



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[260609-0140]

RIN 0648-BO35

Fisheries of the Northeastern United States; Northeast Skate Complex; 2026 and Projected 2027 and 2028 Specifications

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

ACTION: Final rule.

SUMMARY: NMFS announces 2026 specifications and projects 2027 and 2028 specifications for the Northeast skate fishery as recommended by the New England Fishery Management Council. This action sets skate catch limits for fishing year 2026, projects catch limits for fishing years 2027 and 2028, and increases trip possession limits for the wing and bait fisheries. This action is necessary to establish skate specifications consistent with the most recent scientific information. The intent of this action is to establish appropriate catch limits for the skate fishery, while providing additional operational flexibility to fishery participants.

DATES: Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: The New England Fishery Management Council (Council) has prepared a supplemental information report (SIR) that describes this action and compares it to the alternatives and analyses presented in the environmental assessment that was prepared for Framework Adjustment 12 to the Northeast Skate Complex Fishery Management Plan. The SIR includes a Regulatory Impact Review and economic analysis. Copies of these

and other supporting documents are available upon request from Dr. Cate O’Keefe, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950. They are also accessible via the internet at:

<https://www.nefmc.org/library/2026-2027-skate-specifications>.

FOR FURTHER INFORMATION CONTACT: Caroline Potter, Fishery Resource Management Specialist, (978) 281-9325, or *caroline.potter@noaa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The Northeast Skate Complex Fishery Management Plan (FMP) governs a complex of seven skate species (barndoor, clearnose, little, rosette, smooth, thorny, and winter) off the New England and mid-Atlantic coasts. Skates are harvested and managed through two different targeted fisheries, one for human consumption (the wing fishery) and one for use as bait in other fisheries (the bait fishery). The fishing year runs from May 1 through April 30 each year. The wing fishery is managed in two seasonal quota periods: Season 1 (May 1 – August 31) is allocated 57 percent of the annual total allowable landings (TAL) and season 2 (September 1 – April 30) is allocated the remainder of the annual wing TAL. The bait fishery is managed in three seasonal periods, with season 1 (May 1 – July 31) allocated 30.8 percent, season 2 (August 1 – October 31) allocated 37.1 percent, and season 3 (November 1 – April 30) allocated the remainder (32.1 percent) of the annual bait TAL.

The FMP requires that annual catch and possession limits for the skate fishery be reviewed and established through the specifications or framework process. Framework Adjustment 12 to the Northeast Skate Complex FMP (Framework 12; 89 FR 58076, July 17, 2024) set management measures and specifications for the skate fishery for fishing year 2024 and projected specifications for fishing year 2025. A subsequent final

rule (90 FR 16467, April 18, 2025) implemented the projected specifications for fishing year 2025.

Final 2026 and Projected 2027 and 2028 Specifications

This action increases the acceptable biological catch (ABC) and annual catch limit (ACL) for 2026 and 2027 to 41,282 metric tons (mt) from 32,155 mt in 2025. For fishing years 2026 and 2027, the ABCs are increased by 28 percent compared to the ABCs for years 2024 and 2025. This action projects a 10-percent decrease in the ABC and ACL for fishing year 2028 compared to fishing years 2026 and 2027. Thus, for fishing year 2028, this action projects an ABC and ACL of 37,154 mt. The 2026 and 2027 TAL is 20,966 mt (compared to 15,718 mt in 2025); based on the proportional allocations prescribed in the FMP, the wing TAL is 13,943 mt (compared to 10,453 mt in 2025), and the bait TAL is 7,024 mt (compared to 5,266 mt in 2025). The 2028 TAL is expected to be 18,800 mt (consisting of a wing TAL of 12,502 mt and a bait TAL of 6,298 mt). A comparison of the current 2024–2025 and the final 2026 and projected 2027 and 2028 specifications is summarized below in table 1.

The Council will review the projected 2027 and 2028 specifications to determine if any changes need to be recommended. NMFS will publish a notice prior to the start of the fishing year to confirm these limits as projected or, if changes are necessary, NMFS may publish a proposed rule.

Table 1. Comparison of 2024–2025 and 2026–2028 Skate Fishery Specifications, in Metric Tons and Whole Weight.

| | 2024–2025 (Current) | 2026–2027 | 2028 |
|--|--------------------------------|------------------|-------------|
| ABC/ACL | 32,155 | 41,282 | 37,154 |
| ACT (90% of ACL) | 28,940 | 37,154 | 33,439 |
| Overall Fishery TAL | 15,718 | 20,966 | 18,800 |
| Wing TAL (66.5% of Overall TAL) | 10,453 | 13,943 | 12,502 |
| Wing Season 1 TAL (57% of Wing TAL) | 5,958 | 7,948 | 7,126 |

| | | | |
|--|-------|-------|-------|
| Wing Season 2 TAL | 4,495 | 5,995 | 5,376 |
| Bait TAL (33.5% of Overall TAL) | 5,266 | 7,024 | 6,298 |
| Bait Season 1 TAL (30.8% of Bait TAL) | 1,622 | 2,163 | 1,940 |
| Bait Season 2 TAL (37.1% of Bait TAL) | 1,954 | 2,606 | 2,337 |
| Bait Season 3 TAL | 1,690 | 2,255 | 2,021 |

Possession Limit Changes

This action also changes skate per trip possession limits. It increases the skate wing possession limits (in wing weight) for trips fishing on a monkfish, Atlantic sea scallop, or Northeast multispecies Day-At-Sea (DAS) by 500 pounds (lb; 226.8 kilograms (kg)) for each season, which results in a trip limit of 4,500 lb (2,041.2 kg) for Season 1 (May 1-August 31) and a trip limit of 6,500 lb (2,948.4 kg) for Season 2 (September 1-April 30). This action also increases the skate bait whole weight possession limit from 25,000 lb (11,339.8 kg) to 30,000 lb (13,607.8 kg) for trips fishing on a Bait Letter of Authorization for all three bait seasons.

Comments on Proposed Rule

The comment period for the proposed rule (91 FR 14674, March 26, 2026) ended on April 10, 2026, and we received four comments. One comment supported the skate wing possession limit increase of 500 lb (227 kg) for each season and stated that it will hopefully result in additional income for the wing fishery. Another commenter voiced opposition to raising the trip limits for winter skate (the primary target of the bait fishery) and argued for reducing trip limits as there are more skates landed than the market demands. In addition, the commenter noted that the price for skate is low and there should be efforts to increase the price. NMFS recognizes that it is possible that possession limit increases could cause short-term price depressions, if market gluts were to occur. However, the previous possession limit increase did not produce price gluts and any impact on skate prices due to changes in possession limits is expected to be minor for

this action. In addition, there are expected economic benefits to increasing the possession limits, including elevated economic efficiency at the trip level with decreases in cost per unit effort and additional yield on trips where skates have been a constraining factor, such as for the monkfish fishery. The increased skate bait possession limit is also intended to offset any increased costs for skate bait trips that have experienced longer trip times.

One commenter stated that there are times of excessive skate production and price drops, and the commenter noted current efforts for a program to procure and process skate wings to support food security. The commenter suggested that seafood gleaning should be part of the FMP. This suggestion is outside the scope of this action, but NMFS encourages that any suggested changes to the Northeast Skate Complex FMP be raised as part of the Council process.

One commenter argued that there should be no skate fishing. NMFS disagrees that fishing for skate should be prohibited, as this would prevent the fishery from achieving optimum yield on a continuing basis as required by National Standard 1 of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Changes from the Proposed Rule

Skate regulations (50 CFR 648.320(a)(4)) currently indicate that specifications should be set for a period of up to 2 fishing years. In November 2025, the Council submitted the Omnibus Management Flexibility Amendment (Flexibility Amendment), which, among other changes, would allow skate specifications to be set for up to 5 years. With the expectation that the Flexibility Amendment would be approved and effective before these skate specifications were finalized, the Council recommended specifications for fishing year 2028, which were included in the proposed rule. The proposed rule indicated that if the Flexibility Amendment were not implemented by the time this final rule was published, the projected 2028 specifications would not be included in the final rule. 91 FR at 14674-14675. After further consideration, we have determined that

including the 2028 specifications in this final rule provides the opportunity to avoid potentially unnecessary rulemaking procedures and related waste of agency, Council, and stakeholder resources. If the Flexibility Amendment is approved and the 2028 specifications are otherwise appropriate, including them in this final rule eliminates the need for a new 2028 specifications action and proceeding with a new rulemaking. NOAA and the Council retain the opportunity to confirm the projections that form the basis for the 2028 specifications and review the analyses and rationale completed for this action along with any significant new information and revise the 2028 specifications via a new rulemaking if needed, including if the Flexibility Amendment is not approved. No other changes have been made from the proposed rule.

Classification

NMFS is issuing this rule pursuant to sections 303(c), 304(b), and 305(d) of the Magnuson-Stevens Act, which provide specific authority and procedures for implementing this action. The Council reviewed the regulations to change possession limits for this action and deemed them necessary and appropriate to implement this action, consistent with section 303(c) of the Magnuson-Stevens Act. In addition, in a previous action under section 304(b), the regulations at § 648.320(a)(7) authorize NMFS to take this action to set specifications under section 305(d). The NMFS Assistant Administrator has determined that this final rule is consistent with the Northeast Skate Complex FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This action may be implemented immediately upon publication under 5 U.S.C. 553(d)(1) and (3) for good cause and because it relieves restrictions by increasing catch and possession limits. The 2026 fishing year began on May 1, 2026, operating under a rollover provision using specifications from the prior fishing year. The rollover amounts are lower than the 2026 fishing year skate quotas and possession limits. Because the higher 2026 catch and possession limits relieve the restrictions of lower catch limits, they

are excepted from the requirement to delay the effective date by 30-days and may be implemented immediately on publication of this action.

Establishing specifications is a routine action that occurs every year. Stakeholders and industry groups are accustomed to annual implementation of catch and possession limits and anticipate immediate implementation of them to facilitate planning, efficiency, and maximizing their fishing opportunities to the extent practicable. Stakeholders and industry groups have been involved with the development of this action and have participated in public meetings throughout its development. Further delay in the date of effectiveness would be contrary to the public interest as it could increase confusion in the skate industry around current quotas as fishermen may expect the proposed 2026 specifications and possession limits to be in place by the start of the 2026 fishing year. Furthermore, regulated parties do not require any additional time to come into compliance with this rule as they are currently subject to possession and catch limits. Unlike actions that require an adjustment period, skate fishing vessels will not have to purchase new equipment or otherwise expend time or money to comply with these management measures. Rather, complying with this final rule simply means adhering to the new catch limits and possession limits. Thus, a 30-day delay before the final rule becomes effective does not provide any benefit.

This final rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866.

This final rule is not an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866.

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

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required and none was prepared.

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

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: June 9, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs,

National Marine Fisheries Service.

For the reasons set out 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 § 648.322, revise paragraphs (b)(1)(i) and (c)(3) to read as follows:

§ 648.322 Skate allocation, possession, and landing provisions.

* * * * *

(b) * * *

(1) * * *

(i) A vessel or operator of a vessel that has been issued a valid Federal skate permit under this part, and fishes under an Atlantic sea scallop, NE multispecies, or monkfish DAS as specified at §§ 648.53, 648.82, and 648.92, respectively, unless otherwise exempted under § 648.80 or paragraph (c) of this section, may fish for, possess, and/or land up to the allowable trip limits specified as follows: Up to 4,500 lb (2,041 kg) of skate wings (10,215 lb (4,633 kg) whole weight) per trip in Season 1 (May 1 through August 31), and 6,500 lb (2,948 kg) of skate wings (14,755 lb (6,693 kg) whole weight) per trip in Season 2 (September 1 through April 30), or any prorated combination of the allowable landing forms defined at paragraph (b)(5) of this section.

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(c) * * *

(3) The vessel owner or operator possesses or lands no more than 30,000 lb (13,608 kg) of whole skates per trip.

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[FR Doc. 2026-11987 Filed: 6/12/2026 8:45 am; Publication Date: 6/15/2026]