



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 5-7, 2022
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Mid-Atlantic Fishery Management Council

April 1, 2022

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Amendment 23 Comment Periods

On Friday, January 14, 2022, National Marine Fisheries Service (NMFS) published a Notice of Availability for Amendment 23 to the Northeast Multispecies Fishery Management Plan (FMP). This is a requirement under the Magnuson-Stevens Act to solicit comments on the Amendment. The Magnuson-Stevens Act Notice of Availability comment period ended March 15, 2022. On February 28, 2022, NMFS published a proposed rule to solicit comments on how NMFS proposes to implement Amendment 23 if the amendment is approved. The comment period ended on March 30, 2022. NMFS will consider comments on Amendment 23 and must approve, partially approve, or disapprove Amendment 23 by the decision date of April 14, 2022. For additional information, please contact Mark Grant at 978-281-9145 or email at Mark.Grant@noaa.gov.

2022 Sector Rule

On March 4, 2022, NMFS published a proposed rule to allocate 2022 quota to groundfish sectors under the Northeast Multispecies FMP. The rule also proposed to disapprove four novel sector exemptions and to make minor administrative changes to previously approved sector operations plans. The comment period for this action closed on March 21, 2022. NMFS intends to publish a final rule prior to May 1, 2022 to allow sectors to operate for the 2022 fishing year. For additional information, please contact Kyle Molton at 978-281-9236 or email at Kyle.Molton@noaa.gov.

Scallops

Framework 34 to the Atlantic Sea Scallop Fishery Management Plan

On March 30, 2022, NMFS published a final rule for Framework 34 that became effective on April 1, 2022. Framework 34 sets management measures for the scallop fishery for the 2022 fishing year, including the annual catch limits for the limited access and limited access general category (LAGC) fleets, as well as days-at-sea allocations and sea scallop access area trip allocations. Framework 34 also incorporates into the fishing year 2022 specifications the new specifications-setting methodology and other changes developed in Amendment 21, including setting a Northern Gulf of Maine Total Allowable Landings limit and Set-Aside for fishing year

2022. For additional information, please contact Travis Ford at (978) 281-9233 or email at Travis.Ford@noaa.gov.

Herring

Framework Adjustment 9

On March 2, 2022, NMFS published a proposed rule for Framework Adjustment 9 to the Atlantic Herring FMP. This action would establish a rebuilding plan for herring, adjust accountability measure catch threshold triggers when catch exceeds a herring annual catch limit (ACL) or management area sub-ACL, and revise existing regulations to clarify area closure and possession limit restrictions and add prohibitions that were inadvertently omitted from the regulations. The comment period for this proposed rule ended on March 17, 2022. NMFS will publish a final rule for this action shortly. 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

None at this time.

Skate

2022-2023 Specifications

On March 17, 2022, NMFS published final catch specifications in the *Federal Register* (87 FR 15146) for the 2022 and 2023 skate fishery, based on updated survey data and recommendations from the Council's Scientific and Statistical Committee and the Skate Plan Development Team. These specifications increase the skate acceptable biological catch by about 14-percent in 2022, and increase both wing and bait fishery quotas by about 18-percent. Catch specifications for fishing year 2023 are projected to be the same as the 2022 limits. This action does not make any other changes to skate management measures, including per-trip possession limits. The public comment period for this proposed rule was open through February 17, 2022, and no comments were received. This action will be effective on May 1, 2022. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Amendment 8

A notice of availability (NOA) for public comment is under development for Amendment 8 to the Northeast Skate Complex FMP. This amendment would revise two of the seven management objectives of the Skate FMP, as recommended by the New England Fishery Management Council, to update guidance for regulatory decisions and ensure that skate management continues

to reflect and address the current needs and condition of the fishery. The NOA is expected to publish in April 2022, with a decision expected in summer 2022. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Spiny Dogfish

2022 Specifications and Trip Limit Adjustment

On February 25, 2022, NMFS published proposed catch specifications in the *Federal Register* (87 FR 10762) to implement status quo catch specifications for the 2022 Atlantic spiny dogfish fishery, and increase the commercial trip limit by 25-percent from 6,000 lb to 7,500 lb, as recommended by both the New England and Mid Atlantic Fishery Management Councils. The spiny dogfish fishery is currently operating under multi-year specifications for fishing years 2021 and 2022 based on a 2020 assessment update and the Mid-Atlantic Council's updated risk policy. The 2021 trawl survey conducted by the Northeast Fisheries Science Center showed little change from recent years in the spiny dogfish stock, so the Councils have decided that no changes are necessary to the previously-projected specifications for fishing year 2022. The adjustment to the commercial trip limit was recommended to better enable industry to achieve the coastwide quota, while minimizing risk of negative impacts to the resource or markets. The public comment period for this proposed rule was open through March 14, 2022, and five comments were received. No changes were made as a result of those comments, and the final rule is expected to publish in early April. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Mid-Atlantic Council Actions

Summer Flounder, Scup, and Black Sea Bass

None at this time.

Surfclam and Ocean Quahog

None at this time.

Atlantic Bluefish

2022-2023 Specifications

On February 2, 2022, NMFS published final catch specifications in the *Federal Register* (87 FR 5739) for the 2022 and 2023 bluefish fishery, based on the most recent scientific information and the changes made in Amendment 7. These catch limits would implement the quota reallocations and the first year of the 7-year rebuilding plan for the stock described in Amendment 7. The resulting specifications increase the commercial quota by about 28-percent and the recreational harvest limit by approximately 67-percent, with no changes proposed to any current recreational

or commercial management measures. The public comment period for this proposed rule was open through December 17, 2021, and two comments were received. No changes were made as a result of those comments. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Quota Transfers

From February 23 to March 25, 2022, there were three safe-harbor transfers of 2022 commercial summer flounder quota. NMFS published notifications of these transfers in the *Federal Register*. Please refer to the Greater Atlantic Regional Fisheries Office Quota Monitoring web page for summer flounder for complete details. For additional information, please contact [Laura Deighan](mailto:Laura.Deighan@noaa.gov) at (978) 281-9184 or Laura.Deighan@noaa.gov.

Atlantic Mackerel, Squid, and Butterfish

None at this time.

Tilefish

None at this time.

Other Actions

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 January 20, 2022, NMFS received an application from the Atlantic Offshore Lobstermen's Association to continue research on the spatial and temporal distribution and abundance of early and late stage American lobster larvae and their likely zooplankton prey. The project would use one federally permitted commercial vessel to conduct three 15-minute tows with a neuston net at a single offshore site on up to 10 sampling days during regular commercial fishing trips. Lobster larvae and any zooplankton would be collected in 500mL bottles, landed, and transferred to the researchers. The project team expects one bottle per tow, for a total of up to 30 sample bottles. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On January 28, 2022, NMFS received an application from the Atlantic Offshore Lobstermen's Association to pilot test a lobster trap designed to target juvenile lobsters with a carapace length between 15 and 50 millimeters. The trap is based on the design of a modified crawfish trap. This study would place one modified trap on an existing trawl in statistical area 561, 562, or 525. The participants would haul the trap every 7-14 days during the vessel's regular fishing activity with a maximum of 26 experimental hauls between May 1 and Nov 1, 2022. The goal of this study is to determine the feasibility of broader use of the early benthic phase trap. If successful, the traps would offer an alternative to ventless traps that often catch eels and crabs and would provide information about lobster's larval settlement patterns and juvenile nursery grounds. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On February 9, 2022, Arizona State University requested the issuance of an Exempted Fishing Permit (EFP) to facilitate use of Research Set-Aside (RSA) Days-At-Sea (DAS) awarded for fishing year 2021, which ends on April 30, 2022. The EFP would allow vessels to be exempt from monkfish landing limits at 50 CFR 648.94(b)(1) and (2) while on monkfish RSA DAS. We previously published notice in the *Federal Register* on October 9, 2020 (85 FR 64126) soliciting public comment on RSA EFPs facilitating RSA awards for fishing years 2020 and 2021. For additional information, please contact Spencer.Talmage at 978-281-9232 or email at Spencer.Talmage@noaa.gov.

On March 25, 2022, the Gulf of Maine Research Institute (GMRI) submitted a request to extend the EFP supporting their ongoing project to develop a maximized retention electronic monitoring program to meet monitoring requirements for the Northeast multispecies fishery. The EFP extension, if issued, would expire on August 31, 2022. Under the EFP, participating vessels are required to retain all catch of allocated groundfish. Vessels are required to use electronic monitoring on 100-percent of sector trips and the video footage is used to confirm that vessels complied with retention requirements. Catch is assessed via a dockside monitoring program. The EFP also exempts 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.

Research Permits and Acknowledgments – Application Review Completed

On February 2, 2022, NMFS issued a Scientific Letter of Acknowledgement (LOA) to University of Massachusetts Dartmouth's School for Marine Science and Technology (SMAST) to continue pre-construction, baseline data collection data on American lobster, Jonah crab, and black sea bass in an area leased for wind development. The project will use two commercial vessels to conduct bi-monthly sampling from May to October at 15 lease area sites and 15 control area sites. Each site consists of a trawl of three standard and three ventless lobster traps and an adjacent unbaited fish trap. Researchers will collect biological data on lobster and Jonah crab. On each trip, 30 black sea bass will be collected from the lease area and 30 from the control area to collect biological data. During each trip, the researchers will collect environmental data, including temperature, dissolved oxygen, pH, and salinity and conduct one 10-minute tow with a neuston net to collect pre-settlement data on larval lobster. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On February 28, 2022, NMFS issued a Scientific Research Permit (SRP) in support of Northeast Fisheries Science Center activities to be conducted on board Center-controlled research vessels during 2022. 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 Samantha Tolken at 978-675-2176 or email at Samantha.Tolken@noaa.gov.

On March 14, 2022 NMFS issued an LOA to the University of Maine in support of research detecting spawning of Atlantic cod in the Gulf of Maine using developed eDNA and eRNA assays. Four research trips will occur between April and August 2022. Up to 10 cod per trip will be sampled using traditional rod and reel gear and water samples will also be collected at each survey site. For additional information, please contact Samantha Tolken at 978-675-2176 or email at Samantha.Tolken@noaa.gov.

On March 17, 2022, NMFS issued an LOA to Rutgers University to conduct surfclam surveys within and around areas leased for wind development in Federal waters off the coast of New Jersey. This project will use one federally permitted vessel to conduct two surfclam surveys per year at depths of 10 to 55 meters. Tows will use a Peterson grab sampler and a hydraulic clam dredge modified with bar spacing designed to retain clams smaller than 120 millimeters. The first objective of this project is to calibrate the selection efficiency of the modified dredge as part of a project funded by NJDEP's Research and Monitoring Initiative. The second is to collect data for a before-and-after study in an area leased for wind development, Ocean Wind 1 (OCS-A 0498). For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Status Report of Greater Atlantic Region Regulatory Actions

On March 21, 2022, NMFS issued an LOA to the University of Maryland's Center for Environmental Studies for a one-year trial black sea bass study that will inform a six-year Before-After-Gradient study in US Wind's Maryland offshore wind lease area, MARWIN, of the Maryland Wind Energy Area (MDWEA) and in a control region immediately south and adjacent to the project area. The project will test deploying trawls with variable pot spacing adjacent to a turbine structure (using a surface buoy as a surrogate) and begin to collect baseline data in the study and control areas. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On March 23, 2021, NMFS issued a SRP in support of the Northeast Fisheries Science Center's bottom longline surveys using commercial vessel research platforms during 2022. Two vessels will sample high complexity bottom habitats in the Gulf of Maine using bottom longline gear with a focus on species such as Atlantic cod, haddock, pollock, and cusk. Activities will occur in the spring and fall. For additional information, please contact Samantha Tolken at 978-675-2176 or email at Samantha.Tolken@noaa.gov.

On Friday, March 25, 2022, NMFS issued an LOA to Cornell University Cooperative Extension in support of conducting a study to assess an alternate frequency pinger to mitigate gray seal interaction in the the Northeast sink gillnet fishery. Two vessels will conduct a total of 44 trips split between spring and fall survey seasons, from April 1, 2022 through November 30, 2022, southeast of Montauk, NY. For additional information, please contact Spencer Talmage at 978-281-9232 or email at Spencer.Talmage@noaa.gov.

On March 30, 2022, NMFS issued an EFP for herring vessels to continue developing an electronic monitoring (EM) and portside sampling program in the herring fishery to fulfill the requirements of the New England Industry-Funded Monitoring (IFM) Omnibus Amendment. Under this EFP, participating vessels will use EM coupled with portside sampling in lieu of at-sea monitoring to satisfy their IFM requirements during IFM year 2022 (April 1, 2022 – March 31, 2023). Participating vessels will primarily fish with midwater trawl and purse seine gear. Information learned through this EFP will help NMFS learn how to effectively and efficiently administer an EM and portside sampling program for the herring fishery. This EFP will also help NMFS further evaluate the utility of using EM and portside sampling to satisfy other monitoring needs (*e.g.*, fishing in GCAs, and to monitor herring vessels fishing with purse seine or small-mesh bottom trawl gear). For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.