



New England  
Fishery Management  
Council



**MID-ATLANTIC**  
FISHERY MANAGEMENT COUNCIL

# Framework Action to Reduce Sturgeon Bycatch in Dogfish and Monkfish Fisheries

*Joint Action of the MAFMC and NEFMC*

Framework Meeting #1

June 7, 2023



Monkfish



Spiny Dogfish

# Council Meeting Outline and Objectives

## Review:

- Action Background
- Draft alternatives developed by FMAT/PDT
- AP meeting feedback (5/16)
- Joint committee recommendations to the Councils
- Staff Recommendation

## Objectives:

- Approve range of alternatives to be considered for reducing bycatch of Atlantic sturgeon in the monkfish and spiny dogfish gillnet fisheries
- Discuss next steps

# Action Timeline

- April – FMAT/PDT Meeting(s) (4/21) to begin development of range of alternatives, data needs
- May – AP and Committee Meetings to recommend range of alternatives
  - Joint meetings of the spiny dogfish and monkfish APs/Ctes
- June – Framework Meeting #1 for both Councils: **approve range of alternatives** (can be refined before final action but no new categories/major changes)
- June-October – Staff and PDT/FMAT analyze alternatives and impacts, develop final action document
  - August – Presentation at ASMFC summer meeting on alternatives
  - If Councils do not agree on alt. range in June, AP/Cte meetings will be needed in July/August/September
- October – AP and Committee meetings to recommend preferred alternative(s)
- December – Final Action for both Councils
- 2024 – rulemaking/implementation

# Background

- 2021 Biological Opinion – Atlantic sturgeon bycatch must be reduced in Federal large mesh gillnet fisheries by 2024 ( $\geq 7''$ )
- Atlantic Sturgeon Bycatch Working Group – formed and produced an action plan that recommended a Council process be used to meet needed reduction

## Potential measures recommended in plan:

- Modifications to gear
  - Reductions in soak time
  - Focused time/area measures (plan identified hotspot areas)
- Councils agreed to joint dogfish and monkfish action given those fisheries' contribution to bycatch and their joint management

# Hotspots: Sturgeon Bycatch

Figure 1. Atlantic sturgeon bycatch in the gillnet fishery within the Gulf of Maine and Southern New England statistical areas based on observer data from 2015-2020 and presented in the action plan. Circles indicate areas of sturgeon bycatch hotspots.

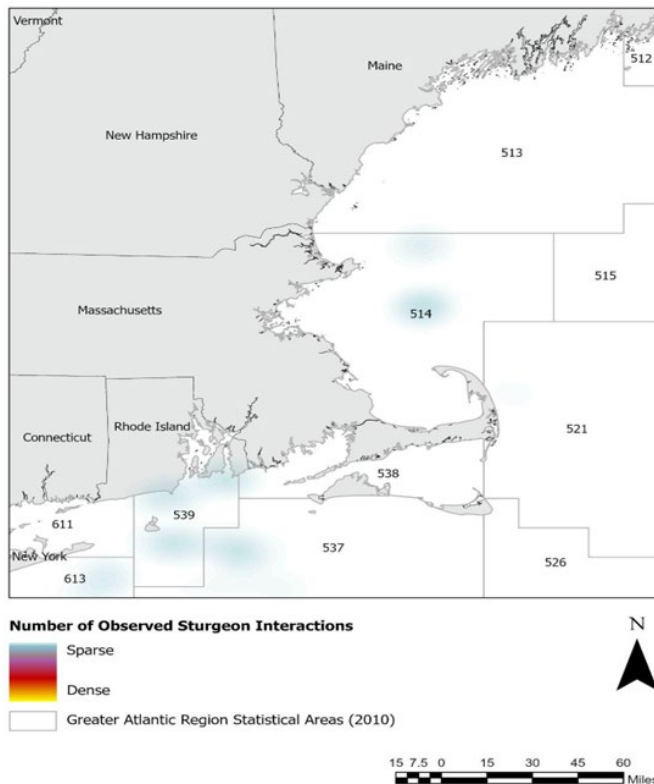
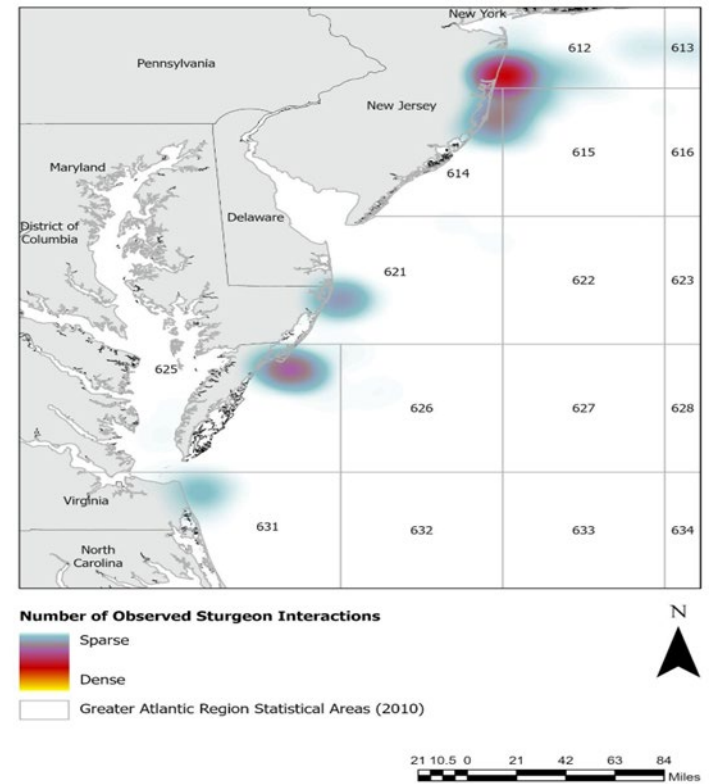


Figure 2. Atlantic sturgeon bycatch in the gillnet fishery from statistical areas off New Jersey to Virginia based on observer data from 2015-2020 and presented in the action plan. Circles indicate areas of sturgeon bycatch hotspots.



# Low-profile Gillnet Gear

- Low-profile gillnet gear in the monkfish fishery has been shown to reduce sturgeon bycatch in the New Jersey region
- Low-profile gear specifications based on research by Fox et al. (2012 and 2019) and He and Jones (2013) in NJ:
  - Mesh size ranging from 12 to 13 inches,
  - Net height ranging from 6 to 8 meshes tall,
  - Tie-down length of 24 inches,
  - Tie-down spacing of 12 feet, and
  - Primary hanging ratio of 0.50.
- Not tested in spiny dogfish fishery or monkfish in New England yet



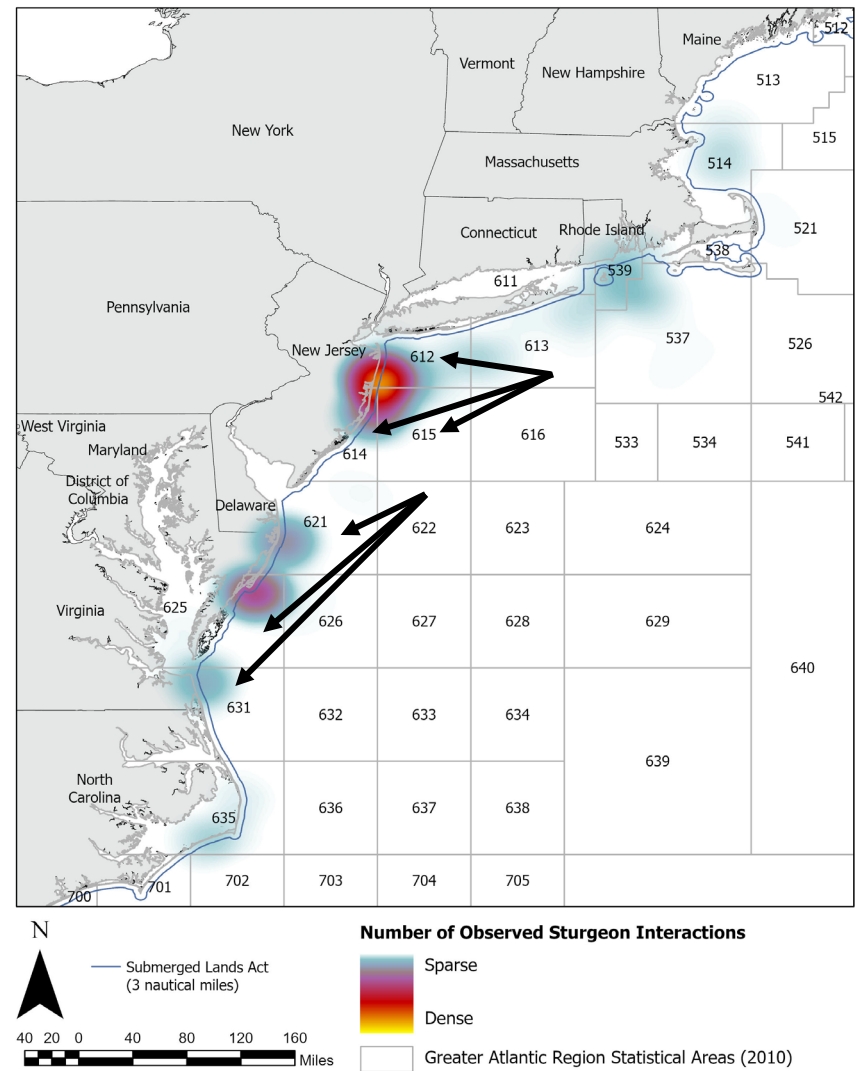
# Action Objectives

- Develop measures that minimize impacts to Atlantic Sturgeon in the monkfish and spiny dogfish gillnet fisheries in federal waters.
- Measures must involve only a minor change that do not alter the basic design, location, scope, duration, or timing of the federal large mesh gillnet fisheries ( $\geq 7''$ ) considered in the Biological Opinion.

# PDT/FMAT Draft Alternatives: Measures By Stat. Area (in federal waters)

NMFS Statistical  
areas w/ hotspots:

- *SNE*: 539
- *NJ*: 612, 615, 614
- *DE/MD/VA*:  
621, 625, 631







# FMAT/PDT Draft Alternatives: Monkfish (Action 1)

- Alternative 1 - No Action/Status Quo
- Alternative 2 - Time-of-Year and/or Area Restrictions

## ***New Jersey (stat areas 612, 614, 615)***

- Option A - Low-profile gillnet gear in federal waters off New Jersey in December
- Option B - Low-profile gillnet gear in federal waters off New Jersey in May
- Option C - Low-profile gillnet gear in federal waters off New Jersey year-round
- Option D - Maximum of 48-hour soak time in federal waters off New Jersey in May

## ***Southern New England (stat area 539)***

- Option E - Maximum of 48-hour soak time in federal waters off Southern New England in May
- Option F - Maximum of 48-hour soak time in federal waters off Southern New England in June

***Note: Multiple options can be selected within each alternative (i.e., not mutually exclusive).***

# Monthly Trends in Bycatch: Monkfish

- Sturgeon takes by month and stat area in hotspots
- **SNE:** May and June
- **NJ:** May and December

<i>Monkfish Primary Target</i>				
Month	SNE	NJ hotspot		
	539	612	614	615
1	0%	16%	0%	21%
2	0%	3%	0%	5%
3	0%	0%	0%	0%
4	0%	0%	0%	6%
5	26%	10%	0%	35%
6	53%	3%	0%	2%
7	0%	0%	0%	0%
8	0%	0%	0%	0%
10	0%	0%	0%	0%
11	16%	0%	0%	2%
12	5%	69%	100%	30%

*Source:* Observer data from 2015 – 2022, accessed April 2023.

(Table 4 in the appendix)

# FMAT/PDT Draft Alternatives: Spiny Dogfish (Action 2)

- Alternative 1 - No Action/Status Quo
- Alternative 2 - Time-of-Year and/or Area Restrictions

## ***New Jersey – federal waters (stat areas 612, 614, 615)***

- Option A - Soak time restrictions from November 1 - December 31
- Option B - Soak time restrictions in April

## ***Delaware, Maryland, Virginia – federal waters (stat areas 621, 625, and 631)***

- Option C - Soak time restrictions from December 1 – January 31
- Option D - Soak time restrictions in March

### **Two sub-options under each option A-D (*select one*):**

- Sub-option 1 – No overnight soaks allowed
- Sub-option 2 – Maximum of 24-hour soak time

***Note: Multiple options can be selected within each alternative (i.e., not mutually exclusive).***

# Monthly Trends in Bycatch: Dogfish

- Sturgeon takes by month & stat area in hotspots
- **NJ:** April, November, and December
- **DE/MD/VA:** December, January, and March

<i>Spiny Dogfish Primary Target</i>						
Month	NJ hotspot			DE/MD/VA hotspot		
	612	614	615	621	625	631
1	0%	0%	17%	2%	33%	23%
2	0%	0%	0%	0%	4%	13%
3	0%	0%	0%	7%	19%	29%
4	46%	3%	0%	15%	5%	6%
5	11%	0%	0%	0%	0%	0%
10	5%	10%	17%	9%	0%	0%
11	35%	80%	17%	30%	8%	8%
12	4%	7%	50%	37%	30%	21%

*Source:* Observer data from 2015 – 2022, accessed April 2023.

(Table 5 in the appendix)

# Input from Joint AP re-Monkfish (11 advisors)

**New Jersey:** measures apply inshore within 3-6 miles in statistical area 612, 614, 615 in the spring given sturgeon are more nearshore (i.e., change Options B and D to apply more inshore vs stat areas)

- Prefer no measures on low-profile gillnet gear – focus on shorter closure or soak time of 48 – 72 hours, with a preference for 72 hours
- Do not prefer measures by stat areas given they're too large

**Southern New England:** Delete options for SNE (Options E and F) given the low interactions (not a hotspot relative to further south)

## **Overarching comments:**

- Need better data and science regarding sturgeon and monkfish assessments and state vs. federal sturgeon interactions
- Generally thought the interactions were a state issue vs federal
- Overall decline in gillnet effort so expect a decline in sturgeon interactions

# Input from Joint AP re-Dogfish (8 advisors)

**New Jersey:** No overnight soak times (sub-option 1) seemed reasonable for some fishermen given most are day-fishing (i.e., would apply to Options A and B)

**Delaware/Maryland/Virginia:** preference for 48 – 72-hour soak time (i.e., new options for 48 and 72-hour soak duration); not viable to have no overnight soak time restrictions for this area

## **Overarching comments/questions:**

- Consider smaller areas than by stat area for spring for NJ (Option B) and Delmarva (Option D) - potentially 3-6 miles or 3-9 miles from shore
- Unclear if measures apply to only  $\geq 7''$  mesh or if measures are being considered for smaller mesh
- Need better data and science regarding sturgeon assessments and state vs. federal sturgeon interactions
- Overall decline in gillnet effort and dogfish quotas so expect a decline in sturgeon interactions

# Joint Dogfish and Monkfish Committee Discussion

- Agency was asked to clarify if action needs to address measures for gillnet mesh smaller than 7 inches.
  - GARFO staff - based on the 2021 Biological Opinion (BiOp) definition of 'large mesh' there is not a requirement to reduce bycatch in mesh < 7 inches, but there are interactions in smaller mesh in dogfish fishery.
  - Mismatch between BiOp focusing on large mesh defined  $\geq 7''$  mesh and action plan focusing on all sturgeon bycatch in gillnet fishery, including in dogfish fishery < 7''

# Committee Discussion

- Helpful to see observer data by mesh size and state versus federal waters
- SNE area: less dense interactions than the other spots, need to include?
  - GARFO – evaluating bycatch reduction overall, so if major hotspots such as NJ are addressed, may be reasonable to not include SNE
- Federal permit holders held to federal measures, even in state waters
- Concerns over low-profile gear comments from advisors



# Committee Discussion: Dogfish

- Dogfish generally uses 5 to 6-inch mesh, full range of mesh sizes for the dogfish fishery would need to be included to address sturgeon bycatch
  - If measures were only applied to mesh sizes  $\geq 7''$ , the measures would likely not apply to the dogfish fishery, particularly in the southern hotspots
- Why is dogfish under consideration given BiOp definition of large mesh?
  - GARFO - reiterated that the BiOp requires addressing the large mesh gillnet fishery (7 inches or greater) thus the committee does not need to consider smaller mesh
  - Councils have the discretion on whether to include smaller mesh sizes
- Concern that down the line, not addressing bycatch in the dogfish fishery may backfire if there is a decision from NMFS that not enough was done

# Committee Recommendations

**Dogfish Consensus statement #1:** The FMAT/PDT develop and analyze alternatives for dogfish under two options: 1) apply to mesh size 7- inch or greater only and 2) apply to mesh 5-inch and greater (to the extent possible separating out by mesh size category).

*Rationale:* Measures <7" not required per BiOp but would reduce sturgeon bycatch in dogfish fishery; Councils have discretion whether to include smaller mesh

# Committee Recommendations

**Dogfish Consensus statement #2:** Include in the range of alternatives for dogfish for area-based measures (NJ hotspot statistical areas and DE/MD/VA statistical areas) three options:

- 1) by statistical area group,
- 2) by 10-minute square (as distance from shore, e.g., approximating 0-6 or 0-9 mile (sub-options)), and
- 3) straight line that approximates shoreline at (e.g., 6 or 9 miles from shore (sub-options)).

*Rationale:* Interest in encompassing sturgeon hotspots to include state & federal waters, intent for ASMFC to implement complementary plan

# Committee Recommendations

## **Dogfish Consensus Statement #3:**

- Add options for dogfish for soak time limits for 48 hours and 72 hours.

## **Dogfish Consensus Statement #4:**

- Add alternatives for dogfish for time-area closures in one-week intervals up to four weeks for each of the three area-based options listed in Consensus Statement #2.

# Committee Recommendations

## **Monkfish Consensus Statement #5:**

- Include in the range of alternatives for monkfish for area-based measures (NJ hotspot statistical areas and SNE hotspot statistical area) three options:

- 1) by statistical area group,
- 2) by 10-minute square (as distance from shore, e.g., approximating 0-6 or 0-9 mile (sub-options)), and
- 3) straight line that approximates shoreline at (e.g., 6 or 9 miles from shore (sub-options)).

*Rationale:* Goal of encompassing hotspots.

# Committee Recommendations

**Monkfish Consensus Statement #6:** Add options for monkfish for soak time limits for 72 hours.

**Monkfish Consensus Statement #7:** Add alternatives for monkfish for time-area closures in one-week intervals up to four weeks for each of the three area-based options listed in CS 5

## **Joint Monkfish & Dogfish Consensus Statement #8:**

- Recommend to the Councils that the Enforcement Committee(s) provide input on draft alternatives, specifically using soak time limits for managing gillnet fisheries and use of more refined areas beyond statistical area for time-area alternatives.

# Enforcement Feedback – after AP/Committee Mtg

- Staff reached out to Coast Guard and OLE representatives from both Councils for feedback on the enforceability of several of the options
- Coast Guard:
  - Soak times not feasible without something like electronic monitoring
  - Enforcement areas: if there are distinct coordinates, can enforce
  - If implement closures and only have short periods to fish → can lead to safety issues going out in worse conditions
  - Need to be clear which mesh sizes restrictions should be applied to

# Enforcement Feedback cont.

## Office of Law Enforcement:

- Soak time most likely unenforceable, especially in fisheries with limited VMS use
  - Could have soak time restriction for daylight hours only (e.g., sunrise to sunset only provision in specific location, time)
  - Problematic in monkfish fishery given longer soak time use further from shore
- A single polygon with straight lines would be preferable to areas drawn by 10-minute squares.
  - Would likely require multiple conjoined 10-min squares & harder to enforce than straight line approximating shoreline



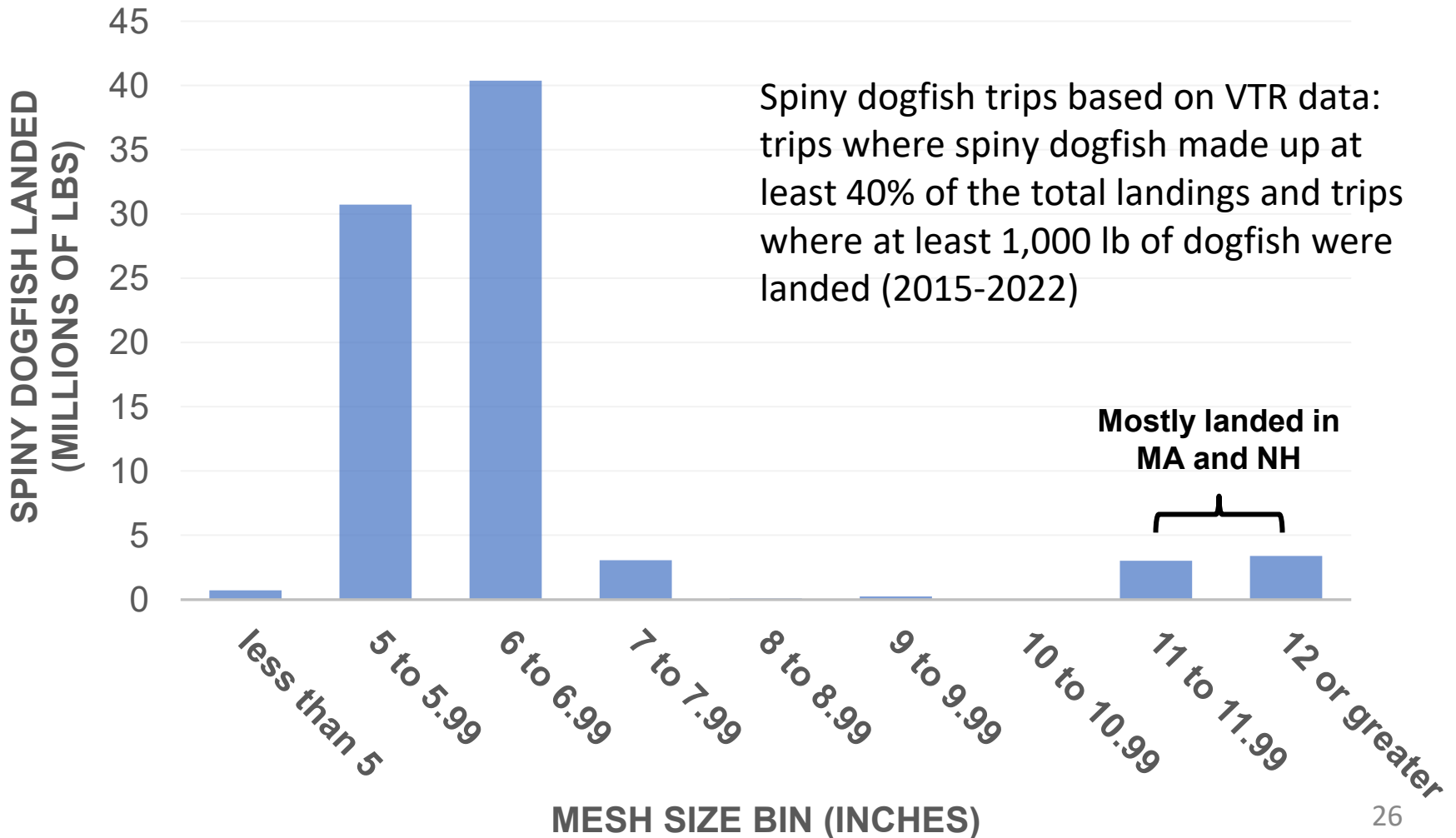
# Dogfish Mesh Sizes Used

- Based on observer data summed over 2015-2022, 98% of the sturgeon takes in trips listing spiny dogfish as a targeted species occurred on hauls with mesh sizes <7”

Year	Mesh Size (inches)	
	≥5 to <7	≥7
2015	45	0
2016	70	5
2017	23	0
2018	57	0
2019	66	0
2020	7	0
2021	5	0
2022	26	0
<b>Total</b>	<b>299</b>	<b>5</b>

Source: Observer data, accessed May 2023.

# Dogfish Mesh Sizes Used



# Staff Recommendations

- Narrow range of alternatives to be analyzed by FMAT/PDT given the action timeline
  - Recommend removal:
    - 24, 48, and 72-hour soak time alternatives
    - 10-min square method of surrounding hotspot areas (straight line approximating shoreline identified as preferred option for smaller boxes)
  - Either remove dogfish from the framework action or apply dogfish alternatives to mesh sizes  $\geq 5$ 
    - Dogfish fishery mainly operates at mesh sizes not included in the prescribed ESA BiOp requirement

# Staff Recommendations

- If dogfish is removed, Councils could still address sturgeon bycatch in this fishery in the future
  - Allow for further research (e.g., use of EFPs to test low profile nets and data loggers to enforce soak times).
  - Allow for clarity on impacts of ALWTRT proposed rule
- Staff recommend inviting OLE and Coast Guard expertise to FMAT/PDT meeting as alternatives are analyzed
  - This would replace Cmte rec. of joint NEFMC MAFMC Law Enforcement Committee Meeting
  - Already received answers to many of the Cmte questions

# Decision Points



- Approve range of alternatives
  - Include dogfish in action?
  - Remove soak time and 10-minute square alternatives based on enforcement feedback (staff rec)?

## Next steps:

- NEFMC Council Meeting June 27-29: approve range of alternatives
- Law Enforcement joint Cmte mtg or invite enforcement to FMAT/PDT mtg

# Range of Alternatives: staff rec. dogfish

*Removed soak times 24 hrs or greater, removed 10-minute square area method*

## **Restriction options to be applied to selected time and area options**

1. Soak time restrictions
  - a. No overnight soaks
- a. Closures

## **Area options**

1. Statistical area groups
  - a. NJ hotspot: 612, 614, and 615
  - b. DE/MD/VA hotspots: 621, 625, and 631
- a. Smaller areas within statistical areas identified in 1a and 1b, using straight lines that approximate the shoreline to encompass NJ, DE, MD, and VA hotspots (estimating 6-9 miles offshore)

## **Time options**

1. NJ hotspot
  - a. November 1 – December 31
  - b. April 1- 30
  - c. For closures: 1, 2, 3, or 4 week periods within timeframes in 1a and 1b
- a. DE/MD/VA hotspots
  - a. December 1 – January 31
  - b. March 1-31
  - c. For closures: 1, 2, 3, or 4 week periods within timeframes in 2a and 2b

# Range of Alternatives: staff rec. monkfish

*Removed soak times restrictions, removed 10-minute square area method*

## **Restriction options to be applied to selected time and area options**

1. Gear restrictions: low profile gillnet as defined in draft alternatives document
  - a. Only applicable to NJ hotspot
2. Closures

## **Area options**

1. Statistical area groups
  - a. Southern New England: 539
  - b. NJ hotspot: 612, 614, and 615
2. Smaller areas within statistical areas identified in 1a and 1b, using 10-minute squares to encompass hotspots (estimating 6-9 miles offshore)
3. Smaller areas within statistical areas identified in 1a and 1b, using straight lines that approximate the shoreline to encompass hotspots (estimating 6-9 miles offshore)

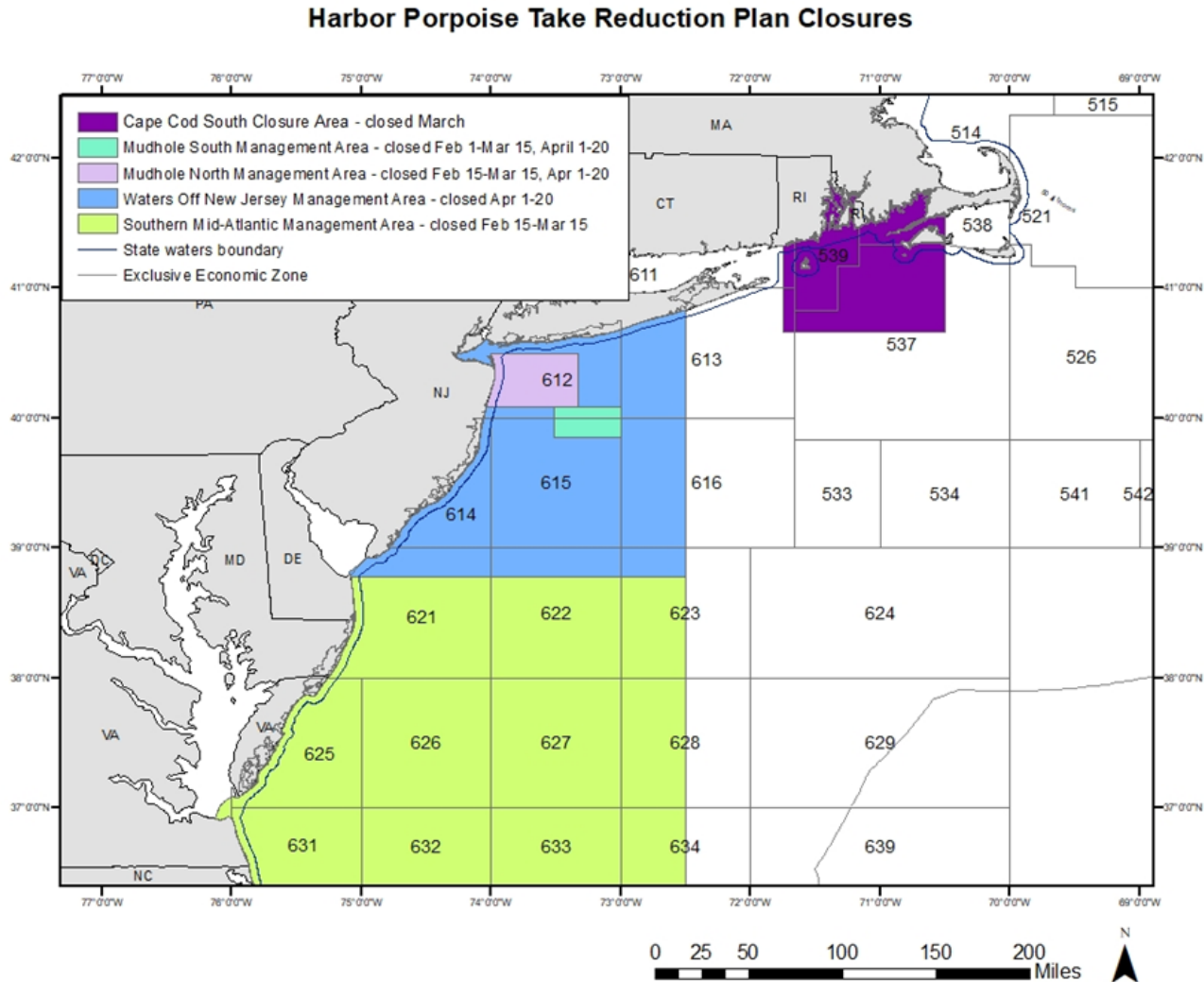
## **Time options**

1. Southern New England
  - a. May 1-31
  - b. June 1-30
  - c. For closures: 1, 2, 3, or 4 week periods within timeframes in 1a and 1b
2. NJ hotspot
  - a. December 1-31
  - b. May 1- 31
  - c. For closures: 1, 2, 3, or 4 week periods within timeframes in 2a and 2b
  - d. For low profile gear in NJ hotspot (e.g., not soak time restriction): year-round

# Backup Slides



# Harbor Porpoise Take Reduction Plan Closures



*Note:* All closures are for large-mesh ( $\geq 7$  inches) gillnet gear, except Mudhole North and Mudhole South Management Areas are also closed to small-mesh ( $>5 - <7$  inches) gillnets Feb 1-Mar 15.

# Soak Time Data: Dogfish

Month	# of Sturgeon Takes	Minimum Soak Duration (# hours)	Maximum Soak Duration (# hours)	Average Soak Duration (# hours)	# Hauls
Jan	53	0.3	72	32	18
Feb	15	0.3	48	24	10
Mar	43	0.2	78	35	19
Apr	44	1.2	192	35	18
May	7	24	48	32	3
Jun	0	0	0	0	0
Jul	0	0	0	0	0
Aug	0	0	0	0	0
Sep	0	0	0	0	0
Oct	12	0.9	48	21	7
Nov	74	0.6	57.6	16	50
Dec	71	0.4	96	30	36

Source: Observer data from 2015 – 2022, accessed April 2023.

# Soak Time Data: Monkfish

Month	# of Sturgeon Takes	Minimum Soak Duration (# hours)	Maximum Soak Duration (# hours)	Average Soak Duration (# hours)	# Hauls
Jan	39	24	264	113	31
Feb	9	48	288	126	9
Mar	3	72	288	144	3
Apr	13	24	216	92	11
May	61	24	264	69	50
Jun	21	48	168	93	18
Jul	C	C	C	C	C
Aug	5	72	120	102	5
Oct	4	72	96	84	4
Nov	17	48	120	84	16
Dec	98	24	168	69	65

Notes: 'C' indicates confidential data with < 3 hauls.

Source: Observer data from 2015 – 2022, accessed April 2023.

# Harbor Porpoise Take Reduction Plan Requirements

## Waters of New Jersey Management Area

Large Mesh Gillnet Gear (7-18 inches)	Apr 1-20	Closed (No Large Mesh Gillnets)
Large Mesh Gillnet Gear (7-18 inches)	Jan. 1-Mar. 31, Apr 21-30	Gear Modification Requirements
Small Mesh Gillnet Gear (>5 inches - <7 inches)	Jan. 1-Apr 30	Gear Modification Requirements

## Southern Mid-Atlantic Management Area

Large Mesh Gillnet Gear (7-18 inches)	Feb 15-Mar 15	Closed (No Large Mesh Gillnets)
Large Mesh Gillnet Gear (7-18 inches)	Feb 1-14, Mar 16-Apr 30	Gear Modification Requirements
Small Mesh Gillnet Gear (>5 inches - <7 inches)	Feb 1- April 30	Gear Modification Requirements

## Mudhole North Management Area

Large Mesh Gillnet Gear (7-18 inches)	Feb 15-Mar 15, Apr 1-20	Closed (No Large Mesh Gillnets)
Large Mesh Gillnet Gear (7-18 inches)	Jan. 1- Feb 14, Mar 16-31, Apr 21-30	Gear Modification Requirements
Small Mesh Gillnet Gear (>5 inches - <7 inches)	Feb 15-Mar 15	Closed (No Small Mesh Gillnets)
Small Mesh Gillnet Gear (>5 inches - <7 inches)	Jan 1-Feb 14, Mar 16-Apr 30	Gear Modification Requirements

## Mudhole South Management Area

Large Mesh Gillnet Gear (7-18 inches)	Feb 1-Mar 15, April 1-20	Closed (No Large Mesh Gillnets)
Large Mesh Gillnet Gear (7-18 inches)	Jan 1-31, Mar 16-31, April 21-30	Gear Modification Requirements
Small Mesh Gillnet Gear (>5 inches - <7 inches)	Feb 1-Mar 15	Closed (No Small Mesh Gillnets)
Small Mesh Gillnet Gear (>5 inches - <7 inches)	Jan 1-31, Mar 16-Apr 30	Gear Modification Requirements

# Harbor Porpoise Take Reduction Plan Gear Requirements

## HPTRP Large Mesh Gillnet Requirements

Management Area	Floatline	Twine Size	Tie-downs	Net Size	Nets per vessel	Nets per String
Waters off NJ	4800 ft max	Min .90mm	Required No more than 24 ft apart in floatline No more than 48 inches from floatline to lead line	300 ft max	80 max	16 panels max
Mudhole North	3900 ft max					13 panels max
Mudhole South						
S Mid Atlantic						

## HPTRP Small Mesh Gillnet Requirements

Management Area	Floatline	Twine Size	Tie-downs	Net Size	Nets per vessel	Nets per String
Waters off NJ	3000 ft max	Min .81mm	Prohibited	300 ft max	45 max	10 panels max
Mudhole N						
Mudhole S						
S Mid Atlantic	2811 ft max					7 panels max

# Mid-Atlantic Large Mesh Gillnet Restricted Area for sea turtles

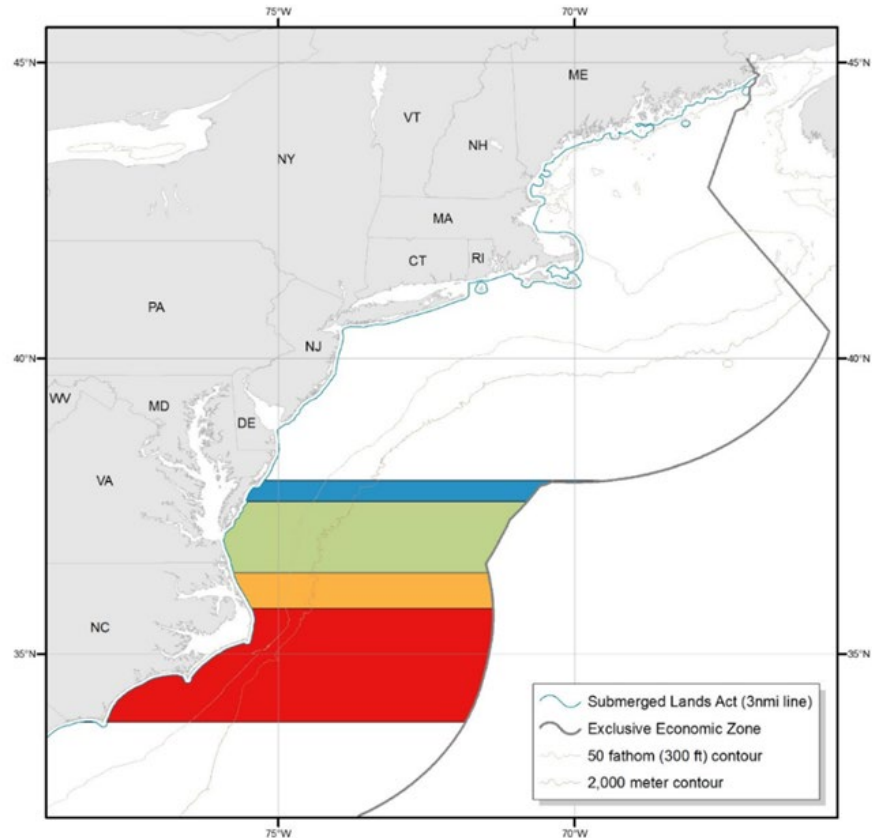
Shapefile: Large\_Mesh\_Gillnet\_Restricted\_Area.shp

Posted to Website: 5/1/2014

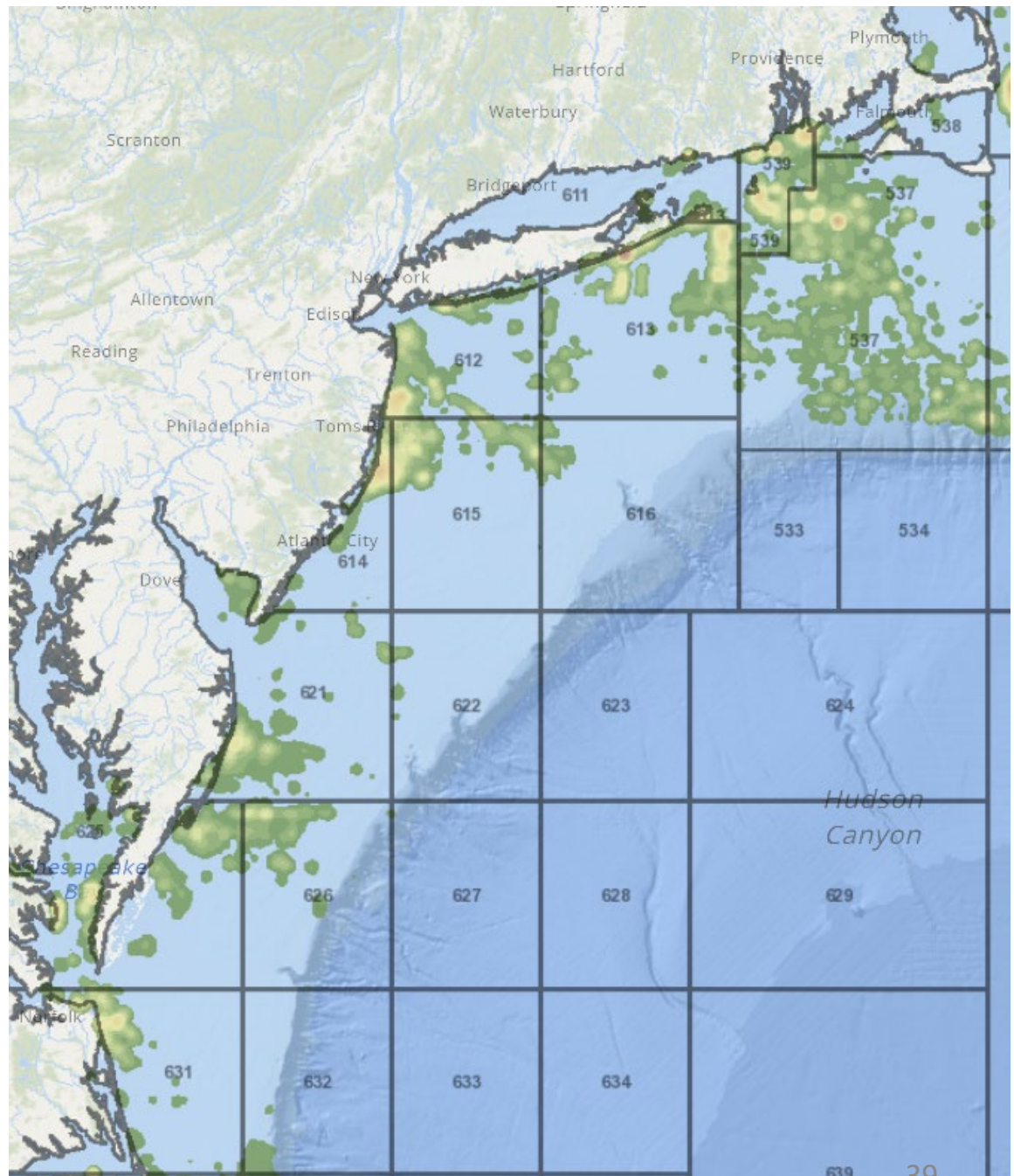
This shapefile includes the NMFS Regulated Areas in Northeast and Mid-Atlantic Waters depicted below. The dataset can be downloaded from the GARFO GIS website at <http://www.nero.noaa.gov/gis>.

Gillnets >7 inches are prohibited during the times and areas depicted.

-  Large Mesh Gillnet Restricted Waters (All Year)
-  Large Mesh Gillnet Restricted Waters (Mar 16 - Jan 14)
-  Large Mesh Gillnet Restricted Waters (Apr 1 - Jan 14)
-  Large Mesh Gillnet Restricted Waters (Apr 16 - Jan 14)



- Gillnet trips based on VTR data from 2011-2015 from the Mid-Atlantic Ocean Data Portal
- More recent VTR data or data by species were not available



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Table 1115. Number of positive sturgeon hauls per area by target species. Only includes targeted species that encountered sturgeon on 10 or more hauls.

TARGET1	513	514	521	526	537	538	539	612	613	614	615	616	621	622	625	626	631	635
BASS, STRIPED									*						29			
BLUEFISH							*	59		*	4				*			5
DOGFISH, SMOOTH								72		43	*		27					7
DOGFISH, SPINY								49		18	*		39		108		41	5
FLOUNDER, SUMMER (FLUKE)							*	13										
MONKFISH (GOOSEFISH)	*	19	*	*	22		10	66	34	5	51	*	*	*	*			9
SKATE, WINTER (BIG)			*		8		*	25		7	20		*					



<b>Number of Vessels with Sturgeon Takes in Hotspot Areas 2015-2022</b>	
New Jersey	Delaware/Maryland/Virginia
30	33

Source: Observer data, accessed May 2023

- 11 vessels had greater than 10 takes in NJ hotspot stat areas
- Breaking down by year or time of year along with area leads to confidentiality issues

# FMAT/PDT Membership

- Karson Cisneros, MAFMC
- Robin Frede, NEFMC
- Jenny Couture, NEFMC
- Spencer Talmage, GARFO SFD
- Cynthia Ferrio, GARFO SFD
- Lynn Lankshear, GARFO PRD
- Bridget St. Amand, NEFSC
- Jason Boucher, NEFSC
- James Boyle, ASMFC

Other technical expertise as needed:

- Jason Didden, MAFMC dogfish & monkfish staff
- GARFO APSD
- OLE/Coast Guard

# Paths for Action from NMFS

Table included in Action Plan to meet ESA deadline

<b>If Councils develop action under MSA</b>		<b>If NMFS develops action under ESA</b>	
January – April 2023	Council Action Development - Background Work	January – November 2023	NMFS Develops Proposed Rule*
April – September 2023	Council Action Development and Final Action	November 2023	Proposed Rule Published; 30-day public comment period
December 2023	Council Submission of Action	January – March 2024	NMFS Develops Final Rule
January – February 2024	NMFS Review and Publication of Proposed Rule	March – May 2024	NMFS publishes Final Rule and Implementation
March – May 2024	NMFS publishes Final Rule and Implementation		

# Atlantic Sturgeon Population Status

- Coastwide Atlantic sturgeon population is made up of five distinct population segments (DPSs): (1) Gulf of Maine (GOM), (2) New York Bight, (3) Chesapeake Bay, (4) Carolina and (5) South Atlantic.
- All are listed as endangered under ESA except GOM DPS which is listed as threatened
- 2017 assessment report (ASMFC):
  - Slight positive trend coastwide for Atlantic sturgeon since the 1998 moratorium with variable signs of recovery by DPS.
  - Atlantic sturgeon is depleted coastwide
- Next assessment:
  - Assessment update scheduled for 2024

# Additional Considerations

- Use of EFPs would be beneficial to better understand the effectiveness of low-profile nets in the dogfish fishery and other regions for monkfish.
- Unable to address state waters issues in this action. Complementary state plan for dogfish but not for monkfish.
- VMS data can be evaluated in the future if need be; the PDT/FMAT cautions against the reliability of these data given protected species interactions are not regularly reported on VMS and not all vessels are required to use VMS, especially in the Mid-Atlantic region.