



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 4-6, 2023
Meeting of the
Mid Atlantic Fishery Management Council

March 31, 2023

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Approval of Groundfish At-Sea and Electronic Monitoring Service Providers

On Monday, March 6, 2023, National Marine Fisheries Service (NMFS) announced approval of nine monitoring service provider companies for fishing year 2023 in the *Federal Register*. Four companies are approved to provide at-sea monitoring (ASM) and electronic monitoring (EM) services. An additional five companies are approved to provide EM service only. For additional information, please contact Samantha Tolken at (978) 675-2176 or email at Samantha.Tolken@noaa.gov.

2023 Sector Proposed Rule

On Tuesday, March 16, 2023, NMFS published a proposed sector rule for fishing year 2023 (88 FR 15944) in the *Federal Register*. NMFS proposes to approve sector operations plans and contracts, grant regulatory exemptions for fishing years 2023 and 2024, and proposes Northeast multispecies allocations of annual catch entitlements to approved groundfish sectors for fishing year 2023. The comment period for the proposed rule closed on March 30, 2023. For additional information, please contact Samantha Tolken at (978) 675-2176 or email at Samantha.Tolken@noaa.gov.

Preliminary 2023 ASM Coverage Target for Northeast Groundfish Sectors

On March 16, 2023, NMFS announced its preliminary determination that sectors will be required to have human ASM on 90 percent of all trips subject to the groundfish sector monitoring program in Fishing Year 2023. The final ASM coverage target is dependent on Congress' approval of NMFS' proposed Fiscal Year 2023 spend plan. NMFS will announce the final ASM coverage target when the spend plan is final. The Atlantic States Marine Fisheries Commission will continue to reimburse 100 percent of sector ASM and electronic monitoring costs using NMFS appropriated funds or a prior NMFS grant award. NMFS will announce the Fishing Year 2023 video review rates for electronic monitoring vessels separately. For additional information, please contact Mark Grant at (978) 281-9145 or email at Mark.Grant@noaa.gov.

Fishing Year 2023 Sector Roster Enrollment Deadline

On March 16, 2023, NMFS announced that the Fishing Year 2023 sector enrollment deadline was April 3, 2023. For additional information, please contact Claire Fitz-Gerald at (978) 281-9255 or Claire.Fitz-Gerald@noaa.gov.

Scallops

Scallop Framework Adjustment 36

On April 3, 2023, NMFS filed a final rule that sets management measures for the scallop fishery for the 2023 fishing year, including the annual catch limits for the limited access and limited access general category fleets, as well as days-at-sea allocations and sea scallop access area trip allocations. This rule also changes the in-shell possession limit of scallops from a bushel conversion (1 bushel of in-shell scallops = 8 lb (3.6 kg) of scallop meats) to a weight conversion (8.33 lb (3.78 kg) of in-shell scallops = 1 lb (0.45 kg) of scallop meats). This provides more uniformity among the possession limit measurements by revising the in-shell possession limit to a widely accepted poundage conversion. The public comment period closed on March 20, 2023, and the measures will be effective on April 1, 2023. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

Herring

2023-2025 Herring Fishery Specifications

On March 23, 2023, NMFS published an interim final rule in the *Federal Register* (88 FR 17397) implementing 2023-2025 herring fishery specifications. In addition to implementing fishery specifications, this action: Removes 2,000-lb possession limits in Herring Management Area 1B and Area 3; adjusts 2023 fishery specifications to account for catch overages and carryover of unharvested catch from 2021; updates the target rebuilding date for herring; removes regulations implementing the inshore midwater trawl restricted area that were vacated by a court order; corrects typographical errors in several existing regulations; and restores regulatory requirements that were unintentionally removed from the Code of Federal Regulations. The measures in this rule were effective upon publication. The 30-day comment period closes on April 24, 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

None at this time.

Skate

None at this time.

Mid-Atlantic Council Actions

Spiny Dogfish

2023 Specifications

On March 9, 2023, NMFS published proposed catch specifications in the *Federal Register* (88 FR 14590) for the 2023 Atlantic spiny dogfish fishery, based on the most recent scientific information and as recommended by the Mid-Atlantic and New England Fishery Management Councils. These specifications would decrease the acceptable biological catch by 55 percent from fishing year 2022, based on recent declining trends in stock biomass and productivity. The resulting recommended coast-wide commercial quota is 12 million lb (5,449 mt), which is a 59-percent decrease from 2022. This action makes no changes to other management measures, such as trip limits. The public comment period closed on March 24, 2023, and the final rule is expected to be effective for the May 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.

Summer Flounder, Scup, and Black Sea Bass

2023 Summer Flounder, Scup, and Black Sea Bass Recreational Management Measures

On March 29, 2023, NMFS filed a proposed rule for 2023 summer flounder, scup, and black sea bass recreational management measures. This action proposes 2023 recreational management measures for the summer flounder, scup, and black sea bass fisheries based on the recently approved Percent Change Approach. For summer flounder and black sea bass, NMFS is proposing conservation equivalency and are proposing to waive the Federal recreational management measures. For scup, NMFS is proposing adjustments to Federal recreational management measures. The public comment period closes on April 14, 2023. For additional information, please contact Emily Keiley at (978) 281-9116 or email at Emily.Keiley@noaa.gov.

Recreational Harvest Control Rule

On March 9, 2023, NMFS published a final rule implementing the Recreational Harvest Control Rule. The rule established a new process (called the Percent Change Approach) to set recreational management measures (bag, size, and season limits) for summer flounder, scup, black sea bass, and bluefish. The new process allows managers to consider two factors: 1) biomass compared to the target, and 2) estimated recent recreational harvest compared to future harvest limits, to determine if management measures need to change and, if so, by how much. The rule also implemented changes to the recreational accountability measures. The measures in this rule were effective upon publication. For additional information, please contact Emily Keiley at (978) 281-9116 or email at Emily.Keiley@noaa.gov.

Surfclam and Ocean Quahog

None at this time.

Atlantic Bluefish

None at this time.

Quota Transfers

None at this time.

Mackerel, Squid, and Butterfish

None at this time.

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 February 8, 2023, the NOAA Northeast Fisheries Science Center submitted an application for an Exempted Fishing Permit (EFP) renewal to test on-demand fishing technology and gear marking systems in trap/pot and gillnet fisheries under a range of conditions. Research trips would take place from July 2023 to July 2024. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On March 3, 2023, Monmouth University submitted an application for a Letter of Acknowledgement (LOA) to gain baseline information on the spatial/temporal habitat use, movements, residency patterns, and relative abundances of federally protected, prohibited, and commercially and recreationally important species within offshore wind lease and cable landing areas within New Jersey and New York. Research trips would take place from May 2023 to April 2024. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On March 14, 2023, Woods Hole Oceanographic Institution (WHOI) submitted an application for an LOA in support of a midwater trawl survey that will be conducted as part of the ongoing Northeastern U.S. Shelf Long-Term Ecological Research project. WHOI will conduct two research surveys during April - August, 2023, in Southern New England. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

On March 15, 2023, the Maine Department of Marine Resources submitted an application for an EFP to test novel and emerging technologies, including low-cost retrieval and acoustic subsea location systems, within commercial fixed gear fisheries. Research trips would take place from June 2023 to September 2024. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Research Permits and Acknowledgments – Application Review Completed

On February 10, 2023, NMFS issued an extension LOA previously issued to the Cornell University Cooperative Extension in support of a study to assess an alternate frequency pinger to mitigate gray seal interaction in the the Northeast sink gillnet fishery. The LOA previously expired on November 30, 2022, but was extended through December 31, 2023. For additional information, please contact Spencer Talmage at 978-281-9232 or email at Spencer.Talmage@noaa.gov.

On February 13, 2023, NMFS issued a Scientific Research Permit (SRP) in support of the Northeast Fisheries Science Center's bottom longline surveys using commercial vessel research platforms during 2023. 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.

Status Report of Greater Atlantic Region Regulatory Actions

On February 13, 2023, NMFS issued an LOA to the Virginia Institute of Marine Science to conduct nearshore trawl surveys in Southern New England and the Mid-Atlantic in support of single and multispecies stock assessments. Research trips will take place from April to November, 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On March 2, 2023, NMFS issued a renewal of an Exempted Fishing Permit (EFP) originally issued to the Northeast Sector Services Network in support of an exploratory fishing project with 6-inch mesh gillnets in the Gulf of Maine (GOM). The EFP is intended to determine whether this exemption would provide greater opportunity to harvest GOM haddock. All trips taken under the EFP are required to be observed. The EFP expires on May 31, 2023. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

On March 3, 2023, NMFS issued an EFP to Integrity Fishing Corporation and Northeast Sector Service Network, Inc., which allows one sector vessel participating in the maximized retention electronic monitoring (MREM) program additional exemptions to conduct exploratory fishing using codends with 4.5-inch square mesh in the former 2015-2019 Redfish Exemption Area, and 5.5-inch square mesh in the Gulf of Maine and Georges Bank. For additional information, please contact Samantha Tolken at 978-675-2176 or email at Samantha.Tolken@noaa.gov.

On March 3, 2023, NMFS issued a SRP in support of Northeast Fisheries Science Center activities to be conducted on board Center-controlled research vessels during 2023. 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 6, 2023, NMFS issued an LOA to Rutgers University to survey surfclams as part of a resource survey within and around wind lease areas in the mid-Atlantic. Research trips will take place from April to October 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On March 13, 2023, NMFS issued an LOA to the Delaware Division of Fish and Wildlife to collect abundance and life history information on structure-oriented fish in the Delaware Bay and Atlantic Ocean off the coast of Delaware. Research trips will take place from April to December 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On March 13, 2023, NMFS issued an LOA to the Coonamessett Farm Foundation to conduct a 24-hour sonar survey in the Rose and Crown Exemption area of the Great South Channel Habitat Management Area. The research trip will take place in March or April, 2023. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.