

STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE

Notice of Agency Rulemaking Proposal

AGENCY: Department of Marine Resources

CHAPTER NUMBER AND RULE TITLE: Chapter 52 Mackerel Recreational Bag Limit

TYPE OF RULE: Routine Technical

PROPOSAL FILING NUMBER: [\[Leave Blank - Assigned by the Department of the Secretary of State\]](#)

BRIEF SUMMARY: This proposed rulemaking would modify the mackerel recreational possession limit to align with recent changes adopted by the National Marine Fisheries Service (NMFS) under NOAA.

Mackerel is regulated by the Mid-Atlantic Fishery Management Council (MAFMC). The 2025 management track stock assessment indicated that the Atlantic mackerel stock was not overfished, allowing for a higher recreational bag limit. As a result, this proposed rulemaking increases the mackerel possession limit from 20 fish to 25 fish, in alignment with the private angler bag limit established by MAFMC.

PUBLIC HEARING: May 26, 2026, 5:30 p.m. at DMR's Augusta office (Marquardt Building, 32 Blossom Lane, rm 118) and remotely via Microsoft Teams. Remote access information is posted to DMR's website under "Meetings."

COMMENT DEADLINE: June 5, 2026

CONTACT PERSON FOR THIS FILING:

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CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT: Same

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 12 M.R.S. §6171

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: Same

AGENCY WEBSITE: <https://www.maine.gov/dmr/rules-enforcement/regulations-rules>

EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:

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Choose one of the following:

The summary provided above is for publication in both the newspaper and website notices.

TITLE INDEX

52.01 Definitions

52.02 Atlantic Mackerel Limits

Chapter 52-Atlantic Mackerel Regulations

52.01 DEFINITIONS

- A. "Atlantic mackerel" means the genus and species *Scomber scombrus*
- B. "Recreational fishing" means fishing that is not intended to, nor does it result in the barter, trade, or sale of fish.

52.02 ATLANTIC MACKEREL LIMITS

1. Recreational Fishing Restrictions

A. Possession Limit

Except as provided in 52.02 (1)(A)(1) it shall be unlawful for an individual engaged in recreational fishing to fish for, take, or possess more than ~~20~~ 25 Atlantic mackerel per person per calendar day.

Atlantic mackerel harvested by charter, party, or recreational fishing vessels with more than one person aboard may be pooled in one or more containers. Compliance with the possession limit will be determined by dividing the number of fish on board by the number of persons aboard. If there is a violation of the possession limit on board a vessel carrying more than one person, the owner or operator shall be responsible for the violation

Atlantic mackerel may be communally stored in dockside bait pens.

Mackerel purchased from a lawful dealer with proof of receipt do not count towards the ~~20~~ 25 fish mackerel possession limit.

Chunked, frozen mackerel do not count towards the ~~20~~ 25 fish mackerel possession limit.

(1) Exemptions

The limit to fish for, take, or possess no more than ~~20~~ 25 Atlantic mackerel shall not apply to persons who hold a commercial pelagic and anadromous fishing license (12 M.R.S §6502-A).

The possession limit shall not apply to persons who hold a commercial harvesting license under 12 M.R.S. Chapter 619 (Lobster and Crab Fishing Licenses), Chapter 621 (Finfish Licenses), or Chapter 625 (Wholesale and Retail Licenses).

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Rulemaking Fact Sheet

(see 5 M.R.S. § 8057-A(1))

Agency: Department of Marine Resources

Name, Address, Telephone Number, and Email Address of Agency Contact Person:

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Chapter Number and Rule Title: Chapter 52: Mackerel Recreational Bag Limit

Type of Rule: Routine Technical

Statutory Authority: 12 M.R.S. 6171

Public Hearing(s): May 26, 2026, 5:30 p.m. at DMR's Augusta office (Marquardt Building, 32 Blossom Lane, rm 118) and remotely via Microsoft Teams.

Comment Deadline(s): June 5, 2026

Principal Reason(s) or Purpose for Proposing this Rule [see 5 M.R.S. § 8057-A(1)(A)]:

This proposed rulemaking would modify the mackerel recreational possession limit to align with recent changes adopted by the National Marine Fisheries Service (NMFS) under NOAA. Mackerel is regulated by the Mid-Atlantic Fishery Management Council (MAFMC). The 2025 management track stock assessment indicated that the Atlantic mackerel stock was not overfished, allowing for a higher recreational bag limit. As a result, this proposed rulemaking increases the mackerel possession limit from 20 fish to 25 fish, in alignment with the private angler bag limit established by MAFMC.

Is Material Incorporated by Reference into the Rule [see 5 M.R.S. § 8056(2-A)]? No

Brief Summary of Relevant Information Considered During Development of the Rule (including up to 3 primary sources relied upon)[see 5 M.R.S. §§ 8057-A(1)(E) & 8063-B]:

This rule considered the NOAA Fisheries final rule issued in the Federal Register (50 CRF Part 648 [Docket No. 260421-0107]) which set specifications for fishing years 2026-2027 Atlantic mackerel recreational fishery management measures. Additionally, this rule considered the MAFMC decisions which increased the recreational bag limits by mode. The MAFMC increased the private angler bag limit to 25 fish and the for-hire sector limit to 50 fish. In considering the increase and uncertainty in the terminal year of the stock assessment, DMR increased the state bag limit to 25 fish for all recreational modes. A uniform possession limit will limit uncertainty in Marine Recreational Intercept Program (MRIP) estimates, which currently have high percent standard errors (PSEs) when data is split by mode. MRIP warns that data with high PSEs must be treated with caution or not used in fishery data analysis, such as stock assessments.

Estimated Fiscal Impact of the Rule [see 5 M.R.S. § 8057-A(1)(C)]:

Enforcement of this amendment would not require additional activity in the agency. Existing enforcement personnel will monitor compliance during routine patrols.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

Economic Impact, Whether or Not Quantifiable in Monetary Terms [see 5 M.R.S. § 8057-A(2)(A)]:

Click or tap here to enter text.

Individuals, Major Interest Groups and Types of Businesses Affected and How They Will Be Affected [*see* 5 M.R.S. § 8057-A(2)(B)]:

Click or tap here to enter text.

Benefits of the Rule [*see* 5 M.R.S. § 8057-A(2)(C)]: