



Mid-Atlantic Fishery Management Council

800 North State Street, Suite 201, Dover, DE 19901

Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org

Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: September 22, 2022
To: Executive Committee
From: Chris Moore, Executive Director
Subject: 2023 Implementation Plan – Draft Deliverables

The Executive Committee will meet in an open session on Tuesday, October 4 at 10:00 a.m. to receive an update on the 2022 Implementation Plan and discuss proposed actions and deliverables for 2023. The Council will review and approve a complete 2023 Implementation Plan in December. The following items are enclosed for Committee review:

1. 2022 Proposed Actions and Deliverables – End-of-Year Updates
2. Draft 2023 Proposed Actions and Deliverables
3. Two public comments from the surfclam industry

2022 Actions and Deliverables

End-of-Year Updates

The table below provides an update on the status of proposed actions and deliverables from the Council’s 2022 Implementation Plan. This document reflects the expected status of each item by the end of 2022 (tasks may be marked as “Completed” if they will be addressed at the October or December meetings).

- **Completed:** The task is expected to be completed by the end of 2022. Amendments, frameworks, and specifications are considered “Completed” once the Council has taken final action.
- **In Progress:** The task is on track, and work will carry over into the following year.
- **Ongoing:** The task is part of the Council’s routine activities and does not have an expected end point.
- **Delayed or Postponed:** The original timeline has shifted.

(A) before an item signifies that it is an addition to the deliverables originally approved for 2022

Deliverable	Expected status by end of 2022	Notes
Summer Flounder, Scup, Black Sea Bass		
1. Review 2023 specifications for summer flounder, scup, and black sea bass	Completed	
2. Develop 2023 recreational management measures for summer flounder, scup, and black sea bass	Completed	Will be presented at the December meeting
3. Develop advisory panel fishery performance reports	Completed	
4. Evaluate commercial scup discards and gear restricted areas	Delayed	Given commercial discard estimates are not available for 2020 or 2021, progress on this action item is delayed until estimates are available.
5. Complete Recreational Harvest Control Rule Framework/Addendum for summer flounder, scup, black sea bass, and bluefish	Completed	
6. Continue development of an amendment to consider recreational sector separation and recreational catch accounting for summer flounder, scup, black sea bass, and bluefish	In progress	The Council and Board will discuss next steps in December.
7. Continue development of a framework action and technical guidance documents to address the remaining prioritized Recreational Reform Initiative topics for summer flounder, scup, black sea bass, and bluefish	In progress	

Deliverable	Expected status by end of 2022	Notes
8. Support 2022 research track assessment for black sea bass	In progress	
9. Review and potentially revise commercial minimum mesh size regulations and exemptions for summer flounder, scup, and black sea bass	Delayed	Due to time constraints, progress on this has been delayed. A contractor will be used to assist with the analysis in 2023.
10. Complete the Ecosystem Approach to Fisheries Management (EAFM) management strategy evaluation (MSE) for summer flounder	Completed	
Bluefish		
11. Review 2023 specifications for bluefish	Completed	
12. Review/Develop 2023 recreational management measures for bluefish	Completed	
13. Develop advisory panel fishery performance reports	Completed	
14. Support 2022 research track assessment for bluefish	Completed	Peer Review is in early December
Golden and Blueline Tilefish		
15. Review 2023 specifications for golden tilefish	Completed	
16. Review 2023 specifications for blueline tilefish	Completed	
17. Develop advisory panel fishery performance reports	Completed	
18. Review performance of private recreational tilefish permitting and reporting	Completed	An update will be presented at the October meeting.
19. Conduct 2022 golden tilefish survey pending approval of funding/logistics	Delayed	Survey to be conducted in 2023
20. Initiate golden tilefish 5-year ITQ program review	Completed	
Mackerel, Squid, Butterfish (MSB)		
21. Develop MSB advisory panel fishery performance reports	Completed	
22. Develop 2023-2025 chub mackerel specifications	Completed	
23. Complete Mackerel Rebuilding 2.0 Amendment (including 2023-2024 specifications)	Completed*	*This action only set 2023 specifications. A management track assessment in 2023 will

Deliverable	Expected status by end of 2022	Notes
		be used to set specifications for 2024 and beyond.
24. Develop 2023-2024 specifications for butterfish	Completed	
25. Review 2023 specifications for longfin squid	Completed	
26. Review 2022 specifications for <i>Illex</i> and develop 2023 specifications for <i>Illex</i>	Completed	SSC will reconsider 2023 <i>Illex</i> ABC in March 2023 when relevant data/analyses are updated.
27. Support 2022 research track assessments for butterfish and <i>Illex</i>	Completed	
(A) Implementation of 2022 quota increase	Completed	
River Herring and Shad (RH/S)		
28. Develop 2023-2024 RH/S Cap via Mackerel Rebuilding 2.0 Amendment	Completed	
Spiny Dogfish		
29. Support 2022 research track assessment for spiny dogfish	Completed	
30. Develop 2023-2026 specifications for spiny dogfish	Completed*	*Given management track assessment delay, only 2023 specifications were set. Once available, MT assessment results (mid 2023?) will be used to set specs for future years.
Surfclam and Ocean Quahog		
31. Review 2023 specifications for surfclam and ocean quahog	Completed	
32. Develop advisory panel fishery performance reports	Completed	
33. Continue work on an amendment to address surfclam and ocean quahog species separation requirements	Completed	Pending December 2022 Council final action
34. Review surfclam genetic study final report	Completed	
Science and Research		
35. Complete final Research Set-Aside (RSA) workshop report with a recommendation on whether to redevelop the Mid-Atlantic RSA program	Completed	

Deliverable	Expected status by end of 2022	Notes
36. Approve Scientific and Statistical Committee (SSC) membership	Completed	
37. Convene a joint Council/SSC meeting	Completed	To be held during October meeting
38. Review outcomes and recommendations from SSC Ecosystem Work Group	Completed	Part of joint Council/SSC meeting
39. Review outcomes and recommendations from SSC Economic Work Group	Completed	
40. Support 2023 applying state-spaced model research track assessment	In Progress	Peer review to occur in fall of 2023
41. Complete Maryland Recreational Ocean Effort Video Estimation project	Completed	Analysis should be done by end of 2022. Probably some final report writing in early 2023.
Ecosystem and Ocean Planning/Habitat		
42. Maintain joint MAFMC and New England Fishery Management Council (NEFMC) offshore wind web pages	Ongoing	
43. Develop habitat- and fishery-related comments on offshore energy development	Ongoing	
44. Coordinate the Northeast Regional Habitat Assessment (NRHA)	Ongoing	
45. Continue work on the Essential Fish Habitat (EFH) Redo	In Progress	Redo to be completed through the EFH Amendment (expected completion in 2024)
46. Develop and review the 2022 EAFM risk assessment report	Completed	
47. Initiate comprehensive review and update to EAFM risk assessment	In Progress	Currently scheduled to get an update on activities during December Council meeting
48. Continue development of East Coast climate change and distribution shift scenario planning initiative	In Progress	Expected completion in 2023
(A) Review and comment on proposed designation of Hudson Canyon National Marine Sanctuary	In Progress	Scoping comments submitted in August 2022. Additional review in progress.
(A) Adopt aquaculture policy	Completed	
General		
49. Review commercial landings of unmanaged species	Completed	

Deliverable	Expected status by end of 2022	Notes
50. Participate on Council Coordination Committee (CCC) Working Groups and Subcommittees (Habitat, Area-Based Management, Legislative)	Ongoing	
51. Host 2022 CCC Meeting	Completed	
52. Respond to requests for information associated with audits for MSC-certified fisheries (Atlantic surfclam, ocean quahog, Illex squid, longfin squid, spiny dogfish, scup)	Completed/Ongoing	
(A) Interact/coordinate with the NEFMC on a variety of issues (e.g. monkfish, herring, and winter flounder)	Completed/Ongoing	
Communication and Outreach		
53. Continue to implement the Council communication and outreach plan	Ongoing	
54. Develop new and maintain existing Council action web pages	Ongoing	
55. Develop fact sheets and outreach materials as needed	Ongoing	
56. Enhance the use of email distribution tools to inform and engage stakeholders	Ongoing	
57. Increase the use of website analytics to better understand site performance and visitor traffic	Ongoing	
58. Continue to expand the reach and utility of the Council's YouTube channel.	Ongoing	
Staff Wrap-Up on Completed Council Actions		
59. Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment	Completed	
60. Black Sea Bass Commercial State Allocation Amendment	Completed	
Possible Additions <i>The items below were included in the 2022 Implementation Plan to be considered if time and resources allowed.</i>		
61. Initiate action to address sea turtle bycatch in MAFMC trawl fisheries		
62. Initiate action to address right whale issues		

Deliverable	Expected status by end of 2022	Notes
63. Initiate action to implement a possession limit for frigate and bullet mackerel in the Mid-Atlantic		
64. Continue to track thread herring EFP application and develop comments, if needed		No further action needed until an EFP application is submitted to GARFO
65. Develop economic, recreational fleet dynamics, and population dynamic simulation models for black sea bass, scup, and/or bluefish (building on existing models, including those developed for the summer flounder MSE)	In progress	
66. Develop a policy and/or process for reviewing EFP applications for new or expanding fisheries as it relates to the unmanaged forage amendment		
67. Initiate a framework to consider additional spiny dogfish trip limit changes (contingent on assessment results)	Postponed	Depends on assessment results, MT assessment available mid-2023
68. Conduct additional outreach to improve awareness of, and compliance with, private recreational tilefish reporting requirements	In progress	
69. Consider spatial management options for river herring and shad (contingent on seasonal analysis)		Seasonal analysis completed, no additional action appeared warranted at this time.
70. Initiate action to reimplement "did not fish" reports for commercial and/or for-hire operators		
71. Explore the use of unused ACL carryover for the Council's fisheries		

DRAFT 2023 Actions and Deliverables

Draft for Executive Committee Review – October 2022

SUMMER FLOUNDER, SCUP, BLACK SEA BASS

1. Develop 2024-2025 specifications for summer flounder, scup, and black sea bass
2. Develop 2024-2025 recreational management measures for summer flounder, scup, and black sea bass
3. Evaluate commercial scup discards and gear restricted areas
4. Review and potentially revise commercial minimum mesh size regulations and exemptions for summer flounder, scup, and black sea bass
5. Initiate development of action to replace Recreational Harvest Control Rule after sunset period
6. Continue development of amendment to consider recreational sector separation and recreational catch accounting for summer flounder, scup, black sea bass, and bluefish
7. Continue development of a framework action and technical guidance documents to address the remaining prioritized Recreational Reform Initiative topics for summer flounder, scup, black sea bass, and bluefish
8. Facilitate development of advisory panel fishery performance reports
9. Support black sea bass research track assessment
10. Support 2023 management track assessments for summer flounder, scup, and black sea bass

BLUEFISH

11. Develop 2024-2025 specifications for bluefish
12. Develop 2024-2025 recreational management measures for bluefish
13. Facilitate development of advisory panel fishery performance report
14. Support 2023 bluefish management track assessment

Note: Deliverables 5, 6, and 7 in the previous section will also address bluefish recreational management issues

GOLDEN AND BLUELINE TILEFISH

15. Review 2024 specifications for golden tilefish
16. Review 2024 specifications for blueline tilefish
17. Complete and review Golden Tilefish Individual Fishing Quota Program Review
18. Facilitate development of advisory panel fishery performance reports
19. Review performance of private recreational tilefish permitting and reporting
20. Work with the South Atlantic Fishery Management Council to support the upcoming 2024 blueline tilefish operational assessment
21. Coordinate the 2023 golden tilefish survey pending approval of funding/logistics
22. Support 2024 golden tilefish research track assessment

MACKEREL, SQUID, BUTTERFISH

23. Initiate amendment to address disapproved portions of *Illex* Permit Amendment
24. Develop 2024-2025 Atlantic mackerel specifications
25. Develop 2024-2026 longfin squid specifications
26. Review 2023 specifications for *Illex*
27. Develop 2024-2025 specifications for *Illex*
28. Review 2024 specifications for butterflyfish
29. Review 2024 specifications for chub mackerel
30. Facilitate development of advisory panel fishery performance reports

RIVER HERRING AND SHAD

31. Develop 2024-2025 cap paired with Atlantic mackerel specifications

SPINY DOGFISH

32. Develop 2024-2026 specifications and/or a rebuilding plan (possibly including trip limit changes), as appropriate given outcome of research and management track assessments
33. Facilitate development of advisory panel fishery performance report

SURFCLAM AND OCEAN QUAHOG

34. Review 2024 specifications for surfclam and ocean quahog
35. Facilitate development of advisory panel fishery performance reports
36. Oversee SCOQ Electronic Monitoring Project

SCIENCE AND RESEARCH

37. Conduct biennial review of the 2020-2024 research priorities document
38. Approve Scientific and Statistical Committee (SSC) membership
39. Review outcomes and recommendations from the SSC Ecosystem Work Group
40. Review past action and consider possible redevelopment of a revised Research Set-Aside program
41. Review results and determine potential application of the research project on short-term forecasts of species distributions
42. Support the 2023 Applying State-Spaced Models Research Track Assessment
43. Coordinate and facilitate the Northeast Trawl Advisory Panel

ECOSYSTEM AND OCEAN PLANNING/HABITAT

44. Continue development of Essential Fish Habitat Amendment
45. Maintain and integrate Northeast Regional Habitat Assessment products
46. Oversee National Fishing Effects Database Project
47. Maintain joint MAFMC and New England Fishery Management Council offshore wind web page
48. Develop habitat- and fishery-related comments on offshore energy development
49. Complete comprehensive review and update to Ecosystem Approach to Fisheries Management risk assessment

50. Complete East Coast Climate Change Scenario Planning Initiative and identify priorities for resulting action

GENERAL

51. Review commercial landings of unmanaged species
52. Participate on Council Coordination Committee Working Groups and Subcommittees (Habitat, Area-Based Management, Legislative, ESA/MSA Coordination, Equity and Environmental Justice)
53. Respond to requests for information associated with Marine Stewardship Council (MSC) certification or audits for MSC-certified fisheries (Atlantic surfclam, ocean quahog, Illex squid, longfin squid, spiny dogfish, scup)
54. Track relevant legislation and provide comments as requested
55. Continue to participate on marine mammal take reduction teams and protected resources working groups, and initiate necessary actions in response to protected resource issues

COMMUNICATION AND OUTREACH

56. Continue to inform and engage stakeholders using a variety of communication tools and channels, including the Council website, email updates, press releases, YouTube, webinars, face-to-face meetings, and a variety of printed and digital communication materials
57. Conduct outreach to increase stakeholder awareness and understanding of Council actions under development
58. Further develop and refine the Council's website content and structure to increase usefulness and functionality
59. Develop fact sheets and outreach materials as needed
60. Continue additional outreach to improve awareness of, and compliance with, private recreational tilefish reporting requirements

STAFF WRAP-UP ON COMPLETED ACTIONS

The following actions have been, or are expected to be, approved by the Council by the end of 2022 but will require staff work in 2023 to finalize for submission to NMFS:

61. Finalize Surfclam and Ocean Quahog Species Separation Requirements Amendment
62. Finalize and submit any outstanding specifications packages for 2023

POSSIBLE ADDITIONS

To be considered for addition to the 2023 implementation plan if time and resources allow:

63. Initiate action in response to the action plan developed by the Atlantic Sturgeon Bycatch Working Group to reduce sturgeon bycatch in gillnet fisheries
64. Initiate action to implement "did not fish" reports for commercial, for-hire, and private tilefish permit holders
65. Initiate action to implement a possession limit for frigate and bullet mackerel in the Mid-Atlantic
66. Continue to track thread herring Exempted Fishing Permit (EFP) application and develop comments, if needed

67. Develop a policy and/or process for reviewing EFP applications for new or expanding fisheries as it relates to the unmanaged forage amendment
68. Coordinate development of economic, recreational fleet dynamics, and population dynamic simulation models for black sea bass, scup, and/or bluefish
69. Explore the use of unused ACL carryover for the Council's fisheries
70. Develop an action to authorize an experimental Atlantic surfclam fishery in the Great South Channel Habitat Management Area (HMA)
71. Develop spatial management options for Atlantic surfclam open water aquaculture in the New York Bight and central Atlantic.

September 21, 2022

Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201
Dover, DE 19901

Re: MAFMC 2023 Implementation Plan

Dear Chairman Luisi et. al.,

The undersigned request that the Mid-Atlantic Fishery Management Council include on the Council's 2023 Implementation Plan, if time and resources allow:

Develop spatial management options for Atlantic surfclam open water aquaculture in the New York Bight and central Atlantic.

Background: There is the potential that open water aquaculture will be developed as a mitigation measure for the loss of access to Atlantic surfclam grounds within offshore wind energy lease areas due to construction and operations. This mitigation measure may include the disbursement, or planting, of small surfclams or surfclam seed on grounds outside of offshore wind energy lease areas. The council should be prepared to consider spatial management options for Atlantic surfclam open water aquaculture in the New York Bight and central Atlantic, in case these mitigation measure efforts may be implemented.

Regards,

Peter A. LaMonica
Surfside Foods, LLC

Tom Dameron
MAFMC SC / OQ AP

John Kelleher
Yannis Karavia, LLC

Atlantic Cape Fisheries
Sam Martin
MAFMC SC / OQ AP

Oceanside Marine &
LaMonica Fine Foods
Dan LaVecchia
Michael LaVecchia
Kim Beardsworth
Danielle LaVecchia

Peter Himchak
MAFMC SC / OQ AP &
Ecosystems and Ocean
Planning AP

Intershell International Corp.
Howard (Monte) Rome
MAFMC SC / OQ AP

Bumble Bee Seafoods
Jeffrey Pike
MAFMC SC / OQ AP

Dr. Christopher Moore
Executive Director
Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201, Dover, DE 19901

Dear Chris,

We, the members of the clam industry, request that the MAFMC commence an action to develop an access program for clam vessels into the Great South Channel Habitat Management Area (HMA).

The purpose of the HMA is to minimize, to the extent practicable, the adverse effects of regional fisheries on essential fish habitat (EFH). The action we are requesting is needed to identify areas where fishing for surfclams with hydraulic dredges would have only minimal and temporary impacts on the habitats in the HMA. The purpose of this action is to establish an experimental fishery to evaluate two potential suitable areas within the GSC HMA using metrics related to habitat and fishing characteristics, for example sediment type, area swept, and fishery revenues. The two areas in the HMA, identified by the NEFMC, are the Rose and Crown Area and Davis Bank East Area.

Rose & Crown was the highest revenue-generating area of all nine of the HMA proposed access areas in each of 2011 through 2017, and Davis Bank East was the second-highest grossing area of the nine in 2012, 2013, and 2017. In total, these two areas accounted for 37%, 52%, 39%, 35%, 44%, 41% and 29% of total HMA revenue in 2011-2017, respectively. The NEFMC intended that research be allowed in these two areas to evaluate a hydraulic clam dredging exemption that balances achieving optimum yield for the fishery with the requirement to minimize adverse fishing effects on habitat to the extent practicable and is consistent with the underlying objectives of OHA2.

The NEFMC proposed using the Exempted Fishing Permit (EFP) process to collect the needed scientific and economic data from these two areas. However, for a number of reasons, in our opinion, this approach is not working. The clam industry is being asked to prove a negative, a long and nearly impossible task. Many, if not all, of the small vessel operators will not be able to economically survive the time period that this process will take to get usable results for managers.

We suggest a better approach, a Framework action that creates an experimental fishery, as authorized under the Sustainable Fisheries Act (SFA). This action would require an annual letter of authorization for fishermen accessing the Great South Channel HMA exemption areas and each trip into the exemption areas would require vessels use a new Vessel Monitoring System (VMS) trip declaration code and be subject to additional position polling when inside the HMA. Vessels participating in the experimental fishery could be limited by technical measures to limit frequency and intensity of the fishery, for example restriction of the number of cages per trip and number of trips.

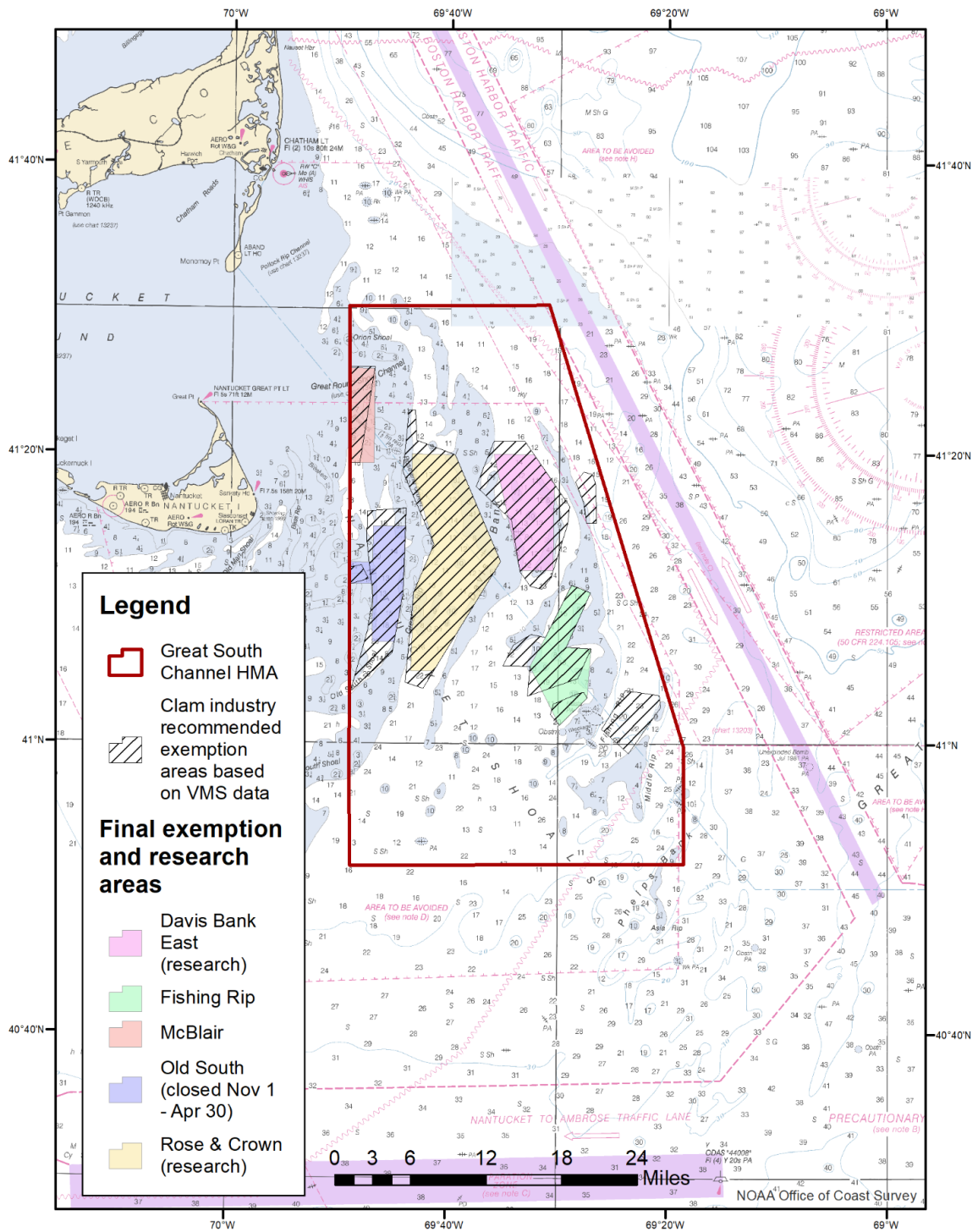
Each vessel would be required to carry an observer, have cameras on the dredge, and collect data for scientific processing and analysis similar to the EFP requests of Coonamessett Farm Foundation (CFF). The vessels will pay for the observer and the data analysis would be funded by a per bushel research set aside (RSA).

Please see the map below for context of the area.

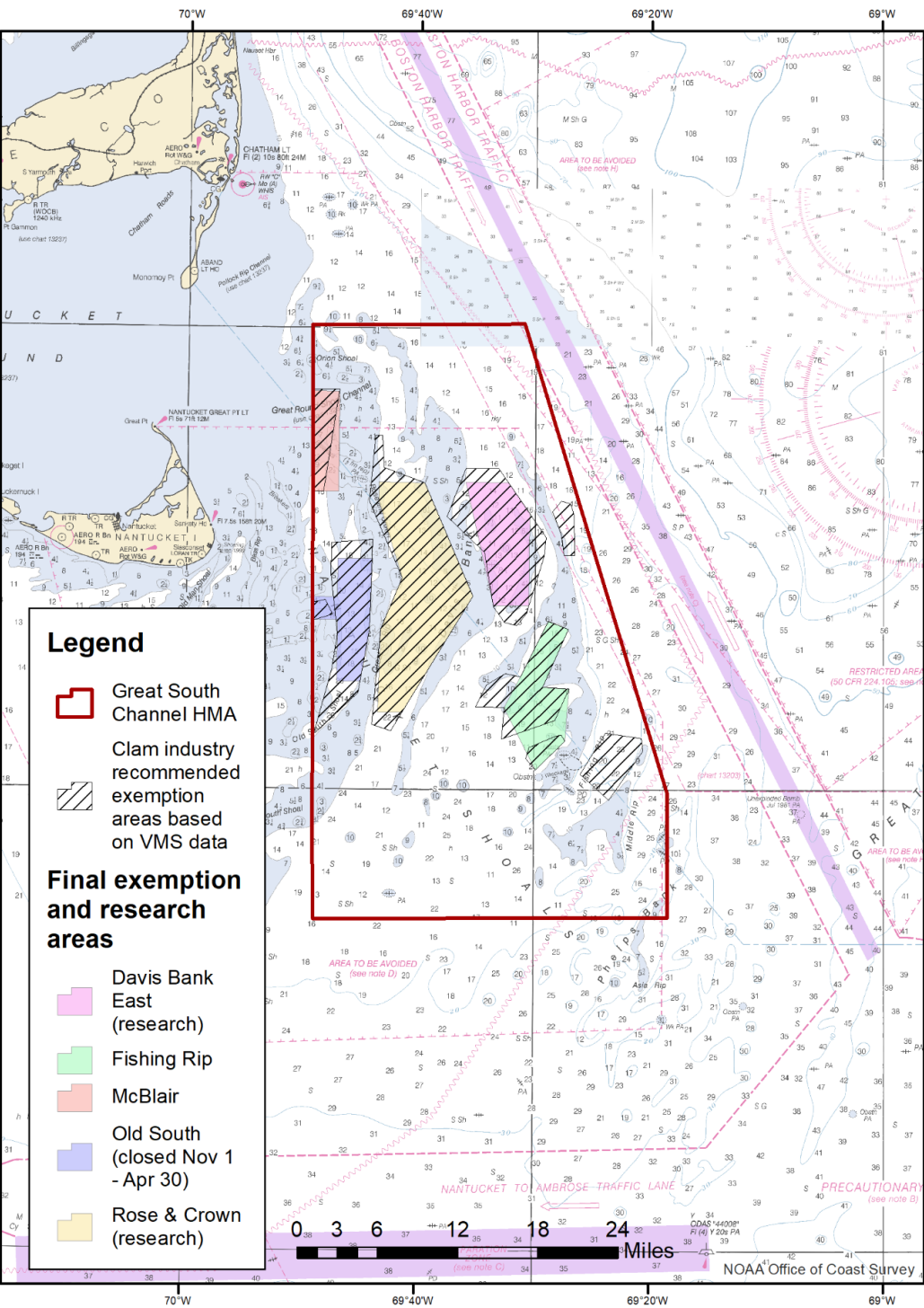
We urge you to consider this as managers of the surf clam resource.

Sincerely,

Sam Martin



41°40'N
41°20'N
41°N
40°40'N



41°40'N
41°20'N
41°N
40°40'N