i)(A)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(i)(B)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(iii)	paragraph (d)(1)(i) and (ii)	paragraph (e)(1)(i) and (ii)	1
50 CFR 648.86(f)(1)(iii)(A)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(iii)(B)	paragraph (d)(1)(iv)	paragraph (e)(1)(iv)	1
50 CFR 648.86(f)(1)(iv)	paragraph (d)(1)(i) through (iii)	paragraph (e)(1)(i) through (iii)	1
50 CFR 648.86(f)(4)	paragraph (d)(4)	paragraph (e)(4)	1
50 CFR 648.87(b)(1)(ii)	paragraphs (b)(1)(ii)(A) through (F) of this section, and § 648.85(b)(6)(v)	§ 648.88	1
50 CFR 648.87(b)(1)(ii)	paragraph (b)(1)(viii)	paragraph (b)(1)(vii)	3
50 CFR 648.87(b)(1)(iii)(C)	paragraph (b)(1)(viii)	paragraph (b)(1)(vii)	1
50 CFR 648.87(b)(1)(viii)	§ 648.86(1)	§ 648.86(b)(2)	1
50 CFR 648.87(b)(1)(viii)	§ 648.86(c)	§ 648.86(b)(1)	1
50 CFR 648.87(e)(3)(iii)	paragraph (b)(1)(viii)	paragraph (b)(1)(vii)	1
50 CFR 648.90(a)(4)(iii)(B)	paragraph (a)(4)(iii)(H)(I)(i)	paragraph (a)(4)(iii)(A)(I)	1
50 CFR 648.90(a)(4)(iii)(C)	paragraph (a)(4)(iii)(H)(I)(i)	paragraph (a)(4)(iii)(A)(I)	1
50 CFR 648.90(a)(4)(iii)(C)	paragraph (a)(4)(iii)(C) through (G)	paragraph (a)(4)(iii)(D) through (H)	1
50 CFR 648.90(a)(4)(iii)(C)	paragraph (a)(4)(iii)(B)	paragraph (a)(4)(iii)(C)	1
50 CFR 648.90(a)(4)(iii)(D)	paragraph (a)(4)(iii)(C)	paragraph (a)(4)(iii)(D)	1
50 CFR 648.90(a)(4)(iii)(D)	paragraph (a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(I)(I)	1
50 CFR 648.90(a)(4)(iii)(E)(I)	§ 648.86(a)(3)	§ 648.86(d)	1
50 CFR 648.90(a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(G)(I)	paragraph (a)(4)(iii)(H)(I)	1
50 CFR 648.90(a)(5)	paragraph (a)(4)(iii)(A) through (G)	paragraph (a)(4)(iii)(B) through (H)	1
50 CFR 648.90(a)(5)(i)	paragraph (a)(4)(iii)(H)	paragraph (a)(4)(iii)(A) and (I)	1
50 CFR 648.90(a)(5)(i)(B)	paragraph (a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(I)	2
50 CFR 648.90(a)(5)(i)(C)	paragraph (a)(4)(iii)(H)(I)	paragraph (a)(4)(iii)(A)	2
50 CFR 648.90(a)(5)(i)(E)(I)	paragraph (a)(4)(iii)(H)(2)	paragraph (a)(4)(iii)(I)	1
50 CFR 648.90(a)(5)(i)(E)(2)	paragraph (a)(4)(iii)(F)	paragraph (a)(4)(iii)(G)	1
50 CFR 648.90(a)(5)(ii)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1

50 CFR 648.90(a)(5)(ii)(A)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1
50 CFR 648.90(a)(5)(ii)(A)	paragraph (a)(4)(iii)(H)	paragraphs (a)(4)(iii)(A) and (I)	2
50 CFR 648.90(a)(5)(ii)(B)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1
50 CFR 648.90(a)(5)(ii)(C)	paragraphs (a)(4)(iii)(A) and (B)	paragraphs (a)(4)(iii)(B) and (C)	1
50 CFR 648.90(a)(5)(iii)	§ 648.90(a)(4)(iii)(D)	paragraph (a)(4)(iii)(E)	1
50 CFR 648.90(a)(5)(v)	paragraph (a)(4)(iii)(G)	paragraph (a)(4)(iii)(H)	1
50 CFR 648.90(a)(5)(v)	paragraph (a)(4)(iii)(G)(I)	paragraph (a)(4)(iii)(H)(I)	1
50 CFR 648.90(a)(6)(ii)	paragraph (a)(5)(i)	paragraph (a)(6)(i)	1
50 CFR 648.90(b)(5)(i)	§ 648.86(d)(4)	§ 648.86(e)(4)	1
50 CFR 648.201(a)(2)	§ 648.90(a)(4)(iii)(D)	§ 648.90(a)(4)(iii)(E)	1
50 CFR 648.201(a)(2)	§ 648.86(a)(3)(ii)(A)(2) and (3) of this part	§ 648.86(d)(2) and (3)	1

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