



National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Sustainable Fisheries Division
www.greateratlantic.fisheries.noaa.gov



Status Report of Greater Atlantic Region Actions

Prepared for the August 9-12, 2021
Meeting of the
Mid Atlantic Fishery Management Council

August 6, 2021

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New England Council Actions

Small-Mesh Multispecies

2021-2023 Specifications

On June 11, 2021, NOAA's National Marine Fisheries Service (NMFS) published a proposed rule in the *Federal Register* (86 FR 31262) to implement specifications and management measures for the 2021-2023 small-mesh multispecies (whiting) fishery, based on the recent management-track assessment in September 2020. The proposed specifications would set catch limits for each of the small-mesh stocks following the overfishing limit (OFL) and acceptable biological catch (ABC) recommendations from the Council's Scientific and Statistical Committee (SSC), except for southern red hake, which has a proposed ABC that is 75-percent of what the SSC recommended, to restrict excessive catch of this stock and enhance stock rebuilding. These proposed catch limits would increase annual quotas for southern whiting and both red hakes, and decrease the quota for northern silver hake. This proposed action would also revise some management measures to reduce regulatory discards within the small-mesh multispecies fishery. The possession limit for whiting (silver hake and offshore hake) on trips using gear with less than 3-inch mesh would increase to 15,000 lb, and the in-season adjustment trigger for northern red hake is being would be restored to 90 percent of the annual quota. The comment period for this action ends on June 28, 2021, and the final rule is expected to publish in July 2021. No substantive changes to the rule are expected as a result of the comments received. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Framework 62

On July 12, 2021, NMFS published a proposed rule in the *Federal Register* (86 FR 36519) to establish a 10-year rebuilding plan for the overfished southern red hake stock. The proposed rebuilding plan would decrease the year-round possession limit from 5,000 lb to a dual 1,000/600-lb possession limit based on the selectivity of gear-type or mesh size used. The 600-lb possession limit would apply to standard small-mesh trawls (less than 5.5 inches square or diamond mesh), which are less selective, while the 1,000-lb possession limit would apply to large-mesh trawls and other more selective gear types which includes raised footrope trawls, large mesh belly panel trawls, and rope separator trawls. The comment period closed on **July 27, 2021**. A final rule is under development. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Groundfish

Framework Adjustment 61

On **July 27, 2021**, NMFS approved Framework Adjustment Framework Adjustment 61 to the Northeast Multispecies Fishery Management Plan in a final rule, effective upon filing (86 FR 40353; July 28, 2021). Framework 61 set 2021-2023 catch limits for the groundfish stocks, revised the status determination criteria for Georges Bank and Southern New England/Mid-Atlantic winter flounder, implemented a revised rebuilding plan for white hake, and implemented a universal exemption to allow sectors to target redfish. For additional information, please contact Liz Sullivan at (978) 282-8493 or email at liz.sullivan@noaa.gov.

Scallops

None at this time.

Herring

None at this time.

Monkfish

None at this time.

Atlantic Deep-Sea Red Crab

None at this time.

Skate

None at this time.

Spiny Dogfish

None at this time.

Mid-Atlantic Council Actions

Summer Flounder, Scup, and Black Sea Bass

Quota Transfers

On **June 22, 2021**, NMFS published notice (86 FR 32651) of summer flounder quota transfers from the state of North Carolina to the Commonwealth of Massachusetts and from the Commonwealth of Virginia to the state of New Jersey. North Carolina transferred 9,980 lb to Massachusetts and Virginia transferred 9,800 lb to New Jersey through mutual agreement of the states. These transfers were requested to repay landings made by out-of-state permitted vessels under safe harbor agreements. The revised summer flounder quotas for 2021 are: North Carolina, 974,923 lb; Massachusetts, 1,025,159 lb; Virginia, 2,389,776 lb; and, New Jersey, 1,970,862 lb. For additional information please contact Laura Hansen at (978) 281-9225, or email at Laura.Hansen@noaa.gov.

Surfclam and Ocean Quahog

None at this time.

Atlantic Bluefish

Quota Transfer

On July 13, 2021, NMFS published a notice (86 FR 36671) of a bluefish quota transfer from the Commonwealth of Virginia to the state of New York. Virginia transferred 50,000 lb of bluefish commercial quota to New York through mutual agreement of the states. This transfer was requested to ensure that New York would not exceed its 2021 state quota. The revised bluefish quotas for 2021 are: Virginia, 278,800 lb ; and New York, 337,438 lb . For additional information please contact Laura Hansen at (978) 281-9225, or email at Laura.Hansen@noaa.gov.

Atlantic Mackerel, Squid, and Butterfish

2021-2021 Mackerel, Squid, and Butterfish Specifications

On July 22, 2021, NMFS published a final rule in the *Federal Register* (86 FR 38586) to set new 2021 and projected specifications for fishing year 2022 butterfish and *Illex* squid, while maintaining the current longfin squid and Atlantic mackerel specifications for 2021 and projected for 2022-2023. The ABC for *Illex* is now 33,000 metric tons (mt), instead of the proposed 30,000 mt, based on the best available science. This action also adjusts the dealer reporting requirement and adjusts the closure threshold for the *Illex* squid fishery to avoid overages. The rule was effective on July 22, 2021. This action reaffirms previously approved Atlantic chub mackerel specifications for 2021-2022. For additional information, please contact Alyson Pitts at (987)

281-9352, or email at Alyson.Pitts@noaa.gov.

Tilefish

2021-2022 Golden Tilefish Specifications and Emergency Action

On **June 25, 2021**, NMFS published a temporary rule (86 FR 33552) to extend the emergency carryover provision through the end of the 2021 fishing year. This emergency action was originally implemented in the 2021-2022 golden tilefish specifications rule (85 FR 82944; December 21, 2020) and allowed tilefish individual fishing quota shareholders to carryover unharvested 2020 quota pounds, up to five percent of their initial allocation. For additional information, please contact Douglas Potts at (978)-281-9341, or email at douglas.potts@noaa.gov.

Other Actions

Paperwork Reduction Act

Online Permitting

On July 6, 2021, NMFS published a notice in the *Federal Register* (86 FR 35493) requesting comments for the Paperwork Reduction Act in an effort to reduce paperwork and respondent burden. This collection of information involved transitioning some of our permitting applications to an online platform.

NMFS is seeking comments on whether the collection is necessary, the accuracy of the agency's estimate of burden, ways to enhance the collection, and ways to minimize the burden on respondents. The comment period for the information collection is open through September 7, 2021.

Direct all written comments to Adrienne Thomas, PRA Officer, NOAA, Room 159, 151 Patton Avenue, Asheville, NC 28801 (or via email at PRAcomments@doc.gov). For additional information, please contact Aimee Ahles at (978) 281-9373, or email at aimee.ahles@noaa.gov.

Jonah Crab

None at this time.

Industry Funded Monitoring Omnibus Amendment

None at this time.

Lobster

None at this time.

Habitat Actions

None at this time.

Protected Resources Actions

Atlantic Sea Scallop Biological Opinion

On **June 17, 2021**, NMFS finalized the Atlantic Sea Scallop Biological Opinion to address turtle interactions in the fishery. The Opinion determined that NMFS authorization of the scallop fishery is not likely to jeopardize the continued existence of any Endangered Species Act-listed species in the action area, including sea turtles and Atlantic sturgeon. The new Opinion and incidental take statement outline NMFS' commitment to use a five-year bycatch estimation approach developed by the Northeast Fisheries Science Center to monitor sea turtle takes in the scallop dredge and bottom trawl fisheries going forward. With the production of the Center's latest bycatch estimates in 2020 and the adoption of a monitoring approach that focuses on a five-year cycle of dredge and bottom trawl bycatch estimates for sea turtles going forward, the agency can successfully monitor and evaluate sea turtle interactions in the scallop fishery. For additional information please contact the Protected Resources Division at (978) 281-9300 or email at nmfs.gar.garfo@noaa.gov.

Research Permits and Acknowledgments - Applications Under Review

Nordic, Inc. submitted a complete application for an Exempted Fishing Permit (EFP) on April 22, 2021. The proposed EFP would allow Nordic, Inc. and the Coonamessett Farm Foundation (CFF) to transplant 750,000 scallops in the Nantucket Lightship Access Area-South with trawls and a dredge. A notice (86 FR 38990) soliciting public comment on the application published on July 23rd, 2021, and the comment period will close on August 9, 2021. For additional information, please contact Shannah Jaburek at (978) 281-9135 or email at shannah.jaburek@noaa.gov.

The Commercial Fisheries Research Foundation submitted a complete application for an EFP in support of their 2021 Scallop Research Set-Aside project testing the N-Viro scallop dredge on April 22, 2021. The proposed research would allow four Limited Access General Category vessels to fish 90 total tows over 12 days, and one Limited Access vessel to fish one, 6-day trip in Closed Area II - East. A notice (86 FR 41020) soliciting public comment on the application published on July 30, 2021, and the comment period will close on August 16, 2021. For additional information, please contact Shannah Jaburek at (978) 281-9135 or email

at shannah.jaburek@noaa.gov.

CFF submitted a complete application for an EFP on April 5, 2021, requesting exemptions necessary to conduct their 2021 Scallop Research Set-Aside project. The EFP would allow seven vessels to conduct a seasonal Atlantic sea scallop survey in Georges Bank. A notice (86 FR 43190) soliciting public comment on the application published on August 6, 2021, and the comment period will close on August 21, 2021. For additional information, please contact Shannah Jaburek at (978) 281-9135 or email at shannah.jaburek@noaa.gov.

On Friday, June 25, 2021, the Gulf of Maine Research Institute submitted a request to modify the previously issued Maximized Retention Electronic Monitoring EFP. The modification would a new exemption from the minimum mesh size of the Universal Sector Redfish Exemption program. This exemption allows participating vessels to continue using 4.5 inch mesh codends while fishing in the redfish area. On August 3, 2021, NMFS published a *Federal Register* notice (86 FR 41832) to provide interested parties the opportunity to comment on Exempted Fishing Permit applications. The comment period closes on August 18, 2021. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

Research Permits and Acknowledgments - Application Review Completed

On June 21, 2021, the Maine Department of Marine Resources was issued a Letter of Acknowledgement to support ongoing halibut tagging research. Vessels will target halibut using longline gear in inshore waters of the Gulf of Maine and tag halibut with data storage and acoustic tags before release. Activities will occur during the summer and early fall. For additional information, please contact Kyle Molton at (978) 281-9236 or email at Kyle.Molton@noaa.gov.