



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 February 7-9, 2023
Meeting of the
Mid Atlantic Fishery Management Council

February 3, 2023

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Amendment 23 to the Northeast Multispecies Fishery Management Plan (FMP)

On December 9, 2022, NMFS published a final rule to implement Amendment 23. Amendment 23 revises the groundfish sector monitoring program. Beginning December 15, 2022, sector trips fishing exclusively west of 71 degrees 30 minutes west longitude are excluded from the human at-sea monitoring requirement. All other measures in Amendment 23 became effective January 9, 2023. The human at-sea monitoring coverage target remains 80-percent of sector trips through April 30, 2023. For additional information, please contact Mark Grant at (978) 281-9145 or email at Mark.Grant@noaa.gov.

Revisions to Framework Adjustment 63

On January 17, 2023, NMFS published a final rule in the *Federal Register* (88 FR 2551) to distribute sector allocation carried over from fishing year 2021 to fishing year 2022 as authorized by the sector regulations. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

Scallops

Closure of Closed Area I Scallop Access Area

On January 13, 2023, NMFS filed a temporary rule in the *Federal Register* closing the Closed Area I Scallop Access Area for the remainder of the 2023 fishing season to Limited Access General Category (LAGC) vessels, effective January 14, 2023. Scallop regulations require that we close the fishery when 100 percent of the 714 LAGC trips allocated to the area were projected to be taken. This temporary rule expires on March 31, 2023. For additional information, please contact Louis Forristall at (978) 281-9321 or email at Louis.Forristall@noaa.gov.

Herring

2023 Herring Management Area 1B Possession Limit Adjustment

On January 10, 2023, NMFS filed a temporary rule in the *Federal Register* (88 FR 2271) implementing a 2,000-lb possession limit in Herring Management Area 1B, effective January 11, 2023. Herring regulations require NMFS to implement this possession limit adjustment beginning on the date the catch is projected to reach 92 percent of the Area 1B sub-ACL. If final fishery data indicate that total catch exceeded the Area 1B sub-ACL, the amount of the overage

may be deducted from the Area 1B sub-ACL and ACL in fishing year 2025. This temporary rule expires on December 31, 2023. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

2023 Herring Management Area 3 Possession Limit Adjustment

On January 12, 2023, NMFS filed a temporary rule in the *Federal Register* (88 FR 2859) implementing a 2,000-lb possession limit in Herring Management Area 3, effective January 13, 2023. Herring regulations require NMFS to implement this possession limit adjustment beginning on the date the catch is projected to reach 98 percent of the Area 3 sub-ACL. If final fishery data indicate that total catch exceeded the Area 3 sub-ACL, the amount of the overage may be deducted from the Area 3 sub-ACL and ACL in fishing year 2025. This temporary rule expires on December 31, 2023. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

Monkfish

None at this time.

Atlantic Deep-Sea Red Crab

On January 5, 2023, NMFS published a final rule establishing the Atlantic deep-sea red crab quota for the 2023 fishing year. The quota for 2023 is 2,000 metric tons, which is the same quota that was approved for the 2020, 2021, and 2022 fishing years. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Skate

None at this time.

Mid-Atlantic Council Actions

Spiny Dogfish

None at this time.

Summer Flounder, Scup, and Black Sea Bass

2023 Summer Flounder, Scup, and Black Sea Bass Specifications

On December 30, 2022, NMFS filed a final rule for 2023 summer flounder, scup, and black sea bass specifications (88 FR 11). This action set the 2023 acceptable biological catch limits, as well as the recreational and commercial annual catch limits, annual catch targets, commercial quotas, and recreational harvest limits for all three species, consistent with the new allocations adopted in Amendment 22. This action also implemented an administrative change to allow the continuation

of states' participation in a recreational black sea bass Wave 1 fishery. This rule also set the 2023 summer flounder state quotas. 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

2023 Specifications

On December 21, 2022, NMFS published final adjusted catch specifications in the *Federal Register* (87 FR 78011) for the 2023 bluefish fishery, based on the most recent scientific information. These specifications are unchanged from those projected in a prior action, except for a reduction of 8.03 million pounds in the recreational harvest limit (RHL) to account for a recreational overage in 2021, and updated recreational discard data. The revised RHL of 14.11 million pounds is an increase of 1.6 percent from the 2022 RHL of 13.89 million pounds. The coastwide commercial quota increased 21 percent, as projected, to 4.29 million pounds. There are no changes proposed to any recreational management measures, such as bag limit. The final rule for this action was effective for the January 1, 2023 start of the fishing year. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Quota Transfers

Bluefish

On December 2, 2022, NMFS published a notice (87 FR 74021) of a bluefish quota transfer from the State of Maine to the State of Rhode Island. Maine transferred 15,000 lb of bluefish commercial quota to Rhode Island through mutual agreement of the states. On December 7, 2022, NMFS published a notice (87 FR 74991) of a bluefish quota transfer from the State of New Jersey to the States of Rhode Island and New York. New Jersey transferred 42,500 lb of bluefish commercial quota to Rhode Island and 42,500 lb of bluefish commercial quota to New York through mutual agreement of the states. These transfers were requested to ensure that Rhode Island and New York would not exceed their 2022 state quotas. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Summer Flounder

On December 2, 2022, NMFS published a notice (87 FR 74021) of a summer flounder quota transfer from the Commonwealth of Virginia to the State of Rhode Island. Virginia transferred 10,375 lb of summer flounder commercial quota to Rhode Island through mutual agreement of the states. On December 23, 2022, NMFS published a notice (87 FR 78876) of a summer flounder quota transfer from the State of North Carolina to the Commonwealth of Virginia. North Carolina transferred 19,458 lb of summer flounder commercial quota to Virginia through mutual

agreement of the states. These transfers were requested to repay landings made by out-of-state permitted vessels under safe harbor agreements. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Mackerel, Squid, and Butterfish

Amendment 23

On February 1, 2023, NMFS published a final rule to implement Amendment 23 to the Mackerel, Squid, and Butterfish Fishery Management Plan (88 FR 6665). This action implements a revised Atlantic mackerel rebuilding plan and the 2023 Atlantic mackerel specifications. This rebuilding plan will prevent overfishing and rebuild the stock by 2032. The 2023 specifications include an acceptable biological catch of 8094 mt, a commercial quota of 3,639 mt, a 129-mt river herring and shad catch cap, and a recreational possession limit of 20 fish per person. For additional information, please contact Carly Bari at (978) 281-9150 or Carly.Bari@noaa.gov.

Tilefish

None at this time.

Other Actions

Paperwork Reduction Act

None at this time.

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

None at this time.

Research Permits and Acknowledgments - Applications Under Review

On December 2, 2022, Lund's Fisheries, Inc. resubmitted an application for an Exempted Fishing Permit (EFP) in support of a project to develop a purse seine fishery for Atlantic thread herring. The goal of this project would be to respond to changes in resource distribution and develop a sustainable thread herring fishery that could meet the needs of existing markets. Eight vessels (four catcher vessels and four purse vessels) would participate in this project. Fishing would occur in the mid-Atlantic during May to November. We are currently reviewing this application after requesting additional information from Lund's and are in direct discussions with Lund's about the status of the revised proposal. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

On January 4, 2023, Blue Planet Strategies submitted an application for an EFP for testing subsurface gear marking and on-demand technologies in trap/pot and gillnet fisheries to reduce the risk of entanglements. Research trips would take place throughout 2023. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On January 17, 2023, the New Hampshire Fish and Game Department submitted an application for an EFP to continue testing an early-benthic-phase lobster trap, which targets lobsters between 15- and 50-millimeter carapace length, to determine its feasibility for broader use in lobster surveys. Research trips would take place from May to November, 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On January 19, 2023, the Commercial Fisheries Research Foundation submitted an application for a Letter of Authorization (LOA) to collect pre-construction data on the abundance, size structure, and distribution of American lobster and jonah crab in the South Fork and Revolution lease areas, and adjacent waters. Sampling would occur from May 1, 2023, to November 30, 2023. Three vessels will conduct surveys three days per month in each of the five survey areas from May through November through the project period. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

On January 23, 2023, the Virginia Institute of Marine Science submitted an application for an LOA to conduct nearshore trawl surveys in Southern New England and the Mid-Atlantic in support of single and multispecies stock assessments. Research trips would take place from April to November, 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Research Permits and Acknowledgments – Application Review Completed

On January 6, 2023, NMFS issued an EFP to the Gulf of Maine Research Institute (GMRI) to operate a dockside monitoring pilot program in support of the maximized retention electronic

monitoring program. GMRI will coordinate with NMFS to oversee offloads of participating vessels in order to explore alternatives to a future NMFS administered dockside monitoring program. For additional information, please contact Kyle Molton at (978) 281-9236 or Kyle.Molton@noaa.gov.

On January 9, 2023, NMFS issued an EFP to Sea Watch International, LTD. to conduct at-sea testing for Paralytic Shellfish Poisoning in the Georges Bank Closed Area II Scallop Access area. The study will occur in the Georges Bank–Closed Area II Scallop Access Area at depths of up to 50m. There will be a total of 60 trips spread across a one-year period, both seasonally and temporally. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

On January 12, 2023, NMFS issued an LOA to Cornell Cooperative Extension in support of a project to test the use of turtle excluder devices (TED) in the longfin squid fishery. Cornell Cooperative Extension will contract with one commercial fishing vessel to complete this research during May 1, 2023 to November 1, 2023. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

On January 12, 2023, NMFS issued an LOA to the University of Massachusetts, Dartmouth, School for Marine Science & Technology (SMAST) in support of a drop camera survey in and around the Mayflower Wind development area. SMAST will contract with six commercial fishing vessels to complete this research during May 1, 2023 - November 30, 2023. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

On January 13, 2023, NMFS issued an LOA to the University of Maryland Center for Environmental Science in support of black sea bass surveys for a six-year Before-After-Gradient Study in US Wind Lease Area OSC-A 0490. Research trips will take place between March 15 and November 30, 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On January 23, 2023, NMFS issued an LOA to the University of Massachusetts, Dartmouth, SMAST in support of ventless trap and larval surveys in the Vineyard Wind lease area (OSC-A 501N). Research trips will take place between May 1 and October 31, 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.