



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

RIN 0648-BO38

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

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

ACTION: Notice of availability of fishery management plan amendment; request for comments.

SUMMARY: NMFS announces that the New England Fishery Management Council (Council) has transmitted the Omnibus Management Flexibility Amendment to the New England Fishery Management Council Fishery Management Plans (FMP) to the Secretary of Commerce for review. If approved, the Amendment would allow for increased management flexibility and consistency across all the Council's FMPs. The intended effect of the Amendment is to modify certain administrative measures across all the Council's FMPs. This notice is intended to alert the public to this action and provide an opportunity for comment.

DATES: Comments on the Omnibus Management Flexibility Amendment must be received on or before July 13, 2026.

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

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NMFS-

2026-0067 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

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

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

FOR FURTHER INFORMATION CONTACT: Travis Ford, 978-281-9233, travis.ford@noaa.gov.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act or Act) requires that each Regional Fishery Management Council submit any FMP amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that upon a Council’s transmittal to NMFS of a complete package for an amendment and the associated regulations deemed necessary by the Council to implement the amendment, on or before the 5th day after the day on which a Council transmits the plan amendment, NMFS must immediately commence a review of the plan or amendment to determine whether the plan or amendment is consistent with the Act’s National Standards, other provisions of the Act, and any other applicable law. NMFS

must also publish notification in the **Federal Register** that the Amendment is available for public review and comment for a period of 60 days beginning on the date that the notice is published. At its September 2025 meeting, the New England Fishery Management Council adopted the Omnibus Management Flexibility Amendment to New England Fishery Management Council FMPs for NMFS's review. Because the Monkfish FMP is jointly managed by the New England and the Mid-Atlantic Fishery Management Councils, the Mid-Atlantic Council took final action on the monkfish aspects of the Amendment at its October 2025 meeting and confirmed the New England Council's selected monkfish measures. The New England Council originally submitted the Amendment to NMFS on February 4, 2026. While the package was in review, on April 6, 2026, the New England Council withdrew its original submission and resubmitted the Amendment with changes to the background materials for the action. The transmittal date for the revised Amendment is May 7, 2026. The New England Council has reviewed the Amendment's proposed rule regulations as drafted by NMFS and deemed them to be necessary and appropriate as specified in section 303(c) of the Magnuson-Stevens Act.

Background

The New England Council developed this Amendment in response to Executive Order 14276, Restoring American Seafood Competitiveness to reduce regulatory burden and enhance access to fishery resources. If approved by NMFS, the Council asserts that the Amendment would address the need for increased management flexibility and consistency across all the Council's FMPs.

Specifications Frequency

Currently, all the Council's FMPs require specifications to be set at varying frequencies. Given the uncertainty in the schedule of updated stock assessments and data updates, some FMPs may be required to set specifications even when there are no updated assessment products available. To allow for greater flexibility in planning stock

assessments, data updates, and subsequent management actions, the Council recommends providing the ability to consider setting specifications for up to 5 years consistent with best available science across all its FMPs.

Specification Setting Process

Of all the Council's FMPs, only the Northeast Multispecies and Monkfish FMPs lack a fully defined specification setting process. Therefore, specifications actions in these FMPs are developed by a framework adjustment or amendment. The Council recommends adding a consistent specification setting process to the Northeast Multispecies and Monkfish FMPs. The Council contends that this would enable it to streamline the setting of fishery specifications under a specification process and not require development of a framework adjustment action or amendment. In addition, the Council recommends adding status determination criteria to the list of measures for the Northeast Skate Complex FMP that could be adjusted through the specifications setting process or by framework adjustment.

In-Season Adjustment Authority

The Atlantic Herring FMP provides for "in-season adjustments," in which the established specifications and sub-annual catch limits (ACL) may be adjusted by NMFS to achieve conservation and management objectives. This process requires the NMFS Regional Administrator to consult with the Council to allow changes during the fishing year. This provision has allowed managers the flexibility to respond in a more timely manner to updated scientific and fishery information. The Council recommends adding a provision for in-season adjustment authority across all its FMPs. Further, for all of its FMPs, the Council recommends expanding the use of in-season adjustments to established specifications and sub-ACLs beyond what the Atlantic Herring FMP would currently allow. Any adjustments must be consistent with the respective FMPs objectives and other FMP provisions.

Annual Review/Report

The Monkfish and Northeast Skate Complex FMPs and the small-mesh fishery component of the Northeast Multispecies FMP require annual plan development team reviews and, in the case of small-mesh multispecies, also a report. These annual reviews/reports can be duplicative with other products from the Council (*e.g.*, risk policy matrices and specifications actions) and NMFS (*e.g.*, online stock assessment and fishery evaluation reports, data updates, state of the ecosystem reports, and ecosystem and socioeconomic profiles). The Council recommends removing these requirements in the Monkfish and Northeast Skate Complex FMPs and, in addition, the Council recommends removing the requirements for a report annual review for the small-mesh multispecies fishery. The Council does not intend for this change to prevent it from prioritizing the preparation of an annual review or monitoring or performance report for any of the Council's FMPs through its priority setting process.

List of Framework Adjustment Items

The Council recommends adding all of the above-listed items to the list of framework adjustment items for the Northeast Multispecies (including the small-mesh fishery component), Atlantic Sea Scallop, Monkfish, Atlantic Herring, Northeast Skate Complex, and Atlantic Deep-Sea Red Crab FMPs.

This includes:

- Specification Frequency;
- Specification Setting Process;
- In-Season Adjustment Authority; and
- Annual Review/Report.

The Magnuson-Stevens Act allows NMFS to approve, partially approve, or disapprove measures recommended by a regional fishery management council in an amendment based on whether the measures are consistent with the FMPs, plan

amendment, the Magnuson-Stevens Act including its National Standards, and other applicable law. The Council recommends changes to policy for fisheries under its purview, and if those policies are consistent with the Magnuson Stevens Act and other applicable law, NMFS may implement them as recommended. As such, NMFS is seeking comment on whether measures in this action are consistent with the FMPs, the Magnuson-Stevens Act including its National Standards, and other applicable law. Through this notice, NMFS seeks comments on the Amendment and its incorporated documents through the end of the comment period stated in the **DATES** section of this notice of availability (NOA). Following the publication of this NOA, a rule proposing the implementation of measures in this Amendment is anticipated to be published in the **Federal Register** for public comment. Public comments must be received by the end of the comment period provided in this NOA to be considered in the approval/disapproval decision. All comments received by the end of the comment period on the NOA, whether specifically directed to the NOA or the proposed rule, will be considered in the approval/disapproval decision. Comments received after the end of the comment period for the NOA will not be considered in the approval/disapproval decision of the Amendment.

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

Dated: May 11, 2026.

David R. Blankinship,

Acting Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.