



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 260325-0090; RTID 0648-XF172]

Fisheries of the Northeastern United States; Mid-Atlantic Blueline Tilefish and Golden Tilefish Fisheries; 2026 Specifications

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

ACTION: Proposed rule; request for comments.

SUMMARY: In this action, NMFS proposes specifications for the 2026 fishing year for the golden tilefish and blueline tilefish fisheries north of the North Carolina/Virginia border. The proposed action is necessary to establish allowable harvest levels and other management measures to prevent overfishing while allowing optimum yield, consistent with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Tilefish Fishery Management Plan (FMP).

DATES: Comments must be received by [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2026-0430, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NMFS-2026-0430 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by

NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (*e.g.*, name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Copies of the supporting documents for these proposed specifications are available from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901. These documents are also accessible via the Internet at: <https://www.mafmc.org>.

FOR FURTHER INFORMATION CONTACT: Matthew Rigdon,
matthew.rigdon@noaa.gov, 978-281-9336.

SUPPLEMENTARY INFORMATION:

Background

The golden tilefish and blueline tilefish fisheries north of the North Carolina/Virginia border are managed under the Tilefish FMP, which outlines the process for establishing annual specifications. The Tilefish FMP requires the Mid-Atlantic Fishery Management Council (Mid-Atlantic Council) to recommend acceptable biological catch (ABC), annual catch limit (ACL), annual catch target (ACT), total allowable landings (TAL), and other management measures for the commercial and recreational sectors of the fisheries. The Mid-Atlantic Council’s Scientific and Statistical Committee (SSC) provides ABC recommendations for both species to the Council to derive these catch limits. The Mid-Atlantic Council makes recommendations to NMFS that may not exceed the SSC’s ABC recommendation. The Mid-Atlantic Council’s recommendations must include supporting documentation concerning the environmental, economic, and social impacts of the recommendations. NMFS reviews these

recommendations, proposes them for public comment, and, if approved, publishes the final specifications in the **Federal Register**.

Proposed Specifications

Blueline tilefish

Consistent with recommendations made by the Mid-Atlantic Council, this action proposes specifications for blueline tilefish for fishing year 2026 that would increase the commercial TAL by 426 percent and the recreational TAL by 350 percent. The increased catch limits are primarily due to updated data analyses of fishing effort but may represent some increased fishing opportunity for both the commercial and recreational fisheries. Mid-Atlantic recreational fisheries are valued at approximately \$439 million as of 2021. The blueline tilefish recreational fishery represents one component of this value, and the increased recreational TAL for fishing year 2026 could contribute additional value to Mid-Atlantic recreational fisheries. The blueline tilefish commercial fishery was valued at approximately \$67,000 in fishing year 2024 based on recent ex-vessel value data. This action would authorize approximately \$454,000 in commercial blueline tilefish value due to the increased commercial TAL for fishing year 2026.

The proposed specifications are consistent with recommendations of the Mid-Atlantic Council and are based upon the recent blueline tilefish assessment (Southeast Data, Assessment, and Review; SEDAR 92) completed by the Southeast Fisheries Science Center in March 2025. The SEDAR 92 assessment updated the analysis used in the prior blueline tilefish assessment (SEDAR 50) using data through 2023. In both assessments, the stock, which ranges across the eastern seaboard, was split at Cape Hatteras, North Carolina. A Data-Limited Model (DLM) Toolkit was used to estimate a TAL for the region north of Cape Hatteras. This includes a portion of the blueline tilefish stock managed by the South Atlantic Fishery Management Council (South Atlantic Council), in addition to the full management unit managed by the Mid-Atlantic Council.

A joint subgroup of both Councils' SSCs met to review the SEDAR 92 results and recommend apportionment of the ABC between the two management jurisdictions. Specifically, the subgroup was to apportion the ABC for the stock north of the Virginia/North Carolina border for management by the Mid-Atlantic Council, and an ABC for the stock south of that border for management by the South Atlantic Council.

The joint SSC subgroup recommended that the ABC for the blueline tilefish stock north of Cape Hatteras be set at 646,000 pounds (lb) (293.0 metric tons (mt)). Then, the joint subgroup utilized recent information collected from the fishery independent South Atlantic Deepwater Longline (SADL) survey in order to apportion the ABC across the Mid-Atlantic management unit and the South Atlantic management unit. The subgroup noted that the SADL survey has had more success recently in catching blueline tilefish (1,081 fish total across the 2023 and 2024 surveys) compared to the 2017 pilot survey (75 fish), which was used for apportionment in SEDAR 50. The joint subgroup apportioned 70 percent of the ABC to the Mid-Atlantic, which represents a 14-percent increase to the Mid-Atlantic apportionment relative to the prior assessment. Based on this apportionment, the proposed specifications include an ABC of 452,200 lb (205.1 mt) for blueline tilefish in the Mid-Atlantic management unit for fishing year 2026. This ABC would be an increase of approximately 350 percent compared to fishing year 2025.

The higher ABC primarily reflects the incorporation of updated catch information and life history parameters into the most recent DLM Toolkit that was used in the SEDAR 92 process. Updates were made to commercial discard and private recreational catch data. This updated information included much higher estimates for historical catch in the blueline tilefish fishery than were used in prior assessments. The new assessment reflects best available science, and the resulting increase to the ABC is primarily the result of the higher historical catch used in the model and not an indication of a large increase in the biomass of blueline tilefish. There are no changes being proposed to

management measures for the commercial or recreational blueline tilefish fisheries. In the commercial fishery, which is allocated 27 percent of the ABC, the per-trip possession limit will continue to constrain fishing effort similar to prior years. In the recreational fishery, which is allocated 73 percent of the ABC, the season length and bag limits will remain unchanged. As a result, we do not expect a significant change in fishing effort in either the commercial or recreational fisheries.

Preliminary analysis indicates commercial landings exceeded the 2025 ACL by 617 lb (0.3 mt). The regulations require an overage to be deducted in the following year. The resulting proposed specifications recommended are summarized in table 1.

Table 1 -- Proposed blueline tilefish specifications for fishing year 2026 with 2025 specifications for comparison

Specification	2025	Proposed 2026
ABC – North of NC/VA line	100,520 lb (45.6 mt)	452,200 lb (205.1 mt)
Recreational ACL	73,380 lb (33.3 mt)	330,106 lb (149.7 mt)
Recreational TAL	71,912 lb (32.6 mt)	323,504 lb (146.7 mt)
Commercial ACL	27,140 lb (12.3 mt)	122,094 lb (55.4 mt)
Commercial Overage Adjustment	-5,975 lb (2.7 mt)	-617 lb (0.3 mt)
Adjusted Commercial ACL	21,165 lb (9.6 mt)	121,477 lb (55.1 mt)
Commercial TAL	20,894 lb (9.5 mt)	109,330 lb (49.6 mt)

Golden tilefish

The directed golden tilefish fishery is managed under an individual fishing quota (IFQ) program, with a small amount of non-IFQ catch allowed under an incidental permit. On April 1, 2025, NMFS proposed 2025 specifications for golden tilefish and announced projected specifications for fishing years 2026 and 2027 based on Mid-Atlantic Council recommendations (90 FR 14350). Public comment on the proposed specifications was accepted through April 16, 2025. A final rule implementing these specifications was published on June 26, 2025 (90 FR 27257). The previously projected 2026 specifications equal those implemented for 2025, resulting in no change to the fishery. In addition, there is no new biological information that would require altering the projected 2026 specifications. Therefore, we are proposing 2026 golden tilefish

specifications as previously projected, outlined in table 2.

Table 2 -- Proposed golden tilefish specifications for fishing year 2026

Specification	2026
ABC	1,878,338 lb (852.0 mt)
ACL	1,878,338 lb (852.0 mt)
IFQ ACT	1,733,109 lb (786.1 mt)
Incidental ACT	91,216 lb (41.4 mt)
IFQ TAL	1,728,590 lb (784.1 mt)
Incidental TAL	68,949 lb (31.3 mt)

This action would not change the landing limits for non-IFQ commercial fisheries. A vessel fishing under a non-IFQ Federal commercial tilefish vessel permit would continue to be prohibited from possessing more than 500 lb (227 kilograms (kg)) of gutted golden tilefish at any time, or 50 percent, by weight, of the total of all species, including golden tilefish, being landed (whichever is less). This landing limit does not apply to a vessel authorized to land golden tilefish under a Tilefish IFQ permit. A vessel fishing under a non-IFQ commercial tilefish permit would also continue to be prohibited from possessing more than 500 lb (227 kg) of gutted blueline tilefish per trip. If 70 percent of the blueline tilefish commercial TAL is landed, the Regional Administrator may reduce the blueline tilefish possession limit to 300 lb (136 kg).

This action would not change the recreational management measures for golden or blueline tilefish. The golden tilefish recreational fishery would continue to be open year-round, and the bag limit would remain 8-fish per person per trip for all vessel types. The blueline tilefish recreational measures would continue to include an open season from May 15 through November 14 and bag limits that vary by vessel type. Private recreational vessels would continue to have a 3-fish limit per person per trip. For-hire vessels which have not been issued a valid U.S. Coast Guard Certification of inspection would continue to have a 5-fish limit per person per trip. For-hire vessels which have been issued a valid U.S. Coast Guard Certification of Inspection would continue to have a 7-fish limit per person per trip. Any vessel used to fish recreationally for golden or

blueline tilefish must have the appropriate Federal vessel permit. Boats used to take anglers for hire must have the Charter/Party Tilefish Permit, while private recreational vessels need to have the Private Recreational Tilefish Permit. Both permit types require the submission of vessel trip reports. Additional information about permitting and reporting requirements is available from the Greater Atlantic Regional Fisheries Office's Permits Office at (978) 282-8438 or *NMFS.GAR.Permits@noaa.gov*.

The 2026 fishing year for golden tilefish and blueline tilefish began on January 1, 2026. The regulations include rollover provisions for both species that allow the fisheries to operate under status quo specifications until new specifications are finalized.

Classification

NMFS is issuing this rule pursuant to section 305(d) of the Magnuson Stevens Act (16 U.S.C. 1855(d)). The reason for using this regulatory authority for this action is that, 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) (50 CFR 648.292). As such, NMFS is issuing this rule pursuant to section 305(d). The NMFS Assistant Administrator has determined that this proposed rule is consistent with the Tilefish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

The Magnuson-Stevens Act requires publication of proposed regulations in the **Federal Register** with a public comment period of 15 to 60 days. NMFS finds that a 15-day comment period for this action provides a reasonable opportunity for public participation in this action pursuant to Administrative Procedure Act section 553(c) (5 U.S.C. 553(c)), while also ensuring that the final specifications are in place as close as possible to the start of the fishing year that began on January 1, 2026. This is a routine specifications action that occurs every year, and stakeholder and industry groups have

been involved with the development of this action and have participated in public meetings throughout their development over the past year. A longer comment period would be contrary to the public interest, as it could delay this rulemaking further into the 2026 fishing year, increasing confusion in the tilefish industry around current quotas. The proposed specifications for the golden tilefish fishery are unchanged from what was projected when the 2025 specifications were announced. The proposed blueline tilefish specifications include an increase in TAL compared to prior fishing years. However, that increase is based on higher estimates of historical catch that occurred under the existing management measures. No changes to management measures are being proposed, and therefore, no significant changes to fishing effort are expected. Additionally, we do not expect this large increase to lead to significant increases in fishing effort, nor overfishing, because the specifications are based on the new stock assessment, which informs us of appropriate levels of catch which would not cause overfishing. We do not expect fishing effort to significantly change because the updated stock assessment model incorporated new historical catch information and other input parameters based on newer and best scientific information available. Those updated numbers for historical catch are what caused the assessment model to output larger allowable catch. In other words, the prior stock assessment and associated specifications underestimated the amount of fish being caught, and this updated model provides a clearer picture of what has already been happening.

This action is exempt from review under Executive Order 12866.

This proposed rule is exempt from Executive Order 14192 because this rule is not significant under Executive Order 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 basis for the certification follows.

For Regulatory Flexibility Act (RFA) purposes, NOAA's National Marine Fisheries Service has established a size standard for small businesses, including their affiliated operations, whose primary industry is commercial fishing (50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System (NAICS) code 11411) is classified as small 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 Small Business Administration has established size standards for all other major industry sectors in the United States, including defining for-hire fishing firms (NAICS code 487210) as small when their receipts are less than or equal to \$8 million.

According to the ownership database, 722 affiliate commercial fishing firms landed blueline tilefish during the 2020-2024 period, with 713 of those business affiliates categorized as small businesses and 9 categorized as large businesses. During this period, 426 primarily for-hire affiliates were identified as potentially affected by this action because they possessed a Federal party/charter permit for tilefish during the 2020-2024 period. All 426 of these for-hire affiliates were categorized as small businesses.

The proposed specifications would result in increased commercial and recreational total allowable landings (TAL) for blueline tilefish. These measures are expected to create some additional opportunities for revenue due to the increased allowable catch being less likely to be fully harvested and forcing the commercial fishery to close early. The increased TAL would allow commercial vessels to either target blueline tilefish or to retain incidental catches of blueline tilefish while targeting other species, during a portion of the year when the fishery has been closed in the past. Significant increases in fishing effort are not expected, as the higher TALs are largely driven by updated catch information used in the most recent stock assessment and not by

changes in total biomass of the stock. No changes to management measures are being proposed, and those measures would continue to constrain both the commercial and recreational fishery participants. No negative economic impacts are expected as a result of the proposed specifications, and if anything, the increased TALs could provide a small economic benefit to fishery participants. Therefore, this action will not have a significant economic impact on a substantial number of small entities.

The proposed specifications for golden tilefish are status quo, and no changes are proposed for fishing year 2026. Impacts to small businesses in the golden tilefish fishery were analyzed during the proposed rulemaking announcing the proposed 2025 specifications for blueline and golden tilefish, and projected 2026-2027 specifications for golden tilefish (90 FR 14350; April 1, 2025) and it was determined that the proposed specifications for golden tilefish for fishing years 2025-2027 would not have a significant economic impact on a substantial number of small entities. The Chief Counsel for Regulation of the Department of Commerce certified that conclusion for the 2025 specifications to the Chief Counsel for Advocacy of the Small Business Administration. The factual basis for that determination was published in that proposed rule (90 FR 14350; April 1, 2025) and is not repeated here.

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.

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

Dated: March 25, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

