



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 11-14, 2023
Meeting of the
Mid-Atlantic Fishery Management Council

December 6, 2023

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Inseason Action: Gulf of Maine Cod Possession and Trip Limit Adjustment for the Common Pool Fishery

On October 12, 2023, NMFS published a temporary rule (88 FR 70606) that decreased the possession and trip limits for Gulf of Maine cod for Northeast multispecies common pool vessels for the remainder of the 2023 fishing year, through April 30, 2024. This action is intended to prevent the common pool from exceeding its 2023 sub-Annual Catch Limit for the stock. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

Inseason Action: Common Pool White Hake Trimester Total Allowable Catch Area Closure

On November 16, 2023, NMFS published a temporary rule (88 FR 78676) that closed the White Hake Total Allowable catch area to Northeast multispecies common pool vessels fishing with trawl gear, sink gillnet gear, and longline/hook gear, except Handgear A and Handgear B vessels, through December 31, 2023. The closure is required because the common pool fishery is projected to have caught 90 percent of its Trimester 2 quota for white hake. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

Scallops

None at this time.

Herring

2023 New Brunswick Weir Adjustment

On October 12, 2023, NMFS published a temporary rule (88 FR 71504) increasing the herring Area 1A sub-ACL (annual catch limit) from 3,345 mt to 4,345 mt and the ACL from 12,287 mt to 13,287 mt for the remainder of 2023. Because herring landings in the New Brunswick weir fishery were less than 2,722 mt through October 1, NOAA Fisheries is required by the regulations implementing the Atlantic Herring Fishery Management Plan 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 12, 2023 through December 31, 2023. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

2023 Herring Management Area 1A Possession Limit Adjustment

On November 8, 2023, NMFS published a temporary rule (88 FR 77532) 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 2025. This temporary rule expires on December 31, 2023. For additional information, please contact Louis Forristall at (978) 281-9321 or email at Louis.Forristall@noaa.gov.

Monkfish

None at this time.

Atlantic Deep-Sea Red Crab

Proposed Specifications

On December 1, 2023, NMFS published a proposed rule in the *Federal Register* (88 FR 83893) proposing 2024 specifications for red crab, and projected 2025-2027 specifications. The proposed specifications are intended to establish allowable harvest levels, as recommended by the New England Fishery Management Council, that will prevent overfishing, consistent with the most recent scientific information. The comment period for this action is open through January 2, 2024. For additional information, please contact Allison Murphy at (978) 281-9122 or email at Allison.Murphy@noaa.gov.

Skate

None at this time.

Mid-Atlantic Council Actions

Spiny Dogfish

None at this time.

Summer Flounder, Scup, and Black Sea Bass

2024 and Projected 2025 Summer Flounder and Scup Specifications and 2024 Black Sea Bass Specifications

On November 17, 2023, NMFS published a proposed rule in the *Federal Register* (88 FR 80263) proposing 2024 specifications for summer flounder, scup, and black sea bass, and projected 2025 specifications for summer flounder and scup. The proposed specifications are intended to establish allowable harvest levels for these species that will prevent overfishing, consistent with

the most recent scientific information. This rule also proposed the potential removal of the January 1 - April 30, Federal recreational scup closure. The comment period for this action closed on December 2, 2023, and the final rule is expected to publish by the start of the fishing year (January 1, 2024). For additional information, please contact Emily Keiley at (978) 281-9116 or Emily.Keiley@noaa.gov.

Surfclam and Ocean Quahog

2024 Surfclam and Ocean Quahog Specifications

On October 25, 2023, NMFS published a final rule in the *Federal Register* (88 FR 73243) implementing status quo fishing quotas for the 2024 Atlantic surfclam and ocean quahog fisheries. The quotas have remained unchanged since 2004. In addition, the Atlantic surfclam minimum size limit will be suspended for the 2024 fishing year, as it has been every year since 2005. There is currently no minimum size for ocean quahogs. For additional information, please contact Douglas Potts at (978) 281-9341 or Douglas.Potts@noaa.gov.

Atlantic Bluefish

2024-2025 Specifications

On November 16, 2023, NMFS published proposed catch specifications in the *Federal Register* (88 FR 78715) for the 2024 and 2025 bluefish fishery, based on the most recent scientific information. Recent research track (December 2022) and management track (June 2023) assessments for bluefish have determined that the stock is no longer overfished and overfishing is not occurring. However, the spawning stock biomass has not yet reached its target (the stock has not fully rebuilt), so the fishery remains under its rebuilding plan. These proposed specifications would decrease the 2024 acceptable biological catch (43 percent from 2023) to 17.48 million lb, the commercial quota (43 percent from 2023) to 2.42 million lb, and the recreational harvest limit (15 percent from 2023) to 11.96 million lb; based on Council recommendations, the assessments, and the rebuilding plan for the stock. Although catch limits are decreasing, neither sector of the fishery is expected to be substantially impacted by this action. Harvest in both sectors has been decreasing in recent years; coastwide commercial landings have not exceeded 2.2 million lb in the last three years, and recreational harvest averaged 11.54 million lb, both lower than the proposed future limits. There are no changes proposed to any recreational management measures, such as bag limit. The comment period for this action closed on December 1, 2023, and the final rule is expected to publish in time for the January 1, 2024 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

On October 4 and November 20, 2023, NMFS published notices in the *Federal Register* (88 FR 68498; 88 FR 80639) of bluefish quota transfers from the Commonwealth of Virginia and the State of Delaware to the State of North Carolina and from the States of New York and Maryland to the State of North Carolina. Virginia transferred 50,000 lb, Delaware transferred 40,000 lb,

New York transferred 25,000 lb, and Maryland transferred 50,000 lb of bluefish commercial quota to North Carolina through mutual agreements of the states. These transfers were requested to ensure North Carolina would not exceed its 2023 state quota. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Mackerel, Squid, and Butterfish

Temporary Measures to Reduce Atlantic Mackerel Catch

On October 13, 2023, NMFS published a temporary rule in the *Federal Register* (88 FR 70909) with interim measures to reduce Atlantic mackerel catch for the remainder of the 2023 fishing year and the beginning of the 2024 fishing year to reduce the likelihood of overfishing based on new assessment information. This action reduces per-trip catch limits to 20,000 lb for limited access permit holders and 5,000 lb for open access permit holders. These limits are in place until the 2024 specifications are implemented, most likely in the spring of 2024. The Mid-Atlantic Fishery Management Council will be taking final action on the 2024-2025 Atlantic mackerel specifications at their December 2023 meeting. For additional information, please contact Carly Bari at (978) 281-9150 or Carly.Bari@noaa.gov.

Tilefish

2024 Golden and Blueline Tilefish Specifications

On November 14, 2023, NMFS published a proposed rule in the *Federal Register* (88 FR 77944) proposing 2024 specifications for both the golden tilefish and the blueline tilefish fisheries. The comment period will be open until December 14, 2023. The rule proposes status quo Acceptable Biological Catch (ABC), Annual Catch Limit (ACL), and Total Allowable Landings (TAL) for both species, which is consistent with the multi-year specifications actions approved by the Council. The rule also proposes to delay the opening of the blueline tilefish recreational season by two weeks. The new season would be May 15 through November 14, instead of May 1 through October 31. For additional information, please contact Douglas Potts at (978) 281-9341 or Douglas.Potts@noaa.gov.

Other Actions

Northeast Canyons and Seamounts Marine National Monument

On October 20, 2023, we published a proposed rule to incorporate the Northeast Canyons and Seamounts Marine National Monument commercial fishing prohibition into Magnuson Stevens Act regulations. Presidential Proclamations 9496 and 10287 prohibited commercial fishing in the Monument, with a 7-year exemption for the American lobster and Atlantic deep-sea red crab fisheries that ended on September 15, 2023. This action proposes to define the boundary coordinates of the Monument and to reflect the Proclamation's prohibition on commercial fishing within its boundaries. The comment period closed on November 20. For additional information, please contact Laura Deighan at (978) 281-9184 or Laura.Deighan@noaa.gov.

Paperwork Reduction Act

None at this time.

Jonah Crab

None at this time.

Industry Funded Monitoring Omnibus Amendment

None at this time.

Lobster

Effort Control Measures and Mandatory Harvester Reporting for the American Lobster Fishery

On September 29, 2023, NMFS filed an interim final rule that implements mandatory harvester reporting, maximum trap cap reductions, and ownership caps, in the American lobster fishery. Based on proposed rule comments, this rule also allows for additional comment on maximum trap cap reductions and ownership caps. NMFS is implementing electronic federal vessel trip reports for all federal lobster permit holders, including five additional data elements, beginning April 1, 2024. The Area 2 and 3 ownership caps will be effective May 1, 2025. There were also several updates and corrections to the regulatory text that will be effective 30 days after publication. For additional information please contact Allison Murphy at (978) 281-9122 or email at Allison.Murphy@noaa.gov.

Habitat Actions

Southern New England Habitat Area of Particular Concern (HAPC):

On September 26, 2023, NMFS published a proposed rule in the *Federal Register* proposing a HAPC offshore of southern New England, within and around proposed wind lease areas and Cox Ledge. The action is intended to focus Essential Fish Habitat (EFH) conservation recommendations on cod spawning habitats and complex benthic habitats that are known to serve important habitat functions to Council-managed fishery species. We received 14 comments on the action, 8 of which were not pertinent to the action. The final rule package is currently being developed. For additional information, please contact Sabrina Pereira at (978) 675-2178 or sabrina.pereira@noaa.gov.

Protected Resources Actions

None at this time.

Research Permits and Acknowledgments - Applications Under Review

On November 28, 2023, NMFS received an Exempted Fishing Permit (EFP) application from the Maine Department of Marine Resources (MDMR), to test acoustic on-demand fishing technologies in trap/pot and gillnet fisheries in the Gulf of Maine. For additional information, please contact Christine Ford at (978) -281-9185.

Research Permits and Acknowledgments – Application Review Completed

None at this time.