



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 April 7-8, 2020
Meeting of the
Mid-Atlantic Fishery Management Council

April 7, 2020

Table of Contents

NEW ENGLAND COUNCIL ACTIONS.....2
SMALL-MESH MULTISPECIES.....2
GROUND FISH.....2
SCALLOPS3
HERRING3
MONKFISH3
ATLANTIC DEEP-SEA RED CRAB3
SKATE.....3
MID-ATLANTIC COUNCIL ACTIONS.....3
SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS.....3
SURFLAM AND OCEAN QUAHOG4
ATLANTIC BLUEFISH.....4
ATLANTIC MACKEREL, SQUID, AND BUTTERFISH5
TILEFISH5
OTHER ACTIONS.....5
PAPERWORK REDUCTION ACT5
JONAH CRAB.....6
INDUSTRY FUNDED MONITORING OMNIBUS AMENDMENT6
LOBSTER6
HABITAT ACTIONS.....6
PROTECTED RESOURCES ACTIONS.....7
RESEARCH PERMITS AND ACKNOWLEDGMENTS - APPLICATIONS
UNDER REVIEW.....7
RESEARCH PERMITS AND ACKNOWLEDGMENTS - APPLICATION
REVIEW COMPLETED9

New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Amendment 23 to the Northeast Multispecies Fishery Management Plan

On March 13, 2020, Northeast Multispecies Fishery Management Plan Draft Amendment 23 was made available to the public. The comment period runs through May 22, 2020. The Council is hosting the first public hearing via webinar on April 15th at 4 PM. This hearing is the first of the series and the remaining hearings will be announced later.

Revisions to Framework Adjustment 58

On January 27, 2020, NMFS published a final rule to correct minor errors published in the final rule approving and implementing Framework Adjustment 58 to the Northeast Multispecies Fishery Management Plan (FMP). This rule also distributed sector allocation carried over from fishing year 2018 to fishing year 2019 as authorized by the sector regulations. For additional information, please contact Claire Fitz-Gerald at (978) 281-9255 or email at Claire.Fitz-Gerald@noaa.gov.

Possession and Trip Limit Increases for the Common Pool Fishery

On March 24, 2020, NMFS published a temporary rule in the *Federal Register* (85 FR 16570) announcing an increase in the possession and trip limits of Georges Bank cod, Gulf of Maine cod, Gulf of Maine haddock, Cape Cod/Gulf of Maine yellowtail flounder, American plaice, and witch flounder for the Northeast multispecies common pool fishery for the remained for the 2019 fishing year, through April 31, 2019. These changes are intended to provide the common pool fishery greater opportunity to harvest, but not exceed, its annual quota for these stocks. For additional information please contact Spencer Talmage at (978) 281-9232 or email at spencer.talmage@noaa.gov.

Adjustment of Georges Bank and Southern New England/Mid-Atlantic Yellowtail Flounder Annual Catch Limits

On April 3, 2020, NMFS published a final rule in the *Federal Register* (85 FR 18873) that transfers unused quota of Georges Bank and Southern New England/Mid-Atlantic yellowtail flounder from the Atlantic scallop fishery to the Northeast multispecies fishery for the remainder of the 2019 fishing year, through April 30, 2020. This transfer is intended to provide additional fishing opportunities for groundfish vessels to help achieve the optimum yield for these stocks while ensuring sufficient amounts of yellowtail flounder remain available for the scallop fishery. For additional information, please contact Maria Fenton at (968) 281-9196 or email at

Maria.Fenton@noaa.gov.

Scallops

Framework Adjustment 32 to the Atlantic Sea Scallop FMP

On March 31, 2020, NMFS published a final rule for Framework Adjustment 32 to the Atlantic Sea Scallop FMP (85 FR 17754). Framework 32 sets specifications for the scallop fishery for fishing year 2020 and implements other measures. The rule became effective April 1, 2020. For additional information, please contact Travis Ford at (978) 281-9233 or email at Travis.Ford@noaa.gov.

Herring

None at this time.

Monkfish

None at this time

Atlantic Deep-Sea Red Crab

2020-2023 Red Crab Specifications Proposed Rule

On February 20, 2020, NMFS published a rule in the *Federal Register* (85 FR 9717) proposing the 2020-2023 Atlantic deep-sea red crab quotas. Based on the recommendation from the New England Fishery Management Council, NMFS proposed increasing the quota by 12.7 percent from past fishing years to 2,000 mt. For additional information, please contact Allison Murphy at (978) 281-9122 or email at Allison.Murphy@noaa.gov.

Skate

None at this time.

Mid-Atlantic Council Actions

Summer Flounder, Scup, and Black Sea Bass

Summer Flounder Quota Transfer

On February 7, 2020, NMFS received a request to transfer quota from North Carolina to Virginia. The transfer allowed North Carolina to transfer 10, 276 pounds of 2020 summer flounder commercial quota to Virginia under a safe harbor agreement. The temporary rule was published

in the *Federal Register* on March 6, 2020 (85 FR 13552). The revised 2020 summer flounder quotas are: North Carolina, 3,154,229 lb; and, Virginia, 2,468,098 lb. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Surfclam and Ocean Quahog

Minimum Size Suspension for Surfclam and 2020 Quotas for Surfclam and Ocean Quahog

On February 13, 2020, NMFS published a final rule (85 FR 8199) to suspend the minimum size for surfclams and implement status quo quotas for surfclam and ocean quahog for the 2020 fishing year. At the June 2019 meeting, the Council recommended maintaining quota levels of 3.4 million bushels (bu) for Atlantic surfclams, 5.33 million bu for ocean quahogs, and 100,000 Maine bu for Maine ocean quahogs. The percent of small clams has gone up this year and is much closer to the 30 percent minimum size trigger than in previous years. The industry should avoid concentrations of small clams to prevent the implementation of a minimum size for the 2021 fishing year. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Atlantic Bluefish

2020 Interim Recreational Measures

On February 28, 2020, NMFS published a temporary final rule (85 FR 11863) to implement recreational management measures for the bluefish fishery under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act to ensure the 2020 annual catch limit is not exceeded and overfishing does not occur. The new measures include a reduction in the daily recreational bag limit from 15 fish to 3 fish for private anglers, and to 5 fish for for-hire (party/charter) vessels. The temporary measures are consistent with Council's recommendations from the December 2019 meeting, and were effective immediately under 305(c) provisions. These temporary measures will be effective until final 2020 bluefish specifications and recreational measures are in place through the notice-and-comment rulemaking process. We expect the proposed rule to publish in early April 2020. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov

2020 Specifications

On March 6, 2020, NMFS published a final rule(85 FR 13074) to implement final (mid-cycle) specifications for dogfish fishing year 2020. These specifications are unchanged from what was originally projected and recommended by the Councils for 2020 in the multi-year specifications published on May 15, 2019 (84 FR 21723), and include a 13-percent increase in commercial quota. Other than coastwide catch limit specifications, all management measures, including the 6,000-lb Federal trip limit, remain unchanged. Although this rule published in March, these specifications are not effective until the beginning of the 2020 fishing year on May 1, 2020. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at

Cynthia.Ferrio@noaa.gov.

Atlantic Mackerel, Squid, and Butterfish

Amendment 21 to the Atlantic Mackerel, Squid, and Butterfish FMP (Chub Amendment)

NMFS published a Notice of Availability on February 14, 2020 (85 FR 8534) and a proposed rule on (85 FR 13603) to approve and implement Amendment 21 to the Atlantic Mackerel, Squid, and Butterfish FMP. This action would integrate Atlantic chub mackerel into the FMP and implement long-term measures to replace temporary measures implemented under Amendment 18 in 2017. The Mid-Atlantic Council has deemed proposed regulations to be consistent with this action. Comments on the proposed rule will be accepted through April 8, while comments on the Notice of Availability will be accepted through April 14, 2020. For additional information, please contact Douglas Christel at (978) 281-9141, or Douglas.Christel@noaa.gov.

Atlantic Mackerel, Squid, and Butterfish 2020 Specifications

NMFS published a final rule to implement the 2020 Atlantic mackerel, squid, and butterfish specifications on February 27, 2020, and was effective upon publication. This action maintains the 2019 Atlantic mackerel quota for 2020, continue existing squid and butterfish quotas, and remove the trigger to close the Atlantic mackerel fishery if 89 mt of river herring/shad are caught before catching 10,000 mt of Atlantic mackerel. For additional information, please contact Aly Pitts at: (978) 281-9352, or alyson.pitts@noaa.gov.

Tilefish

2020 Specifications

On February 18, 2020, NMFS published a final rule (85 FR 8765) to implement 2020 specifications for the blueline tilefish fishery. The 2020 specifications remain unchanged from 2019. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Other Actions

Paperwork Reduction Act

Atlantic Sea Scallop Fishery Management Plan Data Collection

NMFS published a notice in the Federal Register (85 FR 13140) on March 6, 2020, requesting comments for the Paperwork Reduction Act in an effort to reduce paperwork and respondent burden for the Atlantic Sea Scallop FMP Data Collection.

NMFS is seeking comment 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 May 5, 2020. 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.

Amendment 21 to the Atlantic Mackerel, Squid, and Butterfish FMP (Chub Amendment)

NMFS published a proposed rule in the Federal Register requesting public comments on an information collection requirement under the Paperwork Reduction Act (85 FR 13603). This action would update the initial permit applications for Federal vessels, dealers, and operators to reflect potential integration of Atlantic chub mackerel into the Atlantic Mackerel, Squid, and Butterfish FMP. Neither the time, nor cost burdens of these collections would be revised by this action.

NMFS is seeking comment on whether the collection is necessary, if NMFS's estimate of costs and burden is accurate, and ways to reduce costs and burden and improve data collection. The comment period will be specified in the proposed rule. 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).

Requests for additional information or copies of the information collection instrument and instructions please contact Doug Christel at 978-281-9141 or Douglas.Christel@noaa.gov.

Jonah Crab

None at this time.

Industry Funded Monitoring Omnibus Amendment

None at this time.

Lobster

None at this time.

Habitat Actions

Omnibus Deep-Sea Coral Amendment

On August 26, 2019, NMFS published a Notice of Availability for the Omnibus Deep-Sea Coral Amendment (84 FR 44596) to solicit public on the approval of the Amendment. On November 20, 2019, NMFS approved this action. The Omnibus Deep-Sea Coral Amendment will implement measures that reduce impacts of fishing gear on deep-sea corals in the Gulf of Maine and on the outer continental shelf. In doing so, this action will prohibit the use of mobile bottom-tending gear in two areas in the Gulf of Maine (Mount Desert Rock and Outer Schoodic Ridge),

and it will prohibit the use of all gear (with an exception for red crab pots) along the outer continental shelf in waters no shallower than 600 meters. On January 3, 2020, NMFS published a proposed rule for the Omnibus Deep-Sea Coral Amendment (85 FR 285) to solicit further public comment. The public comment period closed on February 18, 2020. NMFS is developing a final rule that will implement this action. For additional information, please contact Travis Ford at (978) 281-9233 or email at Travis.Ford@noaa.gov.

Protected Resources Actions

None at this time.

Research Permits and Acknowledgments - Applications Under Review

On March 27, 2020 we received a complete application from the University of Maine for an LOA in support of the 2020 Eastern Gulf of Maine Sentinel Survey. Chartered vessels would conduct a random stratified survey with hook and gillnet gear to better understand the groundfish stock in the region, gather fine-scale groundfish catch data, identify predator/prey relationships as they inform fishery management, and to verify local ecological knowledge pertaining to cod spawning in the Eastern Gulf of Maine. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

On February 18, 2020, NMFS received an application for an Exempted Fishing Permit (EFP) from the Northeast Fisheries Science Center in support of the 2020 Study Fleet Program. The Center established the Study Fleet Program in 2002 to more fully characterize commercial fishing operations and provide sampling opportunities to augment NMFS' data collection programs. As part of the program, the Center contracts commercial fishing vessels to collect biological data and fish specimens to use in research relevant to stock assessments and fish biology. The EFP would allow participating vessels to possess and land fish that the regulations would otherwise prohibit, for research purposes. For additional information, please contact Maria Fenton at (968) 281-9196 or email at Maria.Fenton@noaa.gov.

On March 17, 2020, NMFS received an application for a Scientific Research Permit (SRP) from the Northeast Fishery Science Center to support their annual spring and fall Gulf of Maine bottom longline survey. Research would be conducted using bottom longline in the Gulf of Maine. For additional information, please contact Kyle Molton at (978) 281-9236 or email at Kyle.Molton@noaa.gov.

On January 16, 2020, NMFS received an application from the Cape Cod Commercial Fishermen's Alliance for an EFP in support of an ongoing project to develop an audit-model electronic monitoring program for catch accounting in the Northeast multispecies fishery. The EFP would authorize commercial fishing vessels to use electronic monitoring systems on 100 percent of sector trips. The EFP would also exempt participating vessels from the following regulations: portions of Northeast multispecies closed areas; sector third-party monitoring requirements;

minimum fish sizes for Northeast multispecies, for sampling purposes only; and ocean pout, windowpane flounder, and Atlantic wolffish possession prohibitions, for sampling purposes only. For additional information, please contact Claire Fitz-Gerald at (978) 281-9255 or email at claire.fitz-gerald@noaa.gov.

On February 26, 2020, NMFS received an application from The Nature Conservancy for an EFP in support of an ongoing project to develop an audit-model electronic monitoring program for catch accounting in the Northeast multispecies fishery. The EFP would authorize commercial fishing vessels to use electronic monitoring systems in lieu of human at-sea monitors to satisfy their at-sea monitoring (ASM) requirements. Participating vessels would be assigned observer coverage at the fishing year 2020 ASM target coverage level of 40 percent. The EFP would also exempt participating vessels from the following regulations: sector third-party monitoring requirements; minimum fish sizes for Northeast multispecies, for sampling purposes only; and ocean pout, windowpane flounder, and Atlantic wolffish possession prohibitions, for sampling purposes only. For additional information, please contact Claire Fitz-Gerald at (978) 281-9255 or email at claire.fitz-gerald@noaa.gov.

On January 16, 2020, NMFS received an application from the Gulf of Maine Research Institute for an EFP in support of an ongoing project to develop a maximized retention electronic monitoring program to meet monitoring requirements for the Northeast multispecies fishery. Under the EFP, participating vessels would be required to retain all catch of allocated groundfish. Vessels would be required to use electronic monitoring on 100 percent of sector trips and the video footage would be used to confirm that vessels complied with retention requirements. Catch would be assessed via a dockside monitoring program. The EFP would also exempt participating vessels from the following regulations: portions of Northeast multispecies closed areas; minimum fish sizes, minimum mesh sizes, and sector third-party monitoring requirements. For additional information, please contact Claire Fitz-Gerald at (978) 281-9255 or email at claire.fitz-gerald@noaa.gov.

On March 4, 2020, NMFS received an application from the Northeast Sector Service Network for an EFP in support of an ongoing project to develop a maximized retention electronic monitoring (MREM) program to meet monitoring requirements for the Northeast multispecies fishery. This EFP would allow one MREM participant to conduct exploratory fishing for haddock and pollock while using a 5.1-inch square mesh codend without gear modifiers in the Redfish Exemption Area. The vessel would use electronic monitoring on 100 percent of sector trips and the video footage would be used to confirm that the vessel complied with retention requirements. Catch would be assessed via a dockside monitoring program. For additional information, please contact Claire Fitz-Gerald at (978) 281-9255 or email at claire.fitz-gerald@noaa.gov.

On January 28, 2020, NMFS published a solicitation for public comment in the *Federal Register* for an EFP application from CFF to allow research in support of the New England Fishery Management Council's research objective of, "Characterizing substrate types where surfclam and mussel fishing occurs within the Great South Channel HMA." Under this EFP, five vessels targeting surfclams and mussels would fish with dredge-mounted, forward-facing cameras to characterize substrate types where surfclam and mussel fishing occurs within a defined 24 km² area in the Great South Channel HMA. The 15-day comment period was open through February

11, 2020. At the request of the public, NMFS reopened the comment period for an additional 15 days. The second comment period closed on May 23, 2020. NMFS is reviewing the public comments and will make a decision regarding the issuance of the EFP soon. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

On March 25, 2019, NMFS received an application from the Northeast Fisheries Science Center (NEFSC) to conduct a ropeless lobster gear study. The purpose of this study is to test a prototype ropeless fishing system as a potential technique to prevent entanglements of protected species, primarily North Atlantic right whales. The EFP would authorize five participating vessels to modify some of their existing trawls consisting of 35-45 traps. Experimental trawls would either have a rope spool, a buoy and stowed rope system, or a lift bag system fitted with an acoustic release, deployed on one end of the trawl, with a buoy line attached to the other. Soak time would be between 4-8 days, but may be modified depending on what each fisherman decides is appropriate for fishing. Sampling would occur from May to October, 2020, in Lobster Conservation Management Area 3. Initial deployments would be overseen by an engineering team. NEFSC estimated there would be approximately 96 deployments of experimental trawls. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Research Permits and Acknowledgments - Application Review Completed

On January 29, 2020, NMFS issued a Scientific Research Permit (SRP) in support of activities to be conducted on board Center-controlled research vessels during 2020. Planned research cruises include general ecosystem monitoring surveys and surveys to evaluate and monitor particular species. Fishing gear, when used, will include various types of trawl and dredge gear. For additional information, please contact Maria Fenton at (968) 281-9196 or email at Maria.Fenton@noaa.gov.

On February 21, 2020, NMFS issued an Exempted Educational Activity Authorization (EEAA) to the Northeast Fisheries Science Center in support of their Northeast Fisheries Observer Program (NEFOP) training and certification program. As a necessary part of the observer training process, NEFOP will contract commercial fishing vessels for educational cruises during which observers are trained on NEFOP protocols, vessel etiquette, and at-sea safety. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

On March 6, 2020, NMFS issued an SRP to the NEFSC to conduct a gillnet and turtle interaction study. The research objective is to conduct additional testing of experimental nets to determine what factors affect catch rates and to determine the conservation benefit of this gear. Data from this survey will be used to compare the bycatch rates of sea turtles for the control and experimental gillnets, catch rates of the target species for each net configuration, and record catch of other NMFS regulated or protected species. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.