

## **SPANISH MACKEREL - Catch Limits and Public Notices**

### **What was proposed?**

The Department proposed to modify regulations for Spanish mackerel. The proposed action:

1. Establishes a commercial catch limit of 500 pounds per vessel per day or trip, whichever is longer, regardless of the number of licensees on board the vessel when the National Oceanic and Atmospheric Administration (NOAA) Fisheries announces a closure of the northern fishery; and
2. Updates the public notice provision by changing the requirement to publish a notice in a daily newspaper of general circulation to posting the notice on the Department's website.

### **Why is this change necessary?**

When commercial landings have reached the commercial quota for the Atlantic migratory group Spanish mackerel northern zone, NOAA Fisheries announces a closure of the Spanish mackerel northern fishery. The northern zone for Atlantic migratory group Spanish mackerel includes federal waters from North Carolina through New York. When federal waters close, the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Spanish Mackerel (FMP) allows states to implement a bycatch in state waters. Since 2020, the Department has implemented a 500-pound commercial catch limit after NOAA Fisheries closes the northern fishery. This limit is consistent with North Carolina, the Potomac River Fisheries Commission, and Virginia. Implementing the bycatch is necessary to prevent the quota from being further exceeded, while allowing a minimal bycatch amount of Spanish mackerel to be landed to avoid dead discards.

Changing the requirement for publishing public notices issued to implement the ASMFC FMP from the newspaper to the Department's website would allow the Department to make changes in a timely manner if future actions are taken by ASMFC. The public notice would continue to be disseminated through various other media (social media, email lists, publishing in the Maryland Register, etc.) so that an affected individual has a reasonable opportunity to be informed.

### **Who does this affect?**

1. The change to the catch limit will affect anyone who commercially fishes for or catches Spanish mackerel anywhere in Maryland (Chesapeake Bay, tidal tributaries, and coastal waters).
2. The change to the public notice authority may potentially affect anyone who fishes for or catches Spanish mackerel anywhere in Maryland but does not have an immediate impact.

### **What is the specific regulatory action?**

Amend Regulation .14 under COMAR 08.02.05 Fish.

### **Were these changes discussed with advisory bodies or other interested or impacted individuals?**

1. This idea was scoped with the Sport Fisheries Advisory Commission (SFAC) and the Tidal Fisheries Advisory Commission (TFAC) at their meetings in January 2026.
2. This idea was scoped with the general public from February 6, 2026, through February 22, 2026.

### **Regulatory Process**

Fishing rules in Maryland may be created by either the General Assembly or the Department. When the Department creates a fishing rule, it is called a regulation. When the General Assembly creates a rule, it is called a statute. The Department often has to create a regulation to implement a statute. The regulatory process begins with scoping and the Department follows normal [procedures](#) as concepts move forward.

During the scoping process, the Department gathers suggestions and ideas from stakeholders and others about how to solve a fishery problem or address a need. The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed. After the public has had an opportunity to comment on possible management actions during the scoping process, the Department considers these comments and develops an appropriate management strategy.

At the conclusion of the scoping process, the Department determined that the action is necessary and appropriate. The rules were promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly's Administrative, Executive, and Legislative Review Committee reviewed the regulatory proposal for fiscal and legal analysis.
- The proposal was printed by the Division of State Documents in the Maryland Register on June 12, 2026.
- A 30-day public comment period began on the day of publication. The comment period ended July 13, 2026.
- After reviewing the comments, the Department decided to adopt the changes as proposed.
- The notice of final action, announcing the adoption and the effective date, was published in the Maryland Register on August 7, 2026.

### **Effective Date of Changes**

The changes are effective August 17, 2026.