

STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE

Notice of Agency Rulemaking Adoption

AGENCY: Department of Marine Resources

CHAPTER NUMBER AND RULE TITLE: Chapter 43 Bluefish Recreational Bag Limit

ADOPTION FILING NUMBER: Leave Blank - Assigned by the Department of the Secretary of State]

CONCISE SUMMARY:

This rulemaking establishes the recreational limit for bluefish at 5 fish per day for the remainder of 2026. Beginning in 2027, the bluefish recreational limit will be set at 3 fish per day.

EFFECTIVE DATE: Leave Blank -- To Be Filled in by the Department of the Secretary of State]

AGENCY CONTACT PERSON:

Name: Aurora Burgess

Agency Name: Department of Marine Resources

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DEPARTMENT OF MARINE RESOURCES

CHAPTER 43 – BLUEFISH

TITLE INDEX

43.01 Bluefish Limits

43.01 Bluefish Limits**1. Method of Taking****A. Daily and Possession Limits**

Except as provided in 43.01(A)(1) it ~~shall be~~ is unlawful for any person to take, catch, kill, or possess more than ~~3~~ 5 bluefish per day until December 31, 2026. Beginning January 1, 2027 it is unlawful for any person to take, catch, kill, or possess more than 3 bluefish per day.

(1) Exemptions

The daily limit and possession limit shall not apply to persons licensed under 12 M.R.S. §6501 and §6421. The possession limit shall not apply to persons licensed under 12 M.R.S. §6851 and §6852.

B. It is unlawful to use multiple (more than two) barbed or barbless treble hooks on any artificial lure or flies while fishing for bluefish.

C. It is unlawful to use any hook other than a circle hook when using bait. For purposes of this chapter the definition of circle hook means "a non-offset hook with a point that points 90° back toward the shaft of the hook".

For the purposes of this chapter, bait is defined as any marine or freshwater organism live or dead, whole or parts thereof, and earthworms, including but not limited to, night crawlers (*Lumbricus terrestris*).

D. Any striped bass killed during the take of bluefish becomes part of the daily bag limit in accordance with Chapter 42.02.

Basis Statement

On April 2, 2026, the Maine Department of Marine Resources adopted an emergency rule to align with the recreational bluefish possession limit adopted by NOAA Fisheries in federal waters. This emergency rule established the recreational bluefish possession at 5 fish per day.

Based on the public comments received, DMR modified the rule proposal as follows:

- This rulemaking modifies the recreational bluefish possession limit at 5 fish per day, for the remainder of 2026.
- Beginning in 2027, the recreational bluefish possession limit will return to 3 fish per day.

Summary of Comments

Notice of the proposed rulemaking appeared on May 6, 2026, posted to DMR's website and also printed in the five major daily newspapers as published by the Secretary of State; and electronic messages were sent to individuals who subscribe to DMR's rulemaking notices and sent to industry members who provided their email address to DMR. A hybrid public hearing was held on May 26, 2026, in-person at DMR's Augusta office and offered remotely via Microsoft Teams. No members of the public attended the public hearing. The comment period closed on June 5, 2026.

Written Comments Received via Email

The comments below are organized by the date they were received.

May 22, 2026 from Patrick Keliher, Alna

Corrin

Over 25 years ago the bluefish bag limit was 10 fish per day. At that time Maine anglers saw tremendous waste of this resources as people brought back more fish then were needed, and discarded them in trash cans, dumpsters or just dumped them at boat ramps. The impetus to this change was a large bluefish tournament run out of Bath where this wanten waste was at its worst.

Bluefish are a great fish to target recreationally, but are not great table fare, and do not freeze well, so the current three fish per day bag limit should be fine for someone looking to bring a few fish home to eat.

I see no reason to fall in line with the MAFMC recommendations, and would respectfully suggest you keep the current three fish bag limit.

Pat Keliher
Alna, Maine

May 26, 2026 from Christopher Uraneck, Freeport

To Deidre Gilbert, I am writing to comment on the proposed change to the bluefish limit in the State of Maine. This is my personal opinion. In recent years the catch level of bluefish in Maine waters had been erratic to poor at best. This has been the same for the rest of New England from what I have heard. Given these circumstances I think it is hard to justify increasing the bluefish harvest limit here in Maine. I would be in favor of keeping the limit the same at 3 fish per person.

Thank you,

Chris Uraneck
Freeport

June 2, 2026 from Thomas Atwater, Wells

To all who have input into the blue fish regulations:

According to your posting on proposed changes "The 2025 management track stock assessment projected that the bluefish stock would reach its rebuilding target in 2025, allowing for a higher recreational bag limit. As a result, this proposed rulemaking increases the bluefish possession limit from 3 fish to 5 fish, in alignment with the private angler bag limit established by MAFMC and ASMFC."

I target striped bass and I don't have a boat, so my observations are of course partial. But I do clearly remember catching blues from shore in previous years -- and none in the past three years. Nor do I hear many reports of blues caught locally in York County Maine.

And I remember very clearly the consistent patterns of those charged with regulations of stripers consistently over-estimating stocks and replenishment expectations -- while consistently allowing for far greater harvests than were warranted by actual conditions.

With the result that stocks are now teetering on the edge of collapse as in the 1980's.

So I respectfully dissent from your intended increase and request that you maintain present limits or reduce to one fish per day. Which will probably turn out to be the wiser path.

Sincerely,
Thomas (Tim) Atwater
94 Dorfield Lane
Wells, ME 04090
timatwater@juno.com

June 2, 2026 from Chris Gill

I am a Tidewater guide. The Bluefish stock has not recovered. I catch one per year. I would love to see the epic Bluefishery we once had return. Terrible idea!

Capt Chris Grill
Kennebec Angler

June 2, 2026 from Bob Humphrey on behalf of Sportsman's Alliance of Maine

re: : Notice of Agency Rulemaking Proposals Chapter 43 - Bluefish Recreational Bag Limit; Chapter 52 - Mackerel Recreational Bag Limit; Chapter 34.06 - Haddock Recreational Size Limit

On behalf of the Sportsman's Alliance of Maine's (SAM), I am writing to express our support for the following proposed regulation changes:

Chapter 43 - increase the bluefish possession limit from 3 fish to 5 fish;
Chapter 52 - increase the mackerel possession limit from 20 fish to 25 fish;
Chapter 34.06 - decrease the recreational haddock minimum size limit from 18 inches to 17 inches.

These modifications will align State regulations with recent changes adopted by the National Marine Fisheries Service (NMFS), the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC). They are based on the best available science and will allow additional fishing opportunity while maintaining catch limits within management plan objectives.

Respectfully,
Bob Humphrey
Vice President, Sportsman's Alliance of Maine
Chair, SAM Fisheries Committee
727 Poland Range Road
Pownal, Me 04069
(207) 688-4966
bob.humphrey@samofmaine.org

June 2, 2026 from Josh Martin, Sebattus

Good morning,

I am writing to provide my comments on increasing bluefish possession limits, specifically Casco bay or Saco Bay is my fishing areas.

I am not in favor. As Bluefish my are favorite fish to catch in, sadly the numbers do no come to Maine consistently. 2022 I landed 1 blue. 2023 I landed 97 blue fish. 2024 i landed 2 bluefish. 2025 1 bluefish.

Its clear to me they do arrive consistently late July through early September however the numbers/schools are not always high. 2023 was a beat down. From July to September I was able to land Bluefish ranging from 11 -14 lbs with a handful over 14 not exceeding 18.5 lbs. Seasons since then have fell short significantly. I am on the water at minimum twice a week may through October.

I know the benchmark will never be back to my childhood days when we had Bluefish tournaments, however Id be OK with my 2023 landings as a benchmark and increasing limits will not support getting here.

Thanks

Josh Martin
Sabattus, ME

June 2, 2026 from Dan Nash

I like the bluefish limit change from 3 fish to 5 fish.
Dan Nash

June 2, 2026 from Amy Pickering

Hi

Id like to comment to keep the 3 limit as the rebuild target was just reached let's not go right into destroying the population of young fish.

Amy

June 4, 2026 from Germain Cloutier

Hello,

The Increase of Bluefish from 3 fish per day to 5 fish per day is not something that Maine should be considering at this time. Maine is lucky to see a handful of bluefish, if any at all, each year. To increase the limits on them is not in the best interest of fishermen and the stock. With Bluefish just recently deemed to have made a comeback stockwise, it doesn't not make sense at this point to raise the limit numbers. I support staying at the 3 fish per day regulation that has worked fine for the past several years. Thank you for you time.

Thank you,
Germain Cloutier

DMR's response:

The majority of comments opposed the proposed increase in the recreational possession limit to 5 bluefish per day. Seven commenters (Christopher Uraneck, Thomas Atwater, Chris Gill, Josh Martin, Germain Cloutier, Amy Pickering, Patrick Keliher) cited poor catch levels in recent years, the need to allow additional time for the stock to rebuild, and concerns regarding waste of the resource during periods when higher possession limits have been in effect. These commenters generally supported maintaining the recreational possession limits at 3 fish per day.

Two commenters (Bob Humphrey on behalf of SAM, Dan Nash) supported the proposed increase. One commenter (Bob Humphrey on behalf of SAM) noted, the 5 fish possession limit would align Maine's regulations with the federal recreational management measures established using the best available science and would provide additional fishing opportunities.

In addition to public comments, DMR consulted Maine Marine Patrol regarding implementation and enforcement considerations. Marine Patrol expressed concerns that changes to the possession limits during the fishing season could create compliance challenges for recreational anglers, especially ahead of the Independence Day holiday weekend when the emergency rulemaking is set to expire.

After consideration of all input, DMR revised the proposed rule language to establish a recreational possession limit of 5 bluefish per day for the remainder of the 2026 season. Beginning in 2027 and thereafter, the recreational possession limit will be 3 bluefish per day. DMR staff will continue to seek input from the recreational community regarding any interest in future changes.

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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:

Name: Aurora Burgess

Address: Department of Marine Resources, 21 State House Station, Augusta, ME 04333-0021

Telephone: 207-592-0295

Email: DMR.rulemaking@maine.gov

Chapter Number and Rule Title: Chapter 43 Bluefish Recreational Bag Limit

Type of Rule: Routine Technical

Statutory Authority: 12 M.R.S. §6171

Public Hearing(s): Tuesday, May 26, 2026, 4:00 p.m., DMR's August Office and remotely via Microsoft Teams

Comment Deadline(s): Friday, June 5, 2026

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

This rulemaking modifies the bluefish recreational possession limit to align with recent changes adopted by the National Marine Fisheries Service (NMFS) under NOAA and the emergency rulemaking adopted on April 2, 2026. As a result, this rulemaking increases the bluefish possession limit from 3 fish to 5 fish, for the remainder of 2026. Based on comments received during the rulemaking process, beginning in 2027, the recreational possession limit will return to 3 fish per day.

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

Analysis and Expected Operation of the Rule [see 5 M.R.S. § 8057-A(1)(B) & (D)]:

This rulemaking increases fishing opportunities for recreational anglers for the remainder of the 2026 season. Although support for this increase was limited, the benefits of not adjusting the possession limit mid-season, both for Maine Marine Patrol and recreational anglers, outweigh the potential compliance challenges associated with a change. Beginning with the 2027 season, the recreational possession limit return to 3 bluefish per day allowing users continued access to this resource.

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. 260209-0039]) which set specifications for fishing years 2026-2027 bluefish recreational fishery management measures. Additionally, this rule considered comments from recreational resource users and feedback from Maine Marine Patrol.

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)]:
N/A

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

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

Note: If necessary, additional pages may be used.