



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 260311-0069]

RTID 0648-XF489

Fisheries of the Northeastern United States; 2026 Chub Mackerel, Squid, and Butterfish Fishery Specifications

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes specifications for the Mackerel, Squid, and Butterfish
Fishery Management Plan (FMP), as recommended by the Mid-Atlantic Fishery
Management Council (Council). This action proposes new 2026 and projected 2027-2028
specifications for the chub mackerel and *Illex* squid fisheries and reaffirms previously-
projected 2026 specifications for the longfin squid and butterfish fisheries. These
specifications are intended to establish allowable harvest levels that will prevent
overfishing, consistent with the most recent scientific information.

DATES: Public comments must be received by [INSERT DATE 30 DAYS AFTER
DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: A plain language summary of this proposed rule is available at:
<https://www.regulations.gov/docket/NOAA-NMFS-2025-0768>. You may submit
comments on this document, identified by NOAA-NMFS-2025-0768, by any of the
following methods:

Electronic Submission: Submit all electronic public comments via the Federal e-
Rulemaking Portal. Visit <https://www.regulations.gov> and type NOAA-NMFS-2025-

0768 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing at: <https://www.regulations.gov> without change. All personal identifying information (*e.g.*, name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Maria Fenton, Fishery Policy Analyst, (978) 281-9196.

SUPPLEMENTARY INFORMATION:

Background

NMFS manages the Atlantic mackerel, chub mackerel, *Illex* squid, longfin squid, and butterfish fisheries pursuant to the Mackerel, Squid, and Butterfish Fishery Management Plan (the FMP) in consultation with the Council. Regulations implementing the FMP appear at 50 CFR part 648, subpart B. In 2024, the most recent year for which complete revenue data are available, the FMP supported commercial fisheries producing an overall \$41.9 million in revenues.

Section 302(g)(1)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) states that the Scientific and Statistical Committee (SSC) for each regional fishery management council shall provide its council with ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch (ABC), preventing overfishing, ensuring maximum sustainable yield (MSY), and achieving rebuilding targets. The ABC

is a level of catch that accounts for the scientific uncertainty in the estimate of the stock's defined overfishing limit (OFL). Specifications regulations at § 648.22 require the Mackerel, Squid, and Butterfish Monitoring Committee (Monitoring Committee) to meet annually to develop specifications recommendations for each species managed under the FMP. The Council must review these suggestions, as well as any public comments regarding them, and recommend to the Regional Administrator specifications and additional measures necessary to assure that annual catch limits (ACL) will not be exceeded.

NMFS proposes to implement the Council's recommended chub mackerel and *Illex* squid fishery specifications and reaffirms the intention to implement previously-projected 2026 longfin squid and butterfish fishery specifications pursuant to section 305(d) of the Magnuson-Stevens Act, which authorizes the Secretary to implement management measures necessary to carry out an approved fishery management plan. Specifications for Atlantic mackerel will be proposed through a separate rulemaking.

Fishery Specifications

Proposed 2026 and Projected 2027-2028 Chub Mackerel Fishery Specifications

Chub mackerel has never been assessed, and recent efforts to develop a data-limited assessment approach for the stock were unsuccessful. In May 2025, the SSC reviewed: (1) updated fishery data; (2) Mackerel, Squid, and Butterfish Advisory Panel (AP) input; and (3) staff recommendations for chub mackerel. Since the stock was added to the FMP in 2020, the ABC has been held constant at 2,300 metric tons (mt). There is little biological information available for chub mackerel, but, given that the species tends to be highly productive in other parts of the world and vessels in the Greater Atlantic Region are relatively limited in their ability to target the stock, the SSC determined that it was unlikely that overfishing would occur under the existing ABC. Because of this consideration, and because there was insufficient new information to justify changes to

the ABC, the SSC recommended maintaining the 2,300 mt ABC during 2026-2028.

The Mackerel, Squid, and Butterfish Monitoring Committee reviewed the SSC’s ABC advice and recommended keeping the remaining chub mackerel specifications status quo during 2026-2028. During its June 2025 meeting, the Council reviewed: (1) updated fishery data; (2) AP, SSC, and Monitoring Committee advice; and (3) staff recommendations and recommended that NMFS maintain the status quo chub mackerel specifications during 2026-2028 (table 1). We are proposing to adopt the Council’s recommended specifications for chub mackerel.

Table 1 – Proposed 2026 and Projected 2027-2028 Chub Mackerel Fishery

Specifications (in mt)

Specification	2025	Proposed 2026	Projected 2027-2028
ABC	2,300	2,300	2,300
ACL	2,262	2,262	2,262
Annual catch target (ACT)	2,171	2,171	2,171
Total allowable landings (TAL)	2,041	2,041	2,041

Proposed 2026 and Projected 2027-2028 Illex Squid Fishery Specifications

The Northeast Fisheries Science Center (Science Center) completed the most recent management track assessment for *Illex* squid in June 2025. There is no accepted stock assessment model for *Illex* squid; therefore, reference points for the stock cannot be determined and stock status continues to be unknown. Updated fishery data revealed that average annual U.S. landings of *Illex* squid during 2022-2024 (5,920 mt per year) were lower than average annual landings during the full 1987-2024 time series (13,365 mt per year). Additionally, fall survey biomass during 2022-2024 (0.49 kilograms (kg) per tow)

was lower than average fall survey biomass during the full 1987-2024 time series (1.30 kg per tow).

To accompany the assessment, the Science Center also produced a report evaluating alternative 2025 catch limits for the *Illex* squid fishery. Because there are no biological reference points for the *Illex* squid stock, this report uses alternative metrics (*i.e.*, escapement level and the ratio of fishing mortality (F) to natural mortality (M)) to estimate the risk of overfishing at different ABC levels. This approach has been used by the SSC for establishing *Illex* squid ABCs since 2020, and the most recent version of the report incorporates updated data through 2024.

In July 2025, the SSC reviewed the results of the assessment and the alternative catch limit report and recommended maintaining a status quo ABC of 40,000 mt during 2026-2028. The SSC determined that a 40,000-mt ABC would result in a low probability of the fishery falling below an escapement threshold of 40 percent (*i.e.*, the threshold used in management of other global squid fisheries) and only a moderate risk of exceeding an F:M ratio of 2:3 (*i.e.*, the threshold used to manage other forage finfish species). Because of this, the SSC concluded that a 40,000-mt ABC was likely to result in a low risk of overfishing. Additionally, given the high level of uncertainty associated with the *Illex* squid stock assessment and the alternative catch limit analyses, the SSC determined that an increase in the ABC was not justified.

The Mackerel, Squid, and Butterfish Monitoring Committee reviewed the SSC's ABC advice and recommended keeping the remainder of the *Illex* fishery specifications status quo during 2026-2028. The commercial discard set-aside (1,369 mt) was calculated based on average annual discards during 2018-2019, a time when the *Illex* squid fishery was highly productive and observer coverage was relatively high. The Monitoring Committee concluded that maintaining a discard set-aside that was calculated based on data from this time period should help to ensure that catch stays below the ABC should

Illex squid become highly available again in the future. During its August 2025 meeting, the Council reviewed: (1) updated fishery data; (2) AP, SSC, and Monitoring Committee advice; and (3) staff recommendations and recommended that NMFS maintain the status quo *Illex* squid specifications during 2026-2028 (table 2). We are proposing to adopt the Council’s recommended specifications for *Illex* squid.

Table 2 – Proposed 2026 and Projected 2027-2028 *Illex* Squid Fishery Specifications (mt)

Specification	2025	Proposed 2026	Projected 2027-2028
OFL	Unknown	Unknown	Unknown
ABC	40,000	40,000	40,000
Commercial discard set-aside	1,369	1,369	1,369
Commercial discard set-aside (percent)	3.42%	3.42%	3.42%
Initial optimum yield (IOY)	38,631	38,631	38,631
Research set-aside (RSA)*	0	0	0
Domestic annual harvest (DAH)/domestic annual processing (DAP)	38,631	38,631	38,631

*The Council’s RSA program has been suspended since 2014.

Reaffirmed 2026 Longfin Squid Fishery Specifications

Projected 2026 longfin squid fishery specifications were set through the final rule implementing 2024-2026 specifications for the FMP (July 23, 2024, 89 FR 59678).

During its May 2025 meeting, the SSC reviewed updated fishery data, AP input, and staff recommendations for longfin squid. A longfin squid research track assessment is currently ongoing and scheduled to be completed this year. The Science Center’s most

recent management track assessment for longfin squid in 2023 indicated that the stock is not overfished and it is unknown whether overfishing is occurring. Survey and fishery data suggest that longfin squid abundance has fluctuated but remained relatively stable, with no clear trends displayed over time. The SSC concluded that there was insufficient new information to justify changes to the ABC and recommended maintaining the projected ABC of 23,400 mt for 2026.

The Monitoring Committee reviewed the SSC’s ABC advice and recommended reaffirming the remaining 2026 longfin squid specifications as projected. During its June 2025 meeting, the Council reviewed: (1) updated fishery data; (2) AP, SSC, and Monitoring Committee advice; and (3) staff recommendations and recommended that NMFS reaffirm the projected 2026 longfin squid specifications without changes. Relative to the 2025 longfin squid specifications, the reaffirmed 2026 specifications would remain status quo (tables 3 and 4). We are announcing our intention to adopt the Council’s recommendation to reaffirm the projected 2026 longfin squid specifications.

Table 3 – Reaffirmed 2026 Longfin Squid Fishery Specifications (mt)

Specification	2025	Reaffirmed 2026
OFL	Unknown	Unknown
ABC	23,400	23,400
Commercial discard set-aside	506.3	506.3
Commercial discard set-aside (%)	2.16%	2.16%
IOY	22,893.70	22,893.70
RSA*	0	0
DAH/DAP	22,893.70	22,893.70

*The Council’s RSA program has been suspended since 2014.

Table 4 – Reaffirmed 2026 Longfin Squid Quota Trimester Allocations

Trimester	Percent of Quota	Metric Tons
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I (January-April)	43	9,844.30
II (May-August)	17	3,891.90
III (September-December)	40	9,157.50
Total	100	22,893.70

Reaffirmed 2026 Butterfish Fishery Specifications

Projected 2026 butterfish fishery specifications were set through the final rule implementing 2025-2026 specifications for the FMP (90 FR 45674; September 23, 2025). During its May 2025 meeting, the SSC reviewed updated fishery data, AP input, and staff recommendations for butterfish. According to the Science Center’s most recent 2024 management track assessment, butterfish is not overfished and overfishing is not occurring. The assessment also indicated that spawning stock biomass is well above the biomass target and fishing mortality is well below the overfishing threshold proxy, but it acknowledged that there is considerable uncertainty associated with estimates of natural mortality and survey catchability. The SSC noted that while the exact scale of the population is unknown, stock status is perceived to be favorable and catch has remained well below allowable levels in recent years. Therefore, the SSC concluded that there was insufficient new information to justify changes to the ABC and recommended maintaining the projected ABC of 13,842 mt for 2026.

The Monitoring Committee reviewed the SSC’s ABC advice and recommended reaffirming the remaining 2026 butterfish specifications as projected. During its June 2025 meeting, the Council reviewed: (1) updated fishery data; (2) AP, SSC, and Monitoring Committee advice; and (3) staff recommendations and recommended that NMFS reaffirm the projected 2026 butterfish specifications without changes (tables 5 and 6). We are announcing our intention to adopt the Council’s recommendation to reaffirm the prior projected 2026 butterfish specifications.

Table 5 – Reaffirmed 2026 Butterfish Fishery Specifications (mt)

Specification	2025	Reaffirmed 2026
OFL	17,587	14,224
ABC/ACL	17,115	13,842
ACT buffer	0	0
ACT buffer (%)	0	0%
ACT	17,115	13,842
RSA*	0	0
Total allowable level of foreign fishing (TALFF)	0	0
Butterfish cap in longfin squid fishery	3,884	3,884
Assumed other discards	1,907	1,907
Total discard set-aside (all sources)	5,791	5,791
DAH/DAP	11,324	8,051
Closure threshold (amount caught)	10,324	7,051

*The Council’s RSA program has been suspended since 2014.

Table 6 – Reaffirmed 2026 Allocation of the Butterfish Mortality Cap.

Trimester	Percent	Metric Tons
I (January-April)	43	1,670
II (May-August)	17	660
III (September-December)	40	1,554
Total	100	3,884

The reaffirmed 2026 butterfish fishery specifications would be reduced relative to the 2025 specifications. The ABC, ACL, and ACT would decrease by 19 percent, and the DAH would decrease by 29 percent. However, in recent years commercial butterfish landings have been well below the DAH and catch has been well below the ACL, so these reductions in butterfish fishery specifications are not expected to be limiting for the

fishery.

Classification

NMFS is issuing this rule pursuant to section 305(d) of the Magnuson Stevens Act (16 U.S.C. 1855(d)). In a previous action taken pursuant to section 304(b) of the Magnuson-Stevens Act (16 U.S.C. 1854(b)), the FMP and implementing regulations created the process by which specifications are developed through a NMFS rulemaking process distinct from that of 304(b). See 50 CFR 648.22. The NMFS Assistant Administrator has determined that this proposed rule is consistent with the Mackerel, Squid, and Butterfish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

This proposed rule is exempt from review under Executive Order (E.O.) 12866.

This proposed rule is exempt from E.O. 14192 because it is not significant under E.O. 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The purpose, context, and statutory basis for this action is described above and not repeated here. Business entities affected by this action include vessels that are issued Federal limited access and/or open access commercial Atlantic mackerel, *Illlex* squid, longfin squid, or butterfish permits. In order to fish for, possess, or land chub mackerel from the Exclusive Economic Zone portion of the Atlantic Chub Mackerel Management Unit, a vessel must be issued a Federal mackerel, squid, or butterfish permit. Therefore, although Atlantic mackerel fishery specifications are not included in this action, vessels that are issued Federal Atlantic mackerel permits are included as business entities affected by this action because those vessels may use their Atlantic mackerel permits in order to access chub mackerel. Additionally, although recreational

chub mackerel catch also counts against the chub mackerel ACL that would be implemented through this action, vessels that are issued charter/party permits for mackerel, squid, and butterfish are not expected to be impacted by this action because it does not contain changes to management measures specific to recreational fishing.

In 2015, NMFS issued a final rule establishing a small business size standard of \$11 million in annual gross receipts for all businesses primarily engaged in the commercial or for-hire fishing industry (North American Industry Classification System (NAICS) code 11411) for Regulatory Flexibility Act (RFA) compliance purposes only. The \$11 million standard became effective on July 1, 2016. The RFA defines a small business in either the commercial or for-hire fishery as a firm that is independently owned and operated with receipts of less than \$11 million annually. Individually permitted vessels may hold permits for several fisheries, harvesting species of fish that are regulated by several different fishery management plans, even beyond those impacted by the proposed 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 this analysis, “ownership entities” are defined as those entities with common ownership as listed on the permit application. On June 1 of each year, ownership entities are identified based on a list of all permits for the most recent complete calendar year. The current ownership dataset is based on the calendar year 2024 permits and contains average gross sales associated with those permits for calendar years 2020 through 2024. In 2024, there were 1,650 active Federal commercial mackerel, squid, and butterfish permits. Approximately 1,241 entities held these permits, and based on NMFS size standards, 1,232 would be qualified as small business entities.

Fishing revenue and, therefore, the economic impacts of annual chub mackerel, *Illlex* squid, longfin squid, and butterfish specifications depend upon species availability

and ex-vessel price, which may change annually. This action is not expected to have negative impacts on any participating entities. The chub mackerel, *Illlex* squid, and longfin squid fishery specifications that would be implemented through this action would remain status quo relative to 2025. The 2026 butterfish specifications that would be reaffirmed through this action would be reduced relative to 2025. However, in recent years commercial butterfish landings have been well below the DAH. From 2019-2024, only 6.2-24.5 percent of the DAH was caught annually, which resulted in annual landings ranging from 718-3,442 mt. Because the reaffirmed 2026 butterfish specifications would be substantially higher than recent annual butterfish landings, implementation of these new specifications is not expected to result in a reduction in butterfish fishery landings. Therefore, the reaffirmed 2026 butterfish fishery specifications are not expected to be limiting for participating entities because they would still allow for a higher harvest level than the fishery has recently achieved. For this reason, the proposed 2026 butterfish specifications are not expected to result in negative economic impacts for participating entities.

In determining the significance of the economic impacts of the proposed action, NMFS considered the following two criteria outlined in applicable NMFS guidance: (1) disproportionality; and (2) profitability. The chub mackerel, *Illlex* squid, and longfin squid fishery specifications for 2026 would remain status quo relative to the 2025 specifications and are therefore not expected to have an economic impact on any of the fishery participants. Additionally, the 2026 butterfish specifications are not expected to have an economic impact on any of the fishery participants because NMFS expects the actual landings to remain lower than what the proposed specifications would permit based on the landings from 2019-2024. Because there are no expected economic impacts on any of the fishery participants, there would be no disproportionate economic effects from this action between small and large entities. The proposed measures would not:

(1) reduce fishing opportunities relative to recent chub mackerel, *Illex* squid, longfin squid, or butterfish landings; (2) change any entity's access to these resources; or (3) impose any costs on affected entities. Therefore, the proposed measures also would not result in reduced profitability for affected entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

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

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.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: March 11, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

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