



Maura T. Healey
Governor

Kimberly Driscoll
Lt. Governor

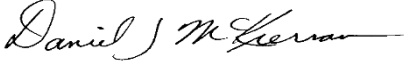
Rebecca L. Tepper
Secretary

Thomas K. O’Shea
Commissioner

Daniel J. McKiernan
Director

Memorandum

To: Marine Fisheries Advisory Commission (MFAC)

From: Daniel J. McKiernan, Director 

Date: March 12, 2026

Subject: **Emergency Regulations to Implement Limits for Recreational Western Gulf of Maine Cod and Gulf of Maine Haddock**

Emergency Action

The Division of Marine Fisheries (DMF) seeks to align FY2026 state waters recreational fishing rules for Western Gulf of Maine (WGOM) cod¹ and Gulf of Maine (GOM) haddock with pending federal rule changes recommended by the New England Fishery Management Council (NEFMC) at their January 2026 council meeting (see the [NEFMC press release](#) for more details):

1. WGOM cod: open season of October 1 - 31 with a 1-fish bag limit and 23” minimum size
2. GOM haddock: open season of April 1 – February 28 with a 15-fish bag limit and 17” minimum size

The proposed rules amend the effective FY2025 WGOM recreational rules by eliminating the September cod fishery. Although a May fishery had been recommended by the NEFMC for FY2025, it has remained unimplemented as part of Amendment 25 that is still under NOAA Fisheries review. The FY2026 GOM haddock rules are continuation of the FY2025 rules (although the 17” minimum size was only just implemented federally on March 9th as part of Framework 69).

¹ The four cod stocks approved in Amendment 25 still await implementation by NOAA Fisheries. Until those regulations go into effect, the two cod structure of Gulf of Maine cod and Georges Bank cod remains effective in the federal fishery management plan. However, DMF amended its state waters cod regulations last spring, and in anticipation of the adoption of Amendment 25, the definitions at 322 CMR 6.03 now to refer to those waters north and east of Cape Cod as the Western Gulf of Maine Cod Stock Area. Therefore, for the purposes of this memorandum, DMF uses the term Western Gulf of Maine or WGOM cod.

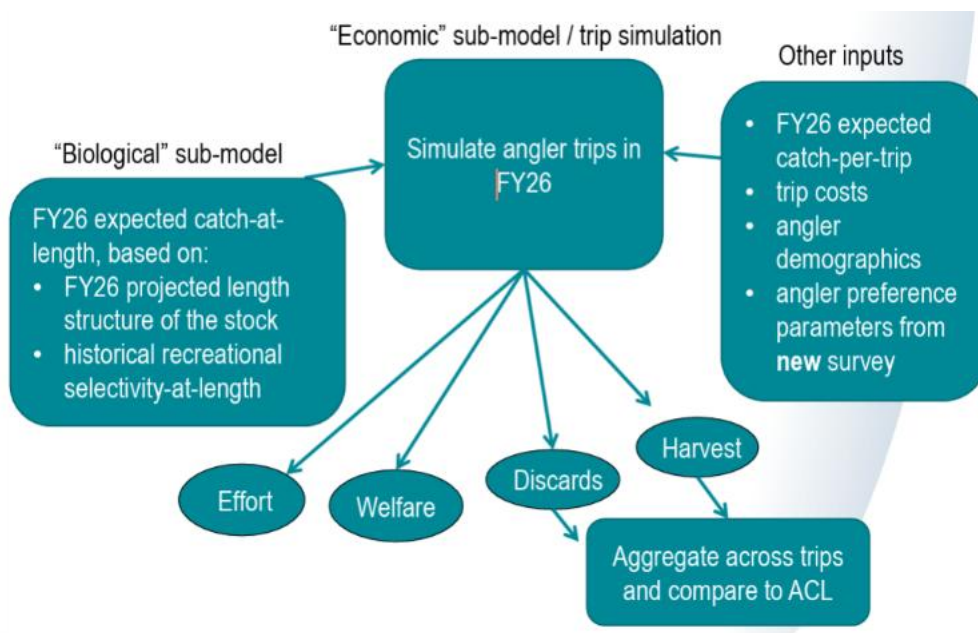
Given the start of the federal fishing year on May 1 and the recent implementation of Framework 69, DMF intends to use its emergency rule making authority to implement complementary regulations for state waters. Using this expedites the rule making process by allowing DMF to dispense with the public comment period prior to implementing the rules. As this is a deviation from the routine regulatory process, I seek the MFAC’s consensus support for this regulatory approach before moving forward. Please note that while May 1 implementation is desired, it is not certain and federal rule making has been subject to significant delays.

Background and Rationale

Annually, in January, the NEFMC recommends adjustments to federal cod and haddock recreational fishing limits in the Gulf of Maine. To support this effort, NOAA Fisheries has developed an online [decision support tool](#) enabling interested parties to propose suites of measures and evaluate how likely they are to keep catch within the recreational sub-Annual Catch Limits (sub-ACLs) for a given stock. Figure 1 summarizes the bioeconomic model framework. Historically, the model has performed better (predicting closer to MRIP estimated catch) for cod than haddock. For FY2026 the model predicts that the recommended FY2026 rules will keep estimated catch of WGOM at 112 mt (246,198 pounds) and GOM haddock at 401 mt (884,054 pounds). This equates to a predicted 97% utilization of the WGOM cod recreational sub-ACL of 116 mt (255,736) and 35% of the GOM haddock recreational sub-ACL of 1,146 mt (~2.5-million pounds).

Appendix

Figure 1. Schematic Summarizing Bioeconomic Model Framework



Source: NOAA Fisheries