



October 2023 Council Meeting Summary

The Mid-Atlantic Fishery Management Council met October 3-5, 2023, in New York, NY. Presentations, briefing materials, motions, and webinar recordings are available at <http://www.mafmc.org/briefing/october-2023>.

HIGHLIGHTS

During this meeting, the Council:

- Selected preferred alternatives and took final action on the Illex Vessel Hold Capacity Framework
- Approved a range of alternatives for a joint framework action being developed with the New England Council to reduce sturgeon bycatch in the monkfish and spiny dogfish gillnet fisheries
- Recommended several revisions to a draft policy and process document for Council review of Exempted Fishing Permit (EFP) applications
- Approved an updated list of risk elements to be included in a revised Ecosystem Approach to Fisheries Management (EAFM) risk assessment
- Reviewed recreational tilefish permitting and reporting in the Greater Atlantic region and discussed future efforts to improve angler awareness and compliance
- Reviewed the findings of the management track assessments for spiny dogfish and Atlantic mackerel
- Received an update on NOAA Fisheries' habitat activities in the Greater Atlantic region
- Received updates on offshore wind development in the region, including presentations from the Bureau of Ocean Energy Management and New York State Energy Research and Development Authority
- Received presentations from Northeast Fisheries Science Center (NEFSC) staff on a range of topics
- Requested that the NEFSC develop a white paper outlining an industry-based survey that is complementary to the spring and autumn Bottom Trawl Survey
- Provided input on proposed actions and deliverables for the 2024 Implementation Plan (Executive Committee)

***Illex* Vessel Hold Capacity Framework**

The Council took final action on a framework action intended to restrict future increases in capacity in the *Illex* squid fishery. After reviewing public comments and considering recommendations from the Mackerel, Squid, Butterfish Committee and Advisory Panel, the Council voted to implement a volumetric vessel hold baseline requirement and 10% upgrade restriction for all 76 *Illex* limited access permits (30 already have the requirement due to their Atlantic mackerel permits). As with the existing length and horsepower baseline restrictions, the rationale/goal for a hold baseline and upgrade restriction is to cap fishing power. If approved by NOAA Fisheries, vessels will be notified of deadlines to obtain a certification for their vessel hold volume by qualified individuals. The Council also approved requiring *Illex* and Tier 1 longfin squid vessels to provide a non-binding annual declaration of their intended processing method (at-sea freezing, refrigerated seawater, iced, etc.). This information would be considered during future evaluations of catch per unit of effort (CPUE) analyses.

Monkfish and Dogfish Joint Framework to Reduce the Bycatch of Atlantic Sturgeon

The Mid-Atlantic and New England Fishery Management Councils are developing a joint framework action to reduce interactions with sturgeon by the monkfish and spiny dogfish gillnet fisheries. During this meeting, the Mid-Atlantic Council reviewed recommendations from the Joint Monkfish and Dogfish Committee and FMAT/PDT

and approved the range of alternatives to be considered in the joint framework. The New England Council approved an identical range of alternatives the prior week at their September 2023 Meeting. The approved range of alternatives includes management measures such as time/area closures, gear modifications, and soak time restrictions, with the goal of reducing sturgeon interactions in bycatch hotspot areas. Final action for both Councils is scheduled for April 2024.

Exempted Fishing Permit Application Review Policy and Process

The Council discussed a draft policy and process document for Council review of Exempted Fishing Permit (EFP) applications for species listed as Ecosystem Components under the Unmanaged Forage Omnibus Amendment. The draft document incorporated recommendations from the Ecosystem and Ocean Planning Advisory Panel and Committee as well as staff. EFPs are issued by the NOAA Fisheries Regional Offices. Therefore, the draft document summarized the federal requirements which apply to all EFPs and included additional considerations for catch of forage species, including greater emphasis on ecosystem impacts.

The Council agreed to a few revisions to the document. They agreed to add more details on the desired contents of reports summarizing the outcome of use of an EFP. They also agreed to more clearly indicate that this document is not binding on NOAA Fisheries and does not change the federal requirements for EFPs. They also considered presenting the document as a guide to prospective EFP applicants rather than a Council policy and process document. Some Council members thought this re-framing would better communicate that the document summarizes the desired process for Council review but does not change the federal process. The Council decided to postpone adoption of a revised document until their December meeting to provide more time to finalize the preferred language.

Ecosystem Approach to Fisheries Management Risk Assessment Review

The Council reviewed and approved an updated list of risk elements to be included in a revised Ecosystem Approach to Fisheries Management (EAFM) risk assessment. The initial risk assessment was completed in 2017 and is intended to identify and prioritize ecosystem interactions and help the Council decide where to focus limited resources to address priority ecosystem considerations in its science and management programs. Over the last year, the Council's Ecosystem and Ocean Planning Committee and Advisory Panel conducted a comprehensive review of the risk assessment with the goal of producing an updated risk assessment that incorporates the latest scientific information, reflects the Council's current priorities, and can be adaptive and responsive to new and changing conditions that can support a variety of Council management needs.

The updated assessment will include 28 different risk elements that will track aspects that may threaten the Council's ability to achieve the ecological, socio-economic, and management objectives desired for Council-managed fisheries. A revised risk assessment will be completed in spring and will include the most up-to-date information and relevant indicators derived from the 2024 Mid-Atlantic State of the Ecosystem report developed by the Northeast Fisheries Science Center. The Council will review and approve the new EAFM risk assessment for use by the Council in future management documents, priorities, and decisions in April 2024.

Private Recreational Tilefish Permitting and Reporting

In August 2020, recreational permitting and reporting requirements were implemented for private tilefish anglers. During this meeting the Council received a presentation from the Greater Atlantic Regional Fisheries Office (GARFO) on the status of private recreational tilefish (golden and blueline) permitting and reporting. The [update](#) included information related to the number of permits issued, recreational trips, and landings reported since the requirements were initially implemented.

Council staff also provided an update on future outreach efforts and plans to improve compliance with and awareness of the permitting and reporting requirements. As a result of the presentation and subsequent discussion, the Council recommended that efforts to improve compliance and awareness should go beyond outreach and that staff should consider alternative approaches. The Council also recommended holding a joint meeting of the Tilefish Committee and the Law Enforcement Committee in 2024 to continue discussions and consider a possible path moving forward.

Spiny Dogfish and Atlantic Mackerel Assessments

Staff updated the Council on the spiny dogfish and Atlantic mackerel management track assessments, which were recently peer-reviewed and found to be “technically sufficient to...provide scientific advice.” In 2022 mackerel was still overfished (not overfishing) and spiny dogfish was just slightly above its biomass target (not overfishing). The Council’s SSC will evaluate these assessments to provide Acceptable Biological Catch (ABC) advice on October 30, 2023 (<https://www.mafmc.org/ssc>). The Council will consider the SSC’s mackerel advice in December 2023. The SSC’s spiny dogfish advice will be considered by the Spiny Dogfish Committee, followed by action from the Mid-Atlantic Fishery Management Council in December 2023 and then by action from the New England Fishery Management Council in January 2024 (spiny dogfish are jointly managed by the Councils).

Habitat Activities Update

Karen Greene and Sue Tuxbury, from GARFO’s Habitat and Ecosystem Services Division (HESD), updated the Council on the status of their essential fish habitat (EFH) consultation role in offshore wind development projects that are currently underway. They also highlighted several U.S. Army Corps of Engineers’ coastal storm risk management studies and port development projects proposed in the region (project links available in posted [presentation](#)). They also noted the recently approved national guidance on incorporating climate change into EFH consultations from NOAA Fisheries.

Offshore Wind Updates

Bureau of Ocean Energy Management

Ursula Howson, from the Bureau of Ocean Energy Management (BOEM), provided an update on several offshore wind energy projects in the Mid-Atlantic region. The presentation also highlighted two ongoing studies funded by BOEM. One study will analyze the potential and actual changes in surfclam, ocean quahog, and Atlantic sea scallop fishing activities as a result of offshore wind development. Another study which is taking place off Virginia will evaluate the effectiveness of nature inclusive design materials in promoting marine grown and enhancing habitat. BOEM may use the results of this study to inform future requirements regarding the materials that must be used for materials such as scour protection around turbine and offshore substation foundations or external cable armoring.

New York State Offshore Wind Master Plan 2.0: Deep Water

Morgan Brunbauer, from the New York State Energy Research and Development Authority (NYSERDA), provided an update on New York State’s “Offshore Wind Master Plan 2.0: Deepwater.” A primary goal of this initiative is to identify additional areas offshore of New York which may be suitable for wind energy development, as the existing lease areas will not allow the state to meet their current goal of 9 GW of offshore wind energy by 2035. NYSERDA staff summarized the timeline for several ongoing and potential future studies to inform this effort. NYSERDA aims to finalize these studies by the end of 2023 and make a formal request to BOEM in early 2024 to initiate the BOEM process to define new lease areas. The NYSERDA recommendations will be based on consideration of the various studies as well as input and engagement as appropriate with the offshore wind industry, federal and regional state partners, elected officials, maritime users, non-governmental organizations, other stakeholders, and the public.

Northeast Fisheries Science Center Presentations

Federal Survey Performance, Issues, and Planning for the Future

Dr. Kathryn Ford and Peter Chase provided an overview of several Northeast Fisheries Science Center (NEFSC) surveys, including the NOAA ship Henry B. Bigelow bottom trawl survey and the R/V Hugh R. Sharp Scallops Survey. They also provided an update on past survey performance, 2023 survey issues, potential future contingency plans, and future scheduling. As a result of the presentation and subsequent discussion, the Council passed a motion requesting the NEFSC to develop a white paper to be submitted to the Council by January 12, 2024, outlining an industry-based survey that is complementary to the spring and autumn Bottom Trawl Survey.

Northeast Fisheries Observer Program Update

Katherine McArdle provided an update on the Northeast Fisheries Observer Program (NEFOP). In 2023 the full Standard Bycatch Reporting Methodology (SBRM) discard analysis occurred for first time since the COVID-19 pandemic (data gap issues). For the current year, a total of 6,926 seadays are needed with a total of 5,630 seadays made available based on funding. There is an increase in seadays to the small mesh otter trawl fleet relative to the previous several years. Outreach has occurred with the fleet, and permit holder letters were sent out in August when the SBRM was rolled out. NEFOP coverage overall has been proceeding well despite the delays to the rollout of the 2023 Sea Day Schedule. The first quarter of the year did have shortfalls in the mid-Atlantic small mesh bottom trawl accomplishments (completing 65% of the tasked days). The NEFOP contract was modified in June of 2023 and resulted in an increase in observer pay – this should improve observer retention. Data review is occurring as anticipated and the NEFSC does not anticipate any delays will impact the 2024 SBRM cycle.

Cooperative Research Update

The NEFSC's Cooperative Research Branch has expanded its portfolio in recent years to address the evolving research needs of fisheries in the northeast region and has enhanced communication and coordination of cooperative research among the science and fishing communities. Dr. Anna Mercer provided an overview of the Cooperative Research Branch's portfolio, with focus on new research initiatives pertinent to the Council, including the longfin squid biological sampling program (SQUIBS), the Illex squid size monitoring program (ILXSM), research on oceanographic drivers of Illex productivity, a pilot hook and line survey, a recreational biological sampling program (RecBio), research on offshore wind impacts on fishing operations, and collaborative monitoring of scallop disease and reproduction. Dr. Mercer also shared the outcomes of the 2023 Northeast Cooperative Research Summits, which engaged over 250 fishermen and scientists in sharing, discussing, and prioritizing cooperative research in the northeast region. Planning for the 2024 Northeast Cooperative Research Summit, which will be held in New Jersey, is currently underway.

Presentation on Maternal Effects Research

Mark Wuenschel presented the results of several recent studies examining whether the potential for greater reproductive output of larger females challenges a common assumption that spawning stock biomass is an appropriate metric of population reproduction irrespective of the stock's size structure. Maternal effects may take the form of larger females producing more eggs, better eggs that lead to higher survival, or expanded seasonal spawning windows. Loss of larger fish thus has the potential to create disproportional negative impacts on stock productivity. Yellowtail flounder showed maternal effects in fecundity (number of eggs) relative to fish size while summer flounder showed maternal effects in terms of extra spawning events for larger fish. Implications for management could include considering measures that maintain a diverse size and age structure. Assessments may also need to better account for the different relative reproductive value of a given spawning stock biomass if the stock structure is composed of smaller or larger fish.

Executive Committee – 2024 Implementation Plan

The Executive Committee met to discuss the 2024 Implementation Plan. The Council develops Implementation Plans each year to ensure progress toward achieving the goals and objectives of its 5-year strategic plan. First, the Committee received a progress update on the 2023 Implementation Plan. The Committee then reviewed, and recommended several revisions to, a draft list of actions and deliverables that had been developed by staff for 2024. The revised list will be used to develop a complete 2024 Implementation Plan for review by the Council in December.

Next Meeting

The next Council meeting will be held **December 12-14, 2023, in Philadelphia, PA**. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.

2024 Marine Resource Education Program Workshop – Apply Now!

The Marine Resource Education Program (MREP) is accepting applications for the next Greater Atlantic Fisheries Science and Management Workshop, to be held **February 12-16, 2024 in Falmouth, Massachusetts**.

- [APPLY HERE](#)

MREP is designed to equip fishermen with tools to engage in shaping regulatory action and to participate in collaborative science. Created by fishermen, for fishermen, this workshop will bring commercial, charter, and recreational fishermen from North Carolina to Maine together with regional scientists and managers to learn the processes, share insights, and network. The workshop is free and includes hotel lodging, meals, and travel reimbursement for accepted participants.

Space is limited, and preference will be given to applications received by November 13, 2023. The application takes approximately 5-10 minutes to complete. Accepted participants will be notified in early January 2024.

MREP Fisheries Science &
Management Workshop
February 12 – 16, 2024
Sea Crest Beach Hotel
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