



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 December 12-15, 2022
Meeting of the
Mid Atlantic Fishery Management Council

December 9, 2022

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Amendment 23 to the Northeast Multispecies Fishery Management Plan (FMP)

On December 9, 2022, NMFS published a final rule to implement Amendment 23. Amendment 23 revises the groundfish sector monitoring program. Beginning December 15, 2022, sector trips fishing exclusively west of 71 degrees 30 minutes west longitude are excluded from the human at-sea monitoring requirement. All other measures in Amendment 23 are effective January 9, 2023. The human at-sea monitoring coverage target remains 80-percent of sector trips through April 30, 2023. For additional information, please contact Mark Grant at (978) 281-9145 or email at Mark.Grant@noaa.gov.

Scallops

None at this time.

Herring

2022 New Brunswick Weir Adjustment

On October 26, 2022, National Marine Fisheries Service (NMFS) published a temporary rule (87 FR 64722) increasing the herring Area 1A sub-ACL (annual catch limit) from 1,075 mt to 2,075 mt and the ACL from 3,813 mt to 4,813 mt for the remainder of 2022. Because herring landings in the New Brunswick weir fishery were less than 3,012 mt through October 1, NMFS is required by the regulations implementing the Atlantic Herring FMP to subtract 1,000 mt from the management uncertainty buffer and to reallocate it to the herring Area 1A sub-ACL and the ACL. This adjustment is effective October 21, 2022 through December 31, 2022. For additional information, please contact Carrie Nordeen at (978) 281-9272 or email at Carrie.Nordeen@noaa.gov.

2022 Herring Management Area 1A Possession Limit Adjustment

On November 10, 2022, NMFS published a temporary rule (87 FR 67829) implementing a 2,000-lb possession limit in Herring Management Area 1A. Herring regulations require that we implement this possession limit adjustment beginning on the date the catch is projected to reach 92 percent of the Area 1A sub-ACL. If final fishery data indicate that total catch exceeded the Area 1A sub-ACL, the amount of the overage may be deducted from the Area 1A sub-ACL and ACL in fishing year 2024. This temporary rule expires on December 31, 2022. 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

None at this time.

Summer Flounder, Scup, and Black Sea Bass

2023 Summer Flounder, Scup, and Black Sea Bass Specifications

On December 6, 2022, NMFS published proposed 2023 specifications for summer flounder, scup, and black sea bass. In December 2021, the Council and Board adopted revised commercial and recreational allocations for these three species as part of the Commercial-Recreational Allocation Amendment (Amendment 22). We approved Amendment 22 on November 7, 2022, so this action would set the 2023 acceptable biological catch (ABC) limits, as well as the recreational and commercial ACL, annual catch targets (ACT), commercial quotas, and recreational harvest limits (RHL) for all three species consistent with the new allocations adopted in Amendment 22. This action also proposes an administrative change to allow the continuation of states participation in a Wave 1 fishery. The comment period closes on December 21, 2022. For additional information, please contact Laura Hansen at (978) 281-9225 or Laura.Hansen@noaa.gov.

Amendment 22

On November 17, 2022, NMFS published a final rule to implement Amendment 22 to the Summer Flounder, Scup, and Black Sea Bass FMP. This action changed the commercial and recreational sector allocations for each stock based on revised Marine Recreational Information Program data. For additional information, please contact Emily Keiley at (978) 281-9116 or email at Emily.Keiley@noaa.gov.

Surfclam and Ocean Quahog

Surfclam and Ocean Quahog Excessive Shares Amendment (Amendment 20)

NMFS formally approved Amendment 20 on November 7, 2022, and published a final rule to implement its management measures on November 23, 2022 (87 FR 71527). The Amendment 20 sets limits on the amount of quota share or annual cage tags that participants in the individual transferable quota (ITQ) fishery can hold, sets the maximum duration of multiyear specifications to match the stock assessment schedule, and updates the FMP goals and objectives. NMFS previously published a Notice of Availability (87 FR 48617; August 10, 2022) and a proposed rule (87 FR 51955; August 24, 2022) to solicit public comment on the amendment and implementing regulations. A total of three comments were received, all from representatives of the surfclam industry supporting the amendment. The new limits on quota share and annual cage tags will go into effect with the 2023 fishing year. For additional information, contact Douglas Potts at (978) 281-9341 or Douglas.Potts@noaa.gov.

2023 Surfclam and Ocean Quahog Specifications

On November 21, 2022, NMFS published a final rule to set specifications for the 2023 fishing year (87 FR 70751). The action maintains status quo harvest quotas for surfclams and ocean quahogs and continues to suspend the default surfclam minimum size limit. For additional information, contact Douglas Potts at (978) 281-9341 or Douglas.Potts@noaa.gov.

Atlantic Bluefish

2023 Specifications

On November 15, 2022, NMFS published proposed adjusted catch specifications in the Federal Register (87 FR 68434) for the 2023 bluefish fishery, based on the most recent scientific information. These proposed specifications are unchanged from those projected in a prior action, except for a reduction of 8.03 million pounds in the recreational harvest limit (RHL) to account for a recreational overage in 2021, and updated recreational discard data. The revised RHL of 14.11 million pounds would still be an increase of 1.6 percent from the 2022 RHL of 13.89 million pounds. The coastwide commercial quota would increase 21 percent, as projected, to 4.29 million pounds. There are no changes proposed to any recreational management measures, such as bag limit. The final rule for this action is expected to publish in time for the January 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.

Quota Transfers

Scup

On September 30, 2022, NMFS published a notice (87 FR 59340) to adjust the 2022 Winter II commercial quota and trip limit for the scup fishery. The initial Winter II quota for 2022 was 3,248,849 lb. The best available landings information through September 8, 2022, indicated that 4,219,494 lb remained of the 9,194,201 lb Winter I quota. Consistent with Framework 3, the full amount of unused 2022 Winter I quota was transferred to Winter II, resulting in a revised 2022 Winter II quota of 7,468,343 lb. Because the amount transferred was between 4.0 and 4.5 million lb, the Federal per trip possession limit was increased from 12,000 lb to 24,000 lb, as outlined in

the final rule that established the possession limit and quota rollover procedures for this year (86 FR 72859; December 23, 2021). The new possession limit would be effective October 1 through December 31, 2022. The possession limit will revert back to 12,000 lb at the start of the next fishing year that begins January 1, 2023. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Atlantic Mackerel, Squid, and Butterfish

Amendment 23

On October 25, 2022, NMFS published a Notice of Availability (87 FR 64430) to solicit public comment on the Secretary's formal decision whether to approve the amendment with a comment period open until December 27, 2022. On November 2, 2022, NMFS published a Proposed Rule (87 FR 66120) seeking comment on potential implementing regulations with a comment period open until January 3, 2023. Amendment 23 proposes to implement a revised Atlantic mackerel rebuilding plan and to set the 2023 Atlantic mackerel specifications. The rebuilding plan proposed in this action would prevent overfishing and rebuild the stock by 2032. The 2023 specifications proposed in this action would establish an acceptable biological catch of 8,094 mt, a commercial quota of 3,639 mt, a status quo river herring and shad catch cap of 189 mt, a new recreational possession limit of 20-fish per person, and a modified fishery closure approach. NMFS will consider any comments submitted through Regulations.gov under either document for both the approval of the amendment and the suitability of the proposed regulations. There is no need to submit the same comments twice. For additional information, please contact Carly Bari at (978) 281-9150 or Carly.Bari@noaa.gov.

Tilefish

2022-2024 Blueline Tilefish Specifications

On November 5, 2022, NMFS published a final rule (87 FR 66245) for final 2022 and 2023 and projected 2024 blueline tilefish specifications. The 2022 and 2023 specifications are status quo from 2021. For additional information please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Framework 7 to the Tilefish FMP

On November 10, 2022, NMFS published a final rule (87 FR 67830) for Framework 7 to the Tilefish FMP. This rule includes 2022-2024 specifications for the golden tilefish fishery. This action also modifies the annual specifications process, so that specifications could be set for the maximum number of years needed to be consistent with the Northeast Region Coordinating Council-approved stock assessment schedule, and changes the start date of the golden tilefish fishing year from November 1 to January 1. For additional information please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Other Actions

Paperwork Reduction Act

On September 30, 2022, NMFS published a 60-day notice (87 FR 59402) for the extension of Paperwork Reduction Act requirements regarding Atlantic Herring Amendment 5 and the New England Industry-Funded Monitoring Omnibus Amendment. Comments were accepted through November 29, 2022, and we received no comments.

NMFS will soon publish a 30-day notice for the extension of Paperwork Reduction Act requirements associated with the Atlantic herring fishery, specifically Amendment 5 and the New England Industry-Funded Monitoring Omnibus Amendment. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under Review - Open for Public Comments" or by using the search function and entering either "Atlantic Herring Amendment 5 Data Collection" or the OMB Control Number 0648-0674. For additional information, please contact Carrie Nordeen at (978) 281-9272 or email at Carrie.Nordeen@noaa.gov.

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 November 22, 2022, The Northeast Sector Services Network submitted an application for the

renewal of an Exempted Fishing Permit (EFP) originally issued on December 21, 2021 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 would be required to be observed. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

On November 23, 2022, Cornell University Cooperative Extension submitted an application for a Letter of Acknowledgement (LOA) in support of a project researching the use of turtle excluder devices (TED) in the longfin squid fishery. Research trips would take place in the Mid-Atlantic during Trimester II (May - August) in 2023. Researchers would evaluate the performance of the Type II cable TED and a novel TED designed specifically for use in the longfin squid fishery, and would compare squid catch retention between the two TEDs. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

Research Permits and Acknowledgments – Application Review Completed

On September 21, 2022, NMFS issued a Scientific Research Permit (SRP) to the NEFSC to conduct tagging of Atlantic pollock. Pollock will be captured in the Gulf of Maine using rod and reel and jigging machines and tagged with pop up satellite tags. Tagging will occur in September and October 2022. For additional information please contact Kyle Molton at (978) 281-9236 or Kyle.Molton@noaa.gov.

On September 26, 2022, NMFS issued an LOA to Virginia Institute of Marine Science to conduct black sea bass surveys in federal waters off the coast of Virginia. The letter acknowledges VIMS' efforts to collect pre-construction data in an area leased to Dominion Energy for wind development. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On October 24, 2022, NMFS issued an LOA to Rutgers University to conduct summer flounder bottom trawl surveys off the coast of New Jersey. The letter acknowledges Rutgers' efforts to collect data on how fishes associate with sand features of the New York Bight. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On October 25, 2022, NMFS issued an LOA to Coonamessett Farm Foundation (CFF) to conduct a sonar survey in the Rose and Crown area of the Great South Channel Habitat Management Area. The letter acknowledges CFF's efforts to collect information on the bathymetry, surface and subsurface sediment composition, and sediment distribution within the Rose and Crown area. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On November 3, 2022, NMFS issued an LOA to the New England Aquarium to conduct acoustic monitoring of black sea bass and tautog. The letter acknowledges the Aquarium's efforts to tag and monitor black sea bass and tautog in wind energy areas off of Massachusetts and Rhode

Island, with a focus on the Orsted lease sites on Coxes Ledge. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On November 3, 2022, NMFS issued an LOA to Virginia Institute of Marine Science to conduct whelk surveys off the coast of Virginia. The letter acknowledges VIMS' efforts to collect pre-construction data, with a focus on whelk, in the Coastal Virginia Offshore Wind site. For additional information please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

On November 9, 2022, NMFS issued an LOA to University of Massachusetts SMAST in support of video trawl surveys in the Gulf of Maine. Two 10-day long surveys will be completed towing a closed or open codend in the Western Gulf of Maine. One survey will be conducted in January 2023 and the other in May 2023. For additional information please contact Samantha Tolken at (978) 675-2176 or Samantha.Tolken@noaa.gov.