



Mid-Atlantic Fishery Management Council

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

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

MEMORANDUM

Date: September 22, 2023
To: Executive Committee
From: Chris Moore, Executive Director
Subject: 2024 Implementation Plan – Draft Deliverables

The Executive Committee will meet in an open session on Tuesday, October 4 at 1:00 p.m. to receive an update on the 2023 Implementation Plan and discuss proposed actions and deliverables for 2024. The Council will review and approve a complete 2024 Implementation Plan in December. The following items are enclosed for Committee review:

1. 2023 Proposed Actions and Deliverables – End-of-Year Updates
2. Draft 2024 Proposed Actions and Deliverables
3. Staff Memo: Next Steps for Black Sea Bass Commercial State Allocation Amendment

2023 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 2023 Implementation Plan. This document reflects the expected status of each item by the end of 2023 (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 2023. 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 2023

Deliverable	Expected status by end of 2023	Notes
Summer Flounder, Scup, Black Sea Bass		
1. Develop 2024-2025 specifications for summer flounder, scup, and black sea bass	Completed	Given assessment timing, black sea bass specifications only adopted for 2024.
2. Develop 2024-2025 recreational management measures for summer flounder, scup, and black sea bass	Completed	Will be presented at the December meeting. Given assessment timing, black sea bass recreational measures will only be developed for 2024.
3. Evaluate commercial scup discards and gear restricted areas	Completed	Evaluation completed and presented at the August meeting. Next steps as a result of the evaluation may include additional research and a Framework Action to be prioritized in 2024.
4. Review and potentially revise commercial minimum mesh size regulations and exemptions for summer flounder, scup, and black sea bass	Completed	Will be presented at the December meeting.
5. Initiate development of action to replace Recreational Harvest Control Rule after sunset period, including enhanced use of the Recreational Demand Model and/or Recreational Fleet Dynamics Model	Completed	Recreational Measures Setting Process Framework/Addenda has been initiated. Development of this action will continue through 2025.
6. Continue development of amendment to consider recreational sector	Delayed	Delayed until 2024

Deliverable	Expected status by end of 2023	Notes
separation and recreational catch accounting for summer flounder, scup, black sea bass, and bluefish		
7. Facilitate development of summer flounder, scup, black sea bass advisory panel fishery performance reports	Completed	
8. Support black sea bass research track assessment	Completed	Peer review to occur in October 2023
9. Support 2023 management track assessments for summer flounder, scup, and black sea bass	Completed for summer flounder and scup; delayed for black sea bass	
(A) Support development of Recreational Demand Model Decision Support Tool	In Progress	
(A) Develop comments on the agency's proposed partial disapproval of the Black Sea Bass Commercial State Allocation Amendment	Completed	
Bluefish		
10. Develop 2024-2025 specifications for bluefish	Completed	
11. Develop 2024-2025 recreational management measures for bluefish	Completed	
12. Facilitate development of bluefish advisory panel fishery performance report	Completed	
13. Support 2023 bluefish management track assessment	Completed	
(A) Develop bluefish management uncertainty tool	Completed	
Golden and Blueline Tilefish		
14. Review 2024 specifications for golden tilefish	Completed	
15. Review 2024 specifications for blueline tilefish	Completed	
16. Complete and review Golden Tilefish Individual Fishing Quota Program Review	Completed	The Council will receive a presentation of the final report in December.
17. Facilitate development of advisory panel fishery performance reports	Completed	

Deliverable	Expected status by end of 2023	Notes
18. Review performance of private recreational tilefish permitting and reporting	Completed	Will be presented at the October meeting.
19. Work with the South Atlantic Fishery Management Council to support the upcoming 2024 blueline tilefish operational assessment	In Progress	A stock assessment working group has been formed, and TORS and a schedule has been approved. Initial working group will take place in early 2024.
20. Coordinate the 2023 golden tilefish survey pending approval of funding/logistics	Completed	The Council will receive a presentation in December.
21. Support 2024 golden tilefish research track assessment	In Progress	RTA to be completed in Spring of 2024.
(A) Coordinate and collaborate with the SEFSC, NEFSC, SAFMC, and South Carolina DNR to expand the South Atlantic Deepwater Longline (SADL) Survey north into the Mid-Atlantic region.	In Progress	The expansion of this survey will help collect catch and age information on blueline tilefish within the Mid-Atlantic. The first year of data will be available and shared with the Council in December.
Mackerel, Squid, Butterfish (MSB)		
22. Develop 2024-2025 Atlantic mackerel specifications	Completed	
23. Develop 2024-2026 longfin squid specifications	Completed	
24. Review 2023 specifications for <i>Illex</i>	Completed	
25. Develop 2024-2025 specifications for <i>Illex</i>	Completed	
26. Review 2024 specifications for butterfish	Completed	
27. Review 2024 specifications for chub mackerel	Completed	
28. Facilitate development of mackerel, squid, butterfish advisory panel fishery performance reports	Completed	
29. Support 2023 management track assessments for Atlantic mackerel and longfin squid	Completed	
(A) Initiate contract for longfin squid biological data (collection and ageing)	Completed/In Progress	Contract initiated. Associated project extends to 2025.
(A) Initiate contracts for squid modeling (support of larger project)	Completed/In Progress	Contract initiated. Associated project extends through 2024.

Deliverable	Expected status by end of 2023	Notes
(A) Initiate contract for longfin squid research track assessment support	Completed/In Progress	Contract initiated. Associated project extends to early 2026.
(A) Complete Atlantic mackerel emergency action closure request	Completed	
(A) Complete extended <i>Illex</i> contract in support of <i>Illex</i> ABC-setting	Completed	
River Herring and Shad (RH/S)		
30. Develop 2024-2025 river herring and shad cap (paired with Atlantic mackerel specifications), including consideration of the river herring assessment	Completed	
(A) Initiate RH/S Run Portal contract	Completed/In Progress	Contract initiated. Associated project extends to 2025.
Spiny Dogfish		
31. Develop 2024-2026 specifications and/or a rebuilding plan (possibly including trip limit changes), as appropriate given outcome of research and management track assessments	Completed	New England will take action in early 2024 due to assessment delay.
32. Facilitate development of spiny dogfish advisory panel fishery performance report	Completed	
33. Support 2023 spiny dogfish management track assessment	Completed	
(A) Initiate contract for dogfish ageing project	Completed/In Progress	Contract initiated. Associated project extends to 2025.
Surfclam and Ocean Quahog		
34. Review 2024 specifications for surfclam and ocean quahog	Completed	
35. Facilitate development of surfclam and ocean quahog advisory panel fishery performance reports	Completed	
36. Oversee SCOQ Electronic Monitoring Project	In Progress	
37. Develop alternatives for the Surfclam and Ocean Quahog Species Separation Requirements Amendment	In Progress	
(A) Manage Supplemental Surfclam Genetics Project with Cornell University testing additional federal	In Progress	To be completed in early 2024.

Deliverable	Expected status by end of 2023	Notes
survey surfclam samples that were obtained in 2022.		
Science and Research		
38. Conduct biennial review of the 2020-2024 research priorities document	Completed	Council will review at December meeting.
39. Approve Scientific and Statistical Committee (SSC) membership	Completed	
40. Review outcomes and recommendations from the SSC Ecosystem Work Group	In Progress	Work Group continues to address a number of short and long term projects and analyses that will extend into 2024.
41. Review past action and consider possible redevelopment of a revised Research Set-Aside program	Completed	
42. Review results and determine potential application of the research project on short-term forecasts of species distributions	Completed	
43. Support the 2023 Applying State Space Models Research Track Assessment	Completed	Peer review scheduled for November 2023.
44. Coordinate and facilitate the Northeast Trawl Advisory Panel	Ongoing	
(A) Initiate contract for supplemental port biological sampling	Completed/In Progress	Contract initiated. Associated project extends to 2024.
(A) Initiate contract for ageing of Mid-Atlantic species	Completed/In Progress	Contract initiated. Associated project extends to 2024.
Ecosystem and Ocean Planning/Habitat		
45. Continue development of Essential Fish Habitat Amendment	In Progress	
46. Maintain and integrate Northeast Regional Habitat Assessment products	Ongoing	
47. Oversee National Fishing Effects Database Project	In Progress	Expected to be completed in 2024.
48. Maintain joint MAFMC and New England Fishery Management Council offshore wind web page	Ongoing	
49. Develop habitat- and fishery-related comments on offshore energy development	Ongoing	
50. Complete comprehensive review and update to Ecosystem Approach to Fisheries Management risk assessment	In Progress	Council will consider changes to risk assessment in October and an

Deliverable	Expected status by end of 2023	Notes
		updated report will be provided in April 2024.
51. Complete East Coast Climate Change Scenario Planning Initiative and identify priorities for resulting action	Completed	
52. Continue to track thread herring Exempted Fishing Permit (EFP) application and develop comments, if needed	Completed	Development of comments was not needed as the applicants have not re-submitted their application.
53. Develop a policy and/or process for reviewing EFP applications for new or expanding fisheries as it relates to the unmanaged forage amendment	Completed	Expected to be completed during the October Council meeting.
General		
54. Review commercial landings of unmanaged species	Completed	
55. Participate on Council Coordination Committee Working Groups and Subcommittees (Habitat, Area-Based Management, Legislative, ESA/MSA Coordination, Equity and Environmental Justice)	Ongoing	Climate Change Work Group formed following May CCC meeting
56. 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)	Ongoing	
57. Track relevant legislation and provide comments as requested	Ongoing	
58. Continue to participate on marine mammal take reduction teams and protected resources working groups, and initiate necessary actions in response to protected resource issues	Ongoing	
59. Initiate action in response to the action plan developed by the Atlantic Sturgeon Bycatch Working Group to reduce sturgeon bycatch in gillnet fisheries	Completed	A joint framework action to reduce sturgeon bycatch in the dogfish and monkfish gillnet fisheries was initiated. Final action on this framework is scheduled for spring 2024.
(A) Collaborate on three-year SBRM report (joint Center, GARFO, MAFMC, NEFMC effort)	Completed	Expected completion by end of 2023

Deliverable	Expected status by end of 2023	Notes
(A) Develop comments on draft NMFS climate governance policy; coordinate development of Council Coordination Committee (CCC) comments; conduct outreach to promote stakeholder awareness of the draft policy	Completed	Council comments will be submitted before the November 17 comment deadline.
(A) Develop comments on NMFS Advanced Notice of Proposed Rulemaking for National Standards 4,8,9	Completed	
(A) Initiate contract for program review of Council/GARFO processes for fishery management action development	In Progress	
Communication and Outreach		
60. 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	Ongoing	
61. Conduct outreach to increase stakeholder awareness and understanding of Council actions under development	Ongoing	
62. Further develop and refine the Council's website content and structure to increase usefulness and functionality	Ongoing	
63. Develop fact sheets and outreach materials as needed	Ongoing	
64. Continue additional outreach to improve awareness of, and compliance with, private recreational tilefish reporting requirements	Ongoing	Applied for an ACCSP grant for funds to coordinate and conduct a variety of eFIN application improvements and outreach efforts in coordination with Harbor Light. Staff is also working with a contractor to develop an outreach campaign for winter/spring 2024.
Staff Wrap-Up on Completed Council Actions		
65. Finalize and submit any outstanding specifications packages for 2023	Completed	

Deliverable	Expected status by end of 2023	Notes
Possible Additions <i>The items below were included in the 2023 Implementation Plan to be considered if time and resources allowed.</i>		
66. Develop framework to allow quota transfer between commercial and recreational sectors for summer flounder, scup, and black sea bass		
67. Initiate amendment to address disapproved portions of <i>Illlex</i> Permit Amendment	Completed	
68. Initiate action to implement "did not fish" reports for commercial, for-hire, and private tilefish permit holders		
69. Initiate action to implement a possession limit for frigate and bullet mackerel in the Mid-Atlantic		
70. Explore the use of unused ACL carryover for the Council's fisheries		
71. Develop an action to authorize an experimental Atlantic surfclam fishery in the Great South Channel Habitat Management Area (HMA)		
72. Develop spatial management options for Atlantic surfclam open water aquaculture in the New York Bight and central Atlantic.		

DRAFT 2024 Actions and Deliverables

For Executive Committee Review – October 2023 Council Meeting

This document provides an overview of the activities, amendments, frameworks, specifications, and other projects the Council expects to initiate, continue, or complete during the year. These activities are organized by Fishery Management Plan (FMP) and topic area.

Note: Asterisks () denote contractor-supported projects.*

SUMMER FLOUNDER, SCUP, BLACK SEA BASS

1. 2025 black sea bass specifications
2. 2025 summer flounder and scup specifications review
3. 2025 black sea bass recreational management measures
4. 2025 summer flounder and scup recreational management measures review
5. Recreational Measures Setting Process Framework/Addenda (continuing)
6. Recreational Sector Separation and Recreational Catch Accounting Amendment (continuing)
7. Advisory panel fishery performance reports
8. Black sea bass management track assessment support
9. Framework action to consider modifications to the commercial scup Gear Restricted Areas (GRA) or other measures to help reduce scup discards (initiation)
10. Scup bycatch prediction and avoidance modeling and research*
11. Black sea bass commercial state allocations (consider options for addressing disapproved portions of Amendment 23)

BLUEFISH

12. 2025 bluefish specifications review
13. 2025 bluefish recreational management measures review
14. Advisory panel fishery performance report

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

GOLDEN AND BLUELINE TILEFISH

15. 2025-2027 golden and blueline tilefish specifications
16. Advisory panel fishery performance reports
17. Update on private recreational tilefish permitting and reporting performance
18. Outreach to improve awareness of, and compliance with, private recreational tilefish reporting requirements
19. Blueline tilefish operational assessment support
20. Golden tilefish research track assessment support
21. Golden tilefish management track assessment support
22. South Atlantic Deepwater Longline Survey expansion into Mid-Atlantic waters*

MACKEREL, SQUID, BUTTERFISH (MSB)

23. 2025-2026 butterfish specifications
24. 2025 Atlantic mackerel, chub mackerel, longfin squid, and *Illex* squid specifications review
25. Advisory panel fishery performance reports
26. Butterfish management track assessment support
27. Longfin squid research track assessment support*

Asterisks (*) denote contractor-supported projects.

- 28. Longfin squid biological sampling project*
- 29. Squid modeling project*

RIVER HERRING AND SHAD (RH/S)

- 30. RH/S run data portal development project*
- 31. RH/S bycatch prediction and avoidance modeling and research*

SPINY DOGFISH

- 32. 2025 spiny dogfish specifications review
- 33. Advisory panel fishery performance report
- 34. Spiny dogfish ageing project*
- 35. Spiny dogfish ageing workshop
- 36. Joint framework action to reduce Atlantic sturgeon bycatch in the monkfish and spiny dogfish fisheries (final action)

SURFLAM AND OCEAN QUAHOG (SCOQ)

- 37. 2025 surfclam and ocean quahog specifications review
- 38. Advisory panel fishery performance reports
- 39. Atlantic surfclam management track assessment support
- 40. SCOQ electronic monitoring project*
- 41. Supplemental surfclam genetics project*
- 42. Surfclam and Ocean Quahog Species Separation Requirements Amendment (continuing)

SCIENCE AND RESEARCH

- 43. 2025-2029 Council research priorities
- 44. Updates to the SSC's Overfishing Limit (OFL) Coefficient of Variation (CV) Guidance Document
- 45. Supplemental port biological sampling*
- 46. Mid-Atlantic fish ageing project*
- 47. Northeast Trawl Advisory Panel (NTAP) coordination and facilitation

ECOSYSTEM AND OCEAN PLANNING/HABITAT

- 48. Joint Mid-Atlantic and New England Fishery Management Council offshore wind web page management
- 49. Council comments on habitat and fishery issues related to offshore energy development
- 50. 2024 Ecosystem Approach to Fisheries Management (EAFM) risk assessment report
- 51. National Fishing Effects Database project*
- 52. Omnibus Essential Fish Habitat Amendment (continuing)
- 53. Northeast Regional Habitat Assessment (NRHA) maintenance and integration of products
- 54. Thread herring Exempted Fishing Permit (EFP) application review

GENERAL

- 55. 2025-2029 Strategic Plan
- 56. Reappointment of all advisory panels
- 57. Update on commercial landings of unmanaged species (including consideration of possible landings thresholds for further evaluation for management)

Asterisks (*) denote contractor-supported projects.

58. Participation on Council Coordination Committee Working Groups and Subcommittees (Habitat, Area-Based Management, Climate Change, Legislative, ESA/MSA Coordination, Equity and Environmental Justice, Council Member Ongoing Development)
59. Participation on marine mammal take reduction teams and protected resources working groups
60. Activities related to Marine Stewardship Council (MSC) certifications/audits for Council-managed fisheries (i.e., respond to requests for information)
61. Legislative issue tracking (including development of comments upon request)

CLIMATE RESILIENCE AND GOVERNANCE

62. Program review of Council/GARFO processes for fishery management action development*
63. Evaluation of Council committee structure, use, and decision making (in collaboration with other East coast Councils; addresses scenario planning potential action G1)
64. Activities related to Inflation Reduction Act funded-projects for climate-ready fisheries (proposal development and project management)

COMMUNICATION AND OUTREACH

65. Ongoing communication activities to support understanding and awareness of the Council and its managed fisheries (development of web resources, email announcements, press releases, YouTube videos, webinars, face-to-face meetings, printed and digital communication materials, etc.)
66. Outreach campaigns to increase stakeholder awareness and understanding of Council actions under development and opportunities for participation
67. Council website improvements (continuing)

STAFF WRAP-UP ON COMPLETED ACTIONS

The following actions have been, or are expected to be, approved by the Council by the end of 2023 but will require staff work in 2024 to finalize for submission to NMFS:

68. Completion/submission of any outstanding specifications packages for 2024

POSSIBLE ADDITIONS

To be considered for addition to the 2024 implementation plan if time and resources allow:

69. Comments on EFP applications for Forage Amendment Ecosystem Component species
70. Action to authorize an experimental Atlantic surfclam fishery in the Great South Channel Habitat Management Area (HMA)
71. Development of spatial management options for Atlantic surfclam open water aquaculture in the New York Bight and central Atlantic
72. Framework to allow quota transfer between commercial and recreational sectors for summer flounder, scup, and black sea bass
73. Action to implement "did not fish" reports for commercial, for-hire, and private tilefish permit holders



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MEMORANDUM

Date: September 19, 2023
To: Chris Moore, Executive Director
From: Julia Beaty
Subject: Next Steps for Black Sea Bass Commercial State Allocation Amendment (Amendment 23)

On August 2, 2023, the Council received a [letter from NOAA Fisheries](#) announcing partial approval of the Black Sea Bass Commercial State Allocation Amendment (Summer Flounder, Scup, Black Sea Bass Amendment 23). The agency approved the portions of the amendment which modified the commercial in-season closure trigger and disapproved adding the state commercial quota allocations to the Council’s Fishery Management Plan (FMP). Although not implemented through the Council’s FMP, the state allocation percentages were modified based on the recommendations of the Council and the Atlantic States Marine Fisheries Commission’s Summer Flounder, Scup, and Black Sea Bass Management Board. These changes are effective as of January 2022 through the Commission’s [Addendum XXXIII](#).

The August 2, 2023 letter from NOAA Fisheries states:

When a Council FMP or amendment is disapproved based on inconsistencies with the Magnuson-Stevens Act or other applicable laws, section 304(a)(3) of the Magnuson-Stevens Act requires the Secretary to recommend actions the Council could take to conform the amendment to the relevant legal requirements. Section 304(a)(4) provides Councils the opportunity to revise and resubmit amendments for Secretarial review after addressing the relevant legal requirements.

However, the Council is not required to take further action on the disapproved measures. If the Council chooses to revise and resubmit the amendment, the Magnuson-Stevens Act indicates that the Council must either:

- *Adequately explain how adding the commercial state allocations to the Federal FMP: (1) Promotes conservation, as required by National Standard 4 of the Magnuson-Stevens Act; (2) achieves efficiency in administration and enforcement, as required by National Standard 5; (3) provides for an efficient and responsive process to address variations and contingencies in fisheries, including climate change, as required by National Standard 6; and (4) minimizes costs to the extent practicable, as required by National Standard 7; or*

- *Reconsider adding the commercial state allocations to the Federal FMP and revise the amendment to adopt different measures that address a management need consistent with the National Standards.*

However, given the fundamental flaws identified above, a simple revision to the document to attempt to articulate compliance with the National Standards seems unlikely to survive additional review.

If desired by the Council, Council staff can work with NOAA Fisheries and Atlantic States Marine Fisheries Commission staff to consider potential options for addressing the disapproved aspects of Amendment 23. Given the workload required to evaluate the feasibility of any potential next steps, this should be considered during the 2024 implementation planning discussions.