



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 June 6-8, 2023
Meeting of the
Mid Atlantic Fishery Management Council

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Framework 65

On May 31, 2023, National Marine Fisheries Service (NMFS) published a proposed rule in the *Federal Register* (88 FR 34810) to solicit comments on Framework Adjustment 65 to the Northeast Multispecies Fishery Management Plan (FMP). This action would revise the rebuilding plan for Gulf of Maine (GOM) cod, set catch limits for 16 of the 20 multispecies (groundfish) stocks, and make a temporary modification to the accountability measures for Georges Bank (GB) cod. The comment period closes on June 15, 2023. For additional information, please contact Liz Sullivan at (978) 282-8493 or email at Liz.Sullivan@noaa.gov.

2023 Sector Final Rule

On Monday, May 1, 2023, NMFS published a sector rule for fishing year 2023 in the *Federal Register* (88 FR 26502). This final rule approves 15 sector operations plans and contracts, including 18 regulatory exemptions, for fishing years 2023 and 2024 and allocates Northeast multispecies annual catch entitlements to approved groundfish sectors for fishing year 2023; this includes default specifications for nine stocks. For additional information, please contact Samantha Tolken at (978) 675-2176 or email at Samantha.Tolken@noaa.gov.

2023 Recreational Proposed Rule

On April 18, 2023, NMFS published a proposed rule for fishing year 2023 recreational measures for GB cod and GOM cod and haddock in the *Federal Register*. We proposed implementing Council-recommended measures for GB and GOM cod and mode-based measures for GOM haddock (15 fish at 18 inches for-hire, 10 fish at 17 inches private). The comment period for the proposed rule closed on May 3, 2023. For additional information, please contact Kyle Molton at (978) 281-9236 or email at Kyle.Molton@noaa.gov.

Scallops

Scallop Framework Adjustment 36

On April 3, 2023, NMFS published 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 (DAS) 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 were 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 Herring Management Area 3 Possession Limit Adjustment

On May 11, 2023, NMFS filed a temporary rule in the *Federal Register* (88 FR 31193) implementing a 2,000-lb possession limit in Herring Management Area 3, effective May 14, 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

Framework Adjustment 13

On April 26, 2023, NMFS published a proposed rule for Framework Adjustment 13 to the Monkfish FMP (88 FR 25351). The rule proposed specifications for fishing years 2023 through 2025, adjustments to the annual DAS allocation, and on May 1, 2026, an increase in the minimum gillnet mesh size for monkfish vessels. The comment period for this action closed on May 11, 2023. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

Atlantic Deep-Sea Red Crab

None at this time.

Skate

None at this time.

Mid-Atlantic Council Actions

Spiny Dogfish

2023 Specifications

On May 3, 2023, NMFS published final catch specifications in the *Federal Register* (88 FR 27709) 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 reduced 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. This final rule filed in the *Federal Register* and was effective on May 1, 2023, for the 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 30, 2023, NMFS published 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 closed on April 14, 2023, and the final rule is in development. For additional information, please contact Mark Grant at (978) 281-9145 or email at Mark.Grant@noaa.gov.

Amendment 23 Black Sea Bass Commercial State Allocation

On May 4, 2023, NMFS published a Notice of Availability for Amendment 23. Amendment 23 proposes to establish commercial state-by-state allocations for black sea bass in the Federal fishery management plan and regulations, change the trigger for the inseason closure accountability measures, and change the state-override payback. Amendment 23 is intended to address the allocation-related impacts of the significant changes in the distribution of black sea bass that have occurred since the original allocations were implemented. On May 15, 2023, NMFS published a proposed rule for implementation of Amendment 23. Comments on the Notice of Availability must be received by July 3, 2023, and comments on the proposed rule must be received by June 14, 2023. The decision date is August 2, 2023. For additional information, please contact Mark Grant at (978) 281-9145 or email at Mark.Grant@noaa.gov.

Surfclam and Ocean Quahog

Vessel Reporting Proposed Rule

On April 5, 2023, NMFS published a proposed rule to revise and update the vessel reporting regulations for the surfclam and ocean quahog fishery. These proposed changes would eliminate the separate clam logbook regulations and integrate the required ITQ reporting elements into the regular commercial VTR regulations. This will simplify the regulations while having

minimal impact on the fishery. The comment period closed on May 5, 2023, and a final rule is under development. For additional information, please contact Douglas Potts at (978) 281-9341 or Douglas.Potts@noaa.gov.

Atlantic Bluefish

None at this time.

Quota Transfers

On April 11, 2023, NMFS published a notice (87 FR 74021) of a summer flounder quota transfer from the State of Maryland to the State of New Jersey. Maryland transferred 1,105 lb of summer flounder commercial quota to New Jersey through mutual agreement of the states. This transfer was 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

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 April 6, 2023, the Commercial Fisheries Research Foundation submitted an application for an Exempted Fishing Permit (EFP) renewal to conduct ventless trap surveys to provide distribution, abundance, and biological data on juvenile lobsters and Jonah crabs from times and areas with low coverage from traditional surveys. Research trips would take place from July 2023 to June 2024. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On May 16, 2023, Shoals Marine Lab submitted an application for an Exempted Educational Activity Authorization (EEAA) in support of undergraduate coursework to be conducted during June - September, 2023. Shoals Marine Lab is a seasonal field station dedicated to education in the marine sciences on Appledore Island, Maine, and is operated jointly by the University of New Hampshire (UNH) and Cornell University. Under this EEAA, three Cornell University research vessels would conduct fishing activities in order for students to collect biological specimens and other data. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

On May 19, 2023, NMFS published a notice in the *Federal Register* (88 FR 32201) soliciting comments on EFPs, which may be issued in support of the 2023-2024 Monkfish Research Set-Aside (RSA) Program. The EFPs would exempt vessels from the monkfish DAS landing limit restriction while fishing on RSA DAS. The comment period is open through June 5, 2023. 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 April 18, 2023, NMFS issued a Scientific Letter of Acknowledgement (LOA) to Woods Hole Oceanographic Institution (WHOI) 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 April 27, 2023, NMFS issued a Temporary Possession LOA to Cornell Cooperative Extension (CCE) in support of a project to test the use of turtle excluder devices (TED) in the

longfin squid fishery. CCE will contract with one commercial fishing vessel to complete this research during May 10, 2023 - November 1, 2023. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

On May 1, 2023, NMFS issued an LOA to CCE in support of continued trawl surveys in the South Fork Wind Farm area. The survey will operate for five days each season between May 5, 2023 – May 4, 2024. For additional information, please contact Samantha Tolken at (978) 675-2176 or email at Samantha.Tolken@noaa.gov.

On May 8, 2023, NMFS issued an LOA to the Commercial Fisheries Research Foundation in support of fish pot surveys to collect construction and post-construction data in the South Fork Wind lease area, with a focus on structure-associated species. Research trips will take place between June 1 - December 31, 2023. For additional information, please contact Laura Deighan at (978) 281- 9184 or Laura.Deighan@noaa.gov.

On May 24, 2023, NMFS issued an LOA to the UNH in support of surveys to assess the state of the kelp forest ecosystem on Ammen Rock, Cashes Ledge, and to document changes in kelp, benthic invertebrate, and demersal fish populations. For additional information, please contact Samantha Tolken at (978) 675-2176 or email at Samantha.Tolken@noaa.gov.

On May 31, 2023, NMFS issued an LOA to Maine Department of Marine Resources (DMR) in support of a halibut tagging study. Three research trips will take place in the Gulf of Maine between June 1 - August 31, 2023. For additional information, please contact Peter Christopher at (978) 281-9288 or email at Peter.Christopher@noaa.gov.