



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: May 28, 2021
To: Council
From: Chris Moore
Subject: Executive Director's Report

The following materials are enclosed for review during the Executive Director's Report at the June 2021 Council Meeting:

1. 2021 Planned Council Topics
2. Status of Council Actions Under Development
3. Status of Completed MAFMC Actions and Specifications
4. NRCC Spring Meeting Agenda
5. CCC May 18-20 Meeting Agenda
6. Staff Memo: Update on Atlantic Large Whale Take Reduction Team discussions relative to the Mid-Atlantic region
7. GARFO SERO Outreach Letter: eVTR Requirements (12/7/20)
8. MAFMC News Announcement: South Atlantic eVTR Requirements (12/10/20)
9. SAFMC Letter to Council: Approval of Dolphin/Wahoo Amendment 12 (4/27/21)
10. NEFMC Letter to GARFO: Comments on Sea Watch Surfclam EFP (4/1/21)
11. GARFO Letter to Coonamessett Farm Foundation: Rejection of EFP Request (5/12/21)
12. HMS Amendment 13 Summary



2021 Planned Council Meeting Topics

Updated 5/25/21

June 7-10, 2021 Council Meeting (Webinar)

- Advisory Panel Appointment Recommendations (Executive Committee Closed Session)
- Unmanaged Commercial Landings Report: Review
- Bluefish Allocation and Rebuilding Amendment: Final Action (Joint with Bluefish Board)
- [Recreational Reform Initiative: Update \(Joint with ISFMP Policy Board\)](#)
- 2022 Longfin Squid and Butterfish Specifications: Review
- [2022 *Illex* Squid Specifications: Approve](#)
- [2021 *Illex* Squid Specifications: Consider Revisions](#)
- *Illex* Incidental Trip Limit, [Illex Control Date](#), and Butterfish Mesh Regulation Modification: Review and Recommend Changes if Appropriate
- Surfclam and Ocean Quahog 2022 Specifications: Review
- [Habitat Activities Update \(including aquaculture\)](#)
- [Offshore Wind Updates](#)
- [ASMFC Policy Board Remand of Black Sea Bass Commercial Allocations: Discuss](#)

August 9-12, 2021 Council Meeting (Philadelphia, PA)

- Summer Flounder, Scup, and Black Sea Bass 2022-2023 Specifications and Commercial Measures: Approve (Joint with SFSBSB Board)
- Bluefish 2022-2023 Specifications: Approve (Joint with Bluefish Board)
- Recreational Reform Initiative: Update (Joint with Policy Board)
- EAFM Summer Flounder Management Strategy Evaluation: Update and Feedback (Joint with SFSBSB Board)
- [Joint Council-SSC Meeting](#)
- SSC Economic Work Group: Update on RSA Redevelopment Case Study
- Golden Tilefish Multi-Year Specifications Framework: Final Action
- Golden Tilefish Specifications: Review 2022 and Approve 2023-2024
- 2022 Atlantic Mackerel Specifications (including RH/S cap): Review (note that 2021 management track assessment may necessitate re-setting for 2022-2023)
- ~~Surfclam and Ocean Quahog Species Separation Requirements: Review White Paper and Identify Next Steps~~

October 5-7, 2021 Council Meeting (New York, NY)

- 2022 Implementation Plan: Discuss Draft Deliverables (Executive Committee)
- ~~Joint Council-SSC Meeting~~
- HMS Diet Study Final Report: Review
- Chub Mackerel 2022 Specifications: Review
- Action to Implement a Possession Limit for Bullet and Frigate Mackerel: Update
- 2022 Spiny Dogfish Specifications: Review

- Spiny Dogfish Trip Limit Analyses: Review and Recommend Changes if Appropriate
- Ocean City, MD Video Project: Review Results
- [Private Tilefish Permitting/Reporting Evaluation](#)
- [Surfclam and Ocean Quahog Species Separation Requirements: Review White Paper and Identify Next Steps](#)

December 13-16, 2021 Council Meeting (Annapolis, MD)

- 2022 Implementation Plan: Approve
- [Recreational Reform Initiative: Update \(Joint with Policy Board\)](#)
- [Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment: Final Action \(Joint with SFSBSB Board\)](#)
- Summer Flounder, Scup, and Black Sea Bass 2022 Recreational Management Measures: Approve (Joint with SFSBSB Board)
- Bluefish 2022 Recreational Management Measures: Approve (Joint with Bluefish Board)
- Biennial Review of 2020-2024 Research Priorities Document: Review and Approve
- EAFM Summer Flounder Management Strategy Evaluation: Update and Feedback (Joint with SFSBSB Board)
- RSA Workshop Report: Review
- Habitat Activities Update (including wind and aquaculture)

2021 Council Meeting Topics At-a-Glance

	June 7-10	August 9-12	October 5-7	December 13-16
Mackerel, Squid, Butterfish and River Herring and Shad (RH/S)	<ul style="list-style-type: none"> • 2021-2022 <i>Illex</i> Specs • 2022 Longfin and Butterfish Specs Review • <i>Illex</i> Incidental Trip Limit and Butterfish Mesh Regulations 	<ul style="list-style-type: none"> • 2022 Mackerel Specs Review (including RH/S cap) 	<ul style="list-style-type: none"> • Chub mackerel 2022 Specs Review 	
Summer Flounder, Scup, Black Sea Bass (SF/S/BSB)	<ul style="list-style-type: none"> • Recreational Reform Initiative: Update • ASMFC Remand of BSB Allocations: Discuss 	<ul style="list-style-type: none"> • SF/S/BSB 2022-2023 Specs • Rec Reform Initiative 		<ul style="list-style-type: none"> • Rec Reform Initiative • SF/S/BSB 2022 Rec Mgmt Measures • SF-S-BSB Com/Rec Allocation Amd: Final Action
Bluefish	<ul style="list-style-type: none"> • Bluefish Amd: Final Action 	<ul style="list-style-type: none"> • Bluefish 2022-2023 Specs 		<ul style="list-style-type: none"> • Bluefish 2022 Rec Mgmt Measures
Tilefish		<ul style="list-style-type: none"> • Golden Tilefish Multi-Year Specs FW: Final Action • Golden Tilefish Specs: Review 2022 and Approve 2023-2024 	<ul style="list-style-type: none"> • Private Tilefish Permitting/Reporting Evaluation 	
Atlantic Surfclam and Ocean Quahog (SC/OQ)	<ul style="list-style-type: none"> • SC/OQ 2022 Specs Review 		<ul style="list-style-type: none"> • SC/OQ Species Separation: Review White Paper and Identify Next Steps 	
Spiny Dogfish			<ul style="list-style-type: none"> • 2022 Dogfish Specs Review • Dogfish Trip Limit Analysis 	
Science Issues		<ul style="list-style-type: none"> • SSC Economic Work Group: Update on RSA Case Study • Joint Council-SSC Meeting 	<ul style="list-style-type: none"> • HMS Diet Study Report • Ocean City Video Project: Review Results 	<ul style="list-style-type: none"> • Biennial Review of 2020-2024 Research Priorities • RSA Workshop Report: Review
EAFM		<ul style="list-style-type: none"> • EAFM Summer Flounder MSE Update 		<ul style="list-style-type: none"> • EAFM Summer Flounder MSE Update
Other	<ul style="list-style-type: none"> • Advisory Panel Appointments • Unmanaged Commercial Landings Report • Habitat Update • Offshore Wind Updates 		<ul style="list-style-type: none"> • Discuss 2022 Draft Deliverables • Bullet and Frigate Mackerel Action Update 	<ul style="list-style-type: none"> • 2022 Implementation Plan: Approve • Habitat Update

Acronyms/Abbreviations

Amd	Amendment	MSE	Management Strategy Evaluation
Com/Rec	Commercial/Recreational	Mtg	Meeting
Com	Commercial	Rec	Recreational
EAFM	Ecosystem Approach to Fisheries Management	RH/S	River Herring and Shad
FMP	Fishery Management Plan	SC/OQ	Atlantic Surfclam and Ocean Quahog
GRAs	Gear Restricted Areas	SF/S/BSB	Summer Flounder, Scup, Black Sea Bass
HMS	Highly Migratory Species	Specs	Specifications
Mgmt	Management	SSC	Scientific and Statistical Committee
MSB	Mackerel, Squid, Butterfish		

Actions Referenced in this Document

- **Bluefish Amd:** Bluefish Allocation and Rebuilding Amendment
- **SF-S-BSB Com/Rec Allocation Amd:** Summer Flounder, Scup, Black Sea Bass Commercial/Recreational Allocation Amendment
- **Rec Reform Initiative:** Recreational Management Reform Initiative
- **Golden Tilefish Multi-Year Specs FW:** Golden Tilefish Multi-Year Specifications Framework
- **SC/OQ Species Separation:** Action to address current species separation requirements in the Atlantic surfclam and ocean quahog fisheries
- **Bullet and Frigate Mackerel Action Update:** Action to implement a possession limit for bullet and frigate mackerel



Status of Council Actions Under Development

AS OF 5/25/21

FMP	Action	Description	Status	Staff Lead
Summer Flounder, Scup, Black Sea Bass	Commercial/Recreational Allocation Amendment	This joint MAFMC/ASMFC amendment will reevaluate and potentially revise the commercial and recreational sector allocations for summer flounder, scup, and black sea bass. This action was initiated in part to address the allocation-related impacts of the revised recreational data from MRIP. http://www.mafmc.org/actions/sfsbsb-allocation-amendment	The Council and Board reviewed public comments at the April 2021 Council Meeting and voted to postpone final action until December 2021.	Dancy/Coutre/Beaty
Bluefish	Bluefish Allocation and Rebuilding Amendment	This joint MAFMC/ASMFC amendment considers potential revisions to the allocation of Atlantic bluefish between the commercial and recreational fisheries and the commercial allocations to the states. This action will also review the goals and objectives of the bluefish FMP and the quota transfer processes and establish a rebuilding plan for bluefish. http://www.mafmc.org/actions/bluefish-allocation-amendment	The Council and Bluefish Board will consider final action at the June 2021 meeting.	Seeley
Summer Flounder, Scup, Black Sea Bass and Bluefish	Recreational Reform Framework and Technical Guidance Documents	The Council and Policy Board initiated a framework/addendum to address the following topics for summer flounder, scup, black sea bass, and bluefish: (1) better incorporating MRIP uncertainty into the management process; (2) guidelines for maintaining status quo recreational management measures (i.e., bag, size, and season limits) from one year to the next; (3) a process for setting multi-year recreational management measures; (4) changes to the timing of the recommendation for federal waters recreational management measures; and (5) a proposal put forward by six recreational organizations called a harvest control rule. The Council and Policy Board may consider addressing some of these topics through a technical guidance document, rather than a framework/addendum. https://www.mafmc.org/actions/recreational-reform-initiative	The Council and Policy Board will receive an update at the June 2021 meeting.	Beaty

FMP	Action	Description	Status	Staff Lead
	Recreational Sector Separation and Catch Accounting Amendment	This joint MAFMC/ASMFC amendment considers (1) options for managing for-hire recreational fisheries separately from other recreational fishing modes and (2) options related to recreational catch accounting, such as private angler reporting and enhanced vessel trip report requirements for for-hire vessels. https://www.mafmc.org/actions/recreational-reform-initiative	The Council and Policy Board initiated this action at the joint October 2020 meeting. Minimal progress is expected in 2021 due to other priorities.	Beaty
Surfclam and Ocean Quahog	Addressing Current Surfclam and Ocean Quahog Species Separation Requirements	As surfclams have shifted toward deeper water in recent years, catches including both surfclams and ocean quahogs have become more common. Current regulations do not allow surfclams and ocean quahogs to be landed on the same trip. The Council is exploring options to address this issue.	An FMAT has been established, and their first meeting was held 11/17/2020.	Coakley/ Montañez
Tilefish	Golden Tilefish Multi-Year Specs Framework	This framework action will consider allowing specifications to be set for more than 3 years (e.g. 5 years) when assessment data support the development of longer-term projections. This action is intended to increase administrative efficiency and predictability from year to year.	Framework Meeting #1 took place at the April 2021 meeting. Final action is schedule for the August 2021 meeting.	Montañez
Omnibus	Omnibus Amendment for Data Modernization	This amendment will address the regulatory changes needed to fully implement the Agency's Fishery-Dependent Data Initiative.	The Council last received an update at the October 2018 meeting.	GARFO/NEFSC

Timeline and Status of Recent MAFMC Actions and Amendments/Frameworks Under Review

As of 5/25/2021

The table below summarizes the status of actions after they have been approved by the Council. For information about the status of Council actions under development, please see the document titled "Status of Council Actions Under Development."

Title	Action Number	Council Approval	Initial Submission	Final Submission	NOA Published	Proposed Rule Published	Approval/Disapproval Letter	Final Rule Published	Regs Effective	Notes
Excessive Shares Amendment	SCOQ Amd 20	12/9/19	4/24/20	9/25/20						
Omnibus Commercial eVTR Framework	MSB FW 14; Bluefish FW 4; SFSBSB FW 15; SCOQ FW 3; Tilefish FW 5; Dogfish FW 4	MAFMC: 12/11/19; NEFMC: 1/29/20	3/4/20	4/14/20	7/17/20	7/17/20		11/10/20	11/10/21	
MSB FMP Goals/Objectives and Illex Permits Amendment	MSB Amd 22	7/16/20	3/15/21							
Black Sea Bass Commercial State Allocation Amendment	TBD	2/1/21	5/5/21							During their June 2021 meeting, the Council will consider whether to revisit their allocation recommendation in light of the ASFMC Policy Board remand of the decision back to the SFSBSB Mgmt Board.

Timeline and Status of Current and Upcoming Specifications for MAFMC Fisheries

As of 5/25/21

Current Specifications	Year(s)	Council Approval	Initial Submission	Final Submission	Proposed Rule	Final Rule	Regs Effective	Notes
Golden Tilefish	2021-2022	4/8/20	5/11/20	7/21/20	11/13/20	12/21/20	12/21/20	
Blueline Tilefish	2019-2021	4/11/18	8/17/18	10/24/18	11/19/18	2/12/19	2/12/19	
Surfclam and Ocean Quahog	2021-2026	8/12/20	9/2/20	2/24/21	2/17/21	5/13/21	6/14/21	
Longfin Squid	2021-2023	8/10/20	10/14/20		5/26/21			EA may have additional edits before final rule
Butterfish	2021-2022	8/10/20	10/14/20		5/26/21			EA may have additional edits before final rule
Illex Squid	2020-2021	6/17/20	10/14/20		5/26/21			EA may have additional edits before final rule
Atlantic Mackerel (including RH/S cap)	2021-2022	8/10/20	10/14/20		5/26/21			EA may have additional edits before final rule
Chub mackerel	2020-2022	3/7/19	5/31/19	10/25/19	3/9/20	8/4/20	9/3/20	Reviewed October 2020. No changes recommended.
Bluefish	2021 (revised)	8/11/20	9/24/20	10/26/20	11/5/20	12/16/20	12/16/20	
Summer Flounder, Scup, Black Sea Bass	2021 (revised)	8/11/20	9/30/20	11/20/20	11/17/20	12/21/20	1/1/21	
Spiny Dogfish	2021-2022	10/6/20	12/7/20	2/3/21	3/4/21	5/1/21	5/1/21	

Recreational Management Measures

Current Management Measures	Year(s)	Council Approval	Initial Submission	Final Submission	Proposed Rule	Final Rule	Regs Effective	Notes
Summer flounder recreational measures	2021	12/15/20	1/20/21	1/20/21	4/6/21	5/6/21	5/5/21	Rulemaking required each year to continue use of conservation equivalency
Black sea bass recreational measures	2021	2/14/18	3/5/18	4/10/18	4/11/18	5/31/18	5/31/18	Reviewed in 2020. No changes from previous year's measures.
Scup recreational measures	2021	12/10/14	3/20/15		5/5/15	6/19/15	6/19/15	Reviewed in 2020. No changes from previous year's measures.
Bluefish recreational measures	2021	12/10/19	1/23/20	3/19/20	5/25/20	6/29/20	6/29/20	Reviewed in 2020. No changes from previous year's measures.

2021 SPRING NRCC MEETING AGENDA

via Google Meet

All times are approximate

Tuesday, May 25

9:00 a.m. – 9:15 a.m.

1. Welcome, Introductions, Announcements
(Simpkins, Sullivan)

9:15 a.m. – 3:00 p.m. (*Break as needed, lunch at noon*)

2. Stock Assessments

Discussion leader: Simpkins

- Schedule revisions, to account for 2020 postponements and other issues
- 2026 research track assessment proposals and recommendations
- Research track steering committees – proposed approach
- Assessment process improvements – progress updates
- Future of winter flounder science and management

3:00 p.m. *Adjourn Day 1*

Wednesday, May 26

9:00 a.m. – 9:30 a.m.

3. FDDI and CAMS Update

Discussion leader: Gouveia

9:30 a.m. – 10:00 a.m.

4. Offshore Wind Update

Discussion leader: Pentony/Lipsky

10:00 a.m. – 10:15 a.m. *Break*

10:15 a.m. – 10:30 a.m.

5. NOAA Climate and Fisheries Initiative

Discussion leader: Simpkins

- Potential formation of regional teams

10:30 a.m. – 11:30 a.m.

6. Scenario Planning

Discussion leader: Scenario Planning Core Team (Dancy)

- Core Team will present and have NRCC review the draft proposed process and timeline

11:30 a.m. – 12:00 p.m.

7. Meeting wrap-up and Other Business

- Complete any unfinished discussions or unresolved new business
- Review action items and assignments
- Identify Fall 2021 meeting date (NEFSC chair)
- Adjourn meeting

12:00 p.m. Meeting adjourns

PROPOSED AGENDA
COUNCIL COORDINATION COMMITTEE MEETING
VIDEO CONFERENCE CALL
May 18 - 20, 2021

Tuesday, May 18, 2021 1:30 PM to 5:30 PM EST

1:15 pm to 1:30 pm	Meeting Setup	
1:30 pm to 1:35 pm	Overview of WebEx functions	Nicholas Pieper
1:35 pm to 1:40 pm	Opening of Meeting	Marc Gorelnik
	<i>Announce public comment times and instructions to provide comment</i>	
	Welcome and Introduction	Paul Doremus
1:40 pm to 2:30 pm	1. Approval of Agenda and Minutes	
Chuck Tracy	2. NOAA Fisheries Update and Upcoming Priorities	Paul Doremus
	a. Administration Priorities/Transition (budget roll up)	
	b. COVID-19 Operations and Reintegration Plans	
	c. Post-Pandemic Council Operations Discussion	
	d. Other	
2:30 pm to 3:10 pm	3. NOAA Fisheries Science Update	
John Carmichael	a. Fisheries Surveys Outlook and MRIP	
	Catch Estimates	Cisco Werner Evan Howell
3:10 pm to 3:25 pm	Break	
3:25 pm to 5:00 pm	4. Legislative Outlook	
Dave Witherell	a. Huffman/Case MSA reauthorization draft, HR59 (Young), etc.	David Whaley
	b. Report from Committee Staff (tentative)	
	c. CCC Legislative Workgroup Report	Dave Witherell
5:00 pm to 5:15 pm	5. Integration of ESA Section 7 with MSA	Kitty Simonds
Kitty Simonds		
5:15 pm to 5:30 pm	Public Comment (<i>for items not covered on the agenda</i>)	
5:30 pm	Adjourn Day 1	

Wednesday, May 19, 2021: 1:30 PM to 5:30 PM EST

1:15 pm to 1:30 pm	Meeting Setup	
1:30 pm to 1:35 pm	Overview of WebEx functions	Nicholas Pieper
	Welcome Back Day 2	Marc Gorelnik
	<i>Announce public comment times and instructions to provide comment</i>	
1:35 pm to 3:00 pm	6. Recent Executive Orders	
Miguel Rolon	a. Update on Selected Executive Orders Applicable to the Work of NOAA Fisheries	
	b. E.O. 14008 Tackling the Climate Crisis at Home and Abroad	Paul Doremus Sam Rauch Jen Lukens
3:00 pm to 3:40 pm	7. Offshore Wind Development	
Chuck Tracy	a. BOEM & Councils engagement	Brian Hooker
	b. Habitat Work Group Report	Kerry Griffin
3:40 pm to 3:55 pm	Break	
3:55 pm to 4:40 pm	8. NS1 Draft Technical Memorandum on managing with ACLs for data-limited stocks & Update on working group products	
John Carmichael		Kelly Denit Marian Macpherson
4:40 pm to 5:30 pm	9. CCC Committees	
Presenters	a. Council Member Ongoing Development (CMOD)	Diana Evans Tom Nies
	b. Communications Report	Chuck Tracy
	c. NEPA Subcommittee	Chuck Tracy
	d. Status of SCS-7	Dave Witherell
	e. COFI Report	Kitty Simonds
5:30 pm	Public Comment (<i>for items not covered on the agenda</i>)	
	Adjourn Day 2	

Thursday, May 20, 2021: 1:30 PM to 5:30 PM EST

1:15 pm to 1:30 pm	Meeting Setup	
1:30 pm to 1:35 pm	Welcome Back Day 3	Marc Gorelnik
	<i>Announce public comment times and instructions to provide comment</i>	
1:35 pm to 2:55 pm	10. Seafood Competitiveness, Marketing and Economic Growth	
Chris Moore	a. Overview and Session Introduction	Paul Doremus
	b. E.O. 13921 Promoting American Seafood Competitiveness and Economic Growth	
	i. Section 4 Councils' Recommendations Update	Kelly Denit
Carrie Simmons	ii. Aquaculture Opportunity Areas (AOAs) Listening Sessions Feedback Update	David O'Brien
	c. Seafood Marketing efforts including MAFAC, National Seafood Council Recommendations	Jen Lukens Paul Doremus
2:55 pm to 3:10 pm	Break	
3:10 pm to 3:55 pm	11. Electronic Monitoring	
Tom Nies	a. Draft Electronic Monitoring Procedural Directive on applying information law (e.g. FRA, FOIA, MSA confidentiality)	Brett Alger
3:55 pm to 4:15 pm	12. Policy and Procedural Directives on Guidance for Financial Disclosures and Recusals	Adam Issenberg
Tom Nies		
4:15 pm to 4:30 pm	Public Comment (<i>for items not covered on the agenda</i>)	
4:30 pm to 5:00 pm	Break	
5:00 pm to 5:30 pm	13. Wrap-up and Other Business	
Chuck Tracy	a. CCC Outcomes and Recommendations	
	b. Discussion of Next Meeting Dates for 2021 and 2022, Frequency and Schedule of future Council check-in calls	
5:30 pm	Adjourn Day 3	



Mid-Atlantic Fishery Management Council
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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: May 24, 2021
To: Chris Moore, Executive Director
From: Karson Coutre, Staff
Subject: Update on Atlantic Large Whale Take Reduction Team discussions relative to the Mid-Atlantic region

NMFS is expecting the final rule this summer for modifications to the Atlantic Large Whale Take Reduction Plan (ALWTRP) intended to achieve at least a 60 percent reduction in mortalities or serious injuries of right whales in the Northeast Jonah crab and lobster trap/pot fisheries. These fisheries deploy about 93 percent of the buoy lines fished in areas where right whales occur. [Measures in this rule](#) include line reduction, restricted areas/times for buoy lines, testing out ropeless fishing, weak line or inserts, and gear marking.

In 2021, the Atlantic Large Whale Take Reduction Team (ALWTRT) will be asked to recommend risk reduction measures for other Atlantic trap/pot and gillnet fisheries along the entire east coast. Depending on the proposed measures, this could impact MAFMC managed fisheries for monkfish, spiny dogfish, black sea bass, bluefish, and scup, due to their use of pot/trap or gillnet gear. Upcoming steps in this process include:

- Develop and expand the Decision Support Tool to cover all trap/pot and gillnet fisheries in ALWTRP waters (primarily Spring/Summer 2021).
- Full team two-day ALWTRT meeting in June/July 2021 to determine what types of measures to take to scoping. These meetings will be open to the public and are scheduled for Monday June 28, 3-6 pm, and Thursday, July 1, 3-6pm.
- Public scoping meetings are anticipated to occur in August/September, including presentations to the Councils.
- The full ALWTRT will reconvene in November 2021 to discuss scoping results, assemble potential alternatives, and further identify data needs to support decision making.
- The full team will vote on alternatives in early 2022.

More information on the ALWTRT meetings including recordings and presentations can be found on the [Atlantic Large Whale Take Reduction Plan webpage](#).



United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

December 7, 2020

NAME ON PERMIT
MAILING ADDRESS
CITY, STATE ZIP

Greater Atlantic and Southeast Region Electronic Vessel Trip Reporting

Dear Greater Atlantic Region Vessel Permit Holder:

You have been identified as holding both a Greater Atlantic Regional Fisheries Office (GARFO) and Southeast Region Office (SERO) vessel for-hire permit. In early December, SERO will be sending you an informational toolkit that explains the Southeast For-Hire Electronic Reporting Program. As a result of holding the SERO permit, you will need to report the new information listed below, in addition to the GARFO information you are accustomed to reporting.

New reporting requirements as a result of holding a SERO for-hire permit

- Socio-economic questions:
 - Trip Fee (dollars);
 - Fuel Used (gallons);
 - Price of Fuel (dollars per gallon).
- Requirement to submit did-not-fish reports in weeks in which no fishing activity occurs in any fishery.

How to report:

- As a holder of a SERO permit, you will be required to meet these reporting requirements regardless of where you fish or what species you target.
- If you have been reporting using eTrips/Mobile 2, simply continue to report as you have been, as this system meets both regions' requirements.
- If you have been reporting using the Fish Online eVTR application, we strongly encourage you to convert to eTrips/Mobile 2 to satisfy the reporting requirements of both GARFO and SERO. At present, Fish Online does not meet SERO reporting requirements.

When to report:

- Reports must be submitted within 48 hours of landing to meet GARFO requirements.

For assistance with reporting requirements contact:

- Your local GARFO Port Agent
- GARFO reporting group at 978-281-9246
- If you are a Fish Online user and want to switch to using eTrips, call 1-800-984-0810 or visit <https://www.accsp.org/what-we-do/safis/etrips-mobile-instructions/>

LATEST NEWS

New South Atlantic For-Hire Reporting Requirements – Information for Greater Atlantic Permit Holders

Beginning on January 4, 2021, all fishermen with Atlantic federal charter/headboat permits for Snapper-Grouper, Coastal Migratory Pelagics, and Dolphin/Wahoo issued by NOAA's Southeast Regional Office (SERO) will be required to electronically report their fishing effort and landings through the NOAA Fisheries Southeast For-Hire Electronic Reporting Program.

How Will This Affect For-Hire Operators in the Greater Atlantic Region?

Individuals holding **only** for-hire permits issued by the Greater Atlantic Regional Fisheries Office (GARFO) will not be impacted by these changes. You can continue submitting your electronic VTRs as you are right now.

Individuals holding **both** a GARFO for-hire permit and a Southeast Region Office (SERO) charter/headboat permit for any of the species listed above will be subject to new reporting requirements.

Information for Dual GARFO and SERO For-Hire Permit Holders

In early December, SERO will be sending you an informational toolkit that explains the Southeast For-Hire Electronic Reporting Program. The toolkit is also available [here](#).

New Reporting Requirements

As a result of holding the SERO permit, you will need to report the new information listed below, in addition to the GARFO information you are accustomed to reporting.

- Socio-economic questions:
 - Trip Fee (dollars);
 - Fuel Used (gallons);
 - Price of Fuel (dollars per gallon).
- Requirement to submit did-not-fish reports in weeks in which no fishing activity occurs in any fishery.

How to Report

- As a holder of a SERO permit, you will be required to meet these reporting requirements regardless of where you fish or what species you target.
- If you have been reporting using eTrips/Mobile 2, simply continue to report with this software as you have been, as the new fields will automatically appear in January and this system meets both regions' requirements.
- If you have been reporting using the Fish Online eVTR application, we strongly encourage you to convert to eTrips/Mobile 2 to satisfy the reporting requirements of both GARFO and SERO. At present, Fish Online does not meet SERO reporting requirements.

When to Report:

Reports must still be submitted within 48 hours of landing to meet GARFO requirements.

For Assistance with Reporting Requirements Contact

- Your local GARFO Port Agent
- GARFO reporting group at 978-281-9246
- If you are a Fish Online user and want to switch to using eTrips, call 1-800-984-0810 or visit <https://www.accsp.org/what-we-do/safis/etrips-mobile-instructions/>

Additional Information

- [Informational Toolkit](#)
- [Instructional videos](#)
- SERO Webinars to answer your questions: scheduled for 10:00 AM-12:00 PM and 6:00-8:00 PM, EST on **December 16, 2020**. Details are available [here](#).
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- Customer service email: ser.electronicreporting@noaa.gov

December 10, 2020

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
<https://www.fisheries.noaa.gov/region/southeast>

04/27/2021

F/SER25:NM

Mr. Mel Bell, Chair
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, South Carolina 29405

Dear Mr. Bell:

The purpose of this letter is to inform the South Atlantic Fishery Management Council (Council) of the approval of Amendment 12 to the Fishery Management Plan (FMP) for the Dolphin and Wahoo Fishery of the Atlantic (Dolphin Wahoo Amendment 12). Dolphin Wahoo Amendment 12 and its final rule will add bullet mackerel and frigate mackerel to the FMP for the Dolphin and Wahoo Fishery of the Atlantic and designate them as ecosystem component (EC) species. The Council noted that the two mackerel species have been documented as important forage species particularly for wahoo and to a lesser extent for dolphin. The purpose of Dolphin Wahoo Amendment 12 is to acknowledge the ecological role of bullet mackerel and frigate mackerel as forage fish and achieve ecosystem management objectives (50 C.F.R §600.305(d)(13)). National Marine Fisheries Service and the Council determined that bullet mackerel and frigate mackerel are currently not in need of conservation and management, making them eligible for consideration as EC species under provisions found within the National Standard Guidelines (50 C.F.R §600.305(c)(1)) and complying with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

The notice of availability for Dolphin Wahoo Amendment 12 published in the *Federal Register* on January 29, 2021 (86 FR 7524), and the comment period ended on March 30, 2021. The proposed rule published in the *Federal Register* on March 2, 2021 (86 FR 12166), and the comment period ended on April 1, 2021.

On behalf of the agency, I thank the Council for their continued dedication to sustainable fisheries management in the South Atlantic Region. Please contact my staff at the Southeast Regional Office at (727) 824-5301, if you have any questions.

Sincerely,

AMENDOLA.KIMBERLY.B.13658
RLY.B.1365830769
Digitally signed by
AMENDOLA.KIMBERLY.B.13658
30769
Date: 2021.04.27 12:07:59 -04'00'

for Andrew J. Strelcheck
Acting Regional Administrator





New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

April 1, 2021

Mr. Michael Pentony
Regional Administrator
NMFS, Northeast Regional Office
55 Great Republic Drive
Gloucester, MA 01930

RE: Comments on Sea Watch Surfclam EFP (86 FR 14597)

Dear Mike:

I am writing to express serious concerns with the proposed Sea Watch Surfclam EFP.

The March 17, 2021 Federal Register notice states that the EFP would allow four commercial surfclam and ocean quahog vessels to conduct at-sea paralytic shellfish poisoning testing in the Closed Area II scallop access area in statistical reporting area (SRA) 552. However, SRA 552 is entirely in Canadian waters, with no overlap of Closed Area II. We think they might have intended to fish in area 562, but without a clear understanding of where the fishing would occur, it is difficult to provide meaningful comment on this EFP request. As a result, we recommend that the EFP notice be modified to clearly indicate where the fishing within Closed Area II would be, since impacts may vary depending on when and where dredging occurs. Also, the Council and interested stakeholders should have another opportunity to provide comments after the area is correctly defined.

Our concerns with the EFP extend beyond the inaccurate description of the EFP area. The Council is actively managing several groundfish stocks within Closed Area II, some of which are overfished and in rebuilding plans. This EFP could have serious adverse impacts on Georges Bank cod, Georges Bank yellowtail flounder, Georges Bank winter flounder and northern windowpane flounder mortality and habitat. Beyond closures, the Council has required gear modifications in the groundfish and scallop fisheries to reduce impacts on Georges Bank yellowtail flounder and on northern windowpane flounder. The potential impacts of dredging for surfclams and ocean quahogs on vulnerable stocks should be assessed, particularly for Georges Bank cod and Georges Bank yellowtail flounder, which are managed under the transboundary sharing arrangement with Canada.

Also, the Council has been actively managing several scallop cohorts in the Closed Area II area. The area is no longer considered a single management unit, and includes partial closures to protect incoming year classes, and some open areas with very high densities of scallops that will be fished in the coming year. A broad exemption for Closed Area II that would allow

commercial surfclam and ocean quahog fishing is inconsistent with the rotational management program that the Council has developed for this area.

Our evaluation of impacts is constrained by the metrics presented for fishing effort in the notice, which are limited to the number of trips and trip duration. These are cursory and make it difficult to assess what the impacts from fishing will be. 416 trips seem to be a very high level of effort for an experiment to determine whether clams in the area are contaminated with PSP. This high number also ignores broader concerns about impacts on EFH and other species. Information on the number of expected tows, tow duration, and potential bycatch are much more useful to assess for the potential impacts of the activity on managed resources and habitats. We also have concerns that the trip length is underestimated based on the distance of Closed Area II from ports in the Northeast. The steam time to and from Closed Area II is over a day and a half in total.

There is no rationale provided as to why two trips per week landing 4,800 bushels each are required to evaluate the effectiveness of testing for PSP in this new area. Is the purpose of the exempted fishery to determine that clams throughout the area do not contain problematic levels of PSP or is it to support future fishing in this area? Testing for PSP could be conducted with minimal harvest of surfclams and ocean quahogs, and without landing the product. As written, the scale of the EFP would presumably allow a fishery to be prosecuted within Closed Area II, as opposed to just an exploratory testing exercise.

The Council's Fishing Effects Model¹, and its precursor, the Swept Area Seabed Impact Model², estimate the effects of different bottom-tending gear types on benthic habitats. These models estimate a greater magnitude of impacts in deeper waters where the seabed is less affected by tidal currents. Some portions of Closed Area II deeper than approximately 80 meters are lower energy and therefore expected to be more vulnerable to fishing gear impacts. This issue is well described in section 6.1 of the Environmental Assessment prepared by NOAA Fisheries when the PSP exemption area was originally authorized³.

Beyond the concerns about managed species and habitat, fishing industry groups have worked together to reduce gear conflicts in this area, particularly between mobile and fixed gear fishermen, specifically vessels fishing with lobster pots. Gear conflicts that may emerge with this new fishery should be considered.

While not an issue related to NEFMC-managed resources, southeastern Georges Bank is both surfclam and ocean quahog habitat. As we understand it, the fishery is currently restricted to landing one species or the other on a trip. The EFP should explain how mixed surfclam/ocean quahog catches will be accommodated if both species are encountered during the same trip.

Based on these concerns, we recommend that the EFP notice should be modified to clearly define the area that is being proposed for fishing so that the Council and public can better understand the scope of this research and potential impact on resources within the Closed Area II

¹ NEFMC (2011). The Swept Area Seabed Impact approach: a tool for analyzing the effects of fishing on Essential Fish Habitat. New England Fishery Management Council, Newburyport, MA: 257p.

² NEFMC (2020). Fishing Effects Model Northeast Region. New England Fishery Management Council, Newburyport, MA: 109p.

³ National Marine Fisheries Service (2012). Re-Opening a Portion of the Georges Bank Closed Area to Surfclam and Ocean Quahog Harvesting. Environmental Assessment and Regulatory Impact Review. NMFS Northeast Regional Office, Gloucester, MA: 104p.

management unit. There also should be a clear explanation of how concerns over managed species and habitat will be addressed.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Nies".

Thomas A. Nies
Executive Director



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

May 12, 2021

Natalie Jennings
Coonamessett Farm Foundation, Inc.
277 Hatchville Road
East Falmouth, MA 02536

Dear Ms. Jennings:

We received your application for an Exempted Fishing Permit (EFP) to extend and expand the Coonamessett Farm Foundation's (CFF) project in the Great South Channel Habitat Management Area (HMA). After a review of the application and the information available from the current EFP for this project, we are unable to proceed with this new EFP request at this time.

The initial research plan for this project was submitted in June 2019. The plan was broad in scope, and we expressed our concerns about the potential adverse impacts to the HMA. After several conversations with my staff, and receiving comments and suggestions from the New England Fishery Management Council's Habitat Plan Development Team (PDT), CFF submitted a revised research plan in November 2019, which divided the project into two phases. We included a summary of this revised research plan in the announcement of the EFP application in the *Federal Register* (85 FR 4638; January 27, 2020). We issued the EFP on May 27, 2020, which will expire on May 27, 2021.

As you proposed, Phase I of the project was constrained to a limited area within the Rose and Crown area and was intended to serve as a 'proof of concept' phase. Vessels fishing under the Phase I EFP were to use dredge-mounted cameras to collect data to characterize substrate types where surfclam and mussel fishing occurs. A portion of the funds generated from the fishing trips was intended to support data collection using cameras to examine the habitat impacts of dredging, conduct habitat mapping and analysis, and research the presence of juvenile cod in the HMA. CFF proposed that Phase II of the plan would involve more use of dredge-mounted cameras and increase the geographic scope of compensation fishing to include a portion of the Davis Bank East area in order to fund an expansion of the non-fishing research aspects of the project.

CFF's research plan specified that the transition to Phase II would be based on how well the data collected during Phase I addressed the Council's research priorities for the HMA. In December 2020, CFF submitted an initial progress report that provided summary data from the 34 commercial trips taken at that point in Phase I. The progress report included annotated video data from 8 tows (of the 1,791 tows total conducted), 4 conducted in June and 4 in September. The report anticipated an intensive video survey independent of commercial fishing would begin in February 2021; however, we have not yet received any results from this period. Until more Phase I results are provided to us for review, it is premature to consider moving to Phase II of



this project. Once complete Phase I results are available, and before we would authorize a Phase II EFP, we also intend to solicit input from the Council and its Habitat PDT on the utility of the data for evaluating potential new exemption areas within the HMA. This is a key purpose of Phase I, and one that is necessary to evaluate the appropriateness of the proposed Phase II design.

However, even the preliminary data available from Phase I raise concerns about Phase II of this project. The video from only a small fraction of tows has been analyzed, so it is not yet clear how well or consistently a dredge-mounted camera can document the substrates where surfclam and mussel fishing occur. Furthermore, the dredge track data provided in the progress report indicate that surfclam and mussel fishing does occur in complex habitat. In one example provided, up to 80 percent of the tow occurred in what could be considered complex habitat. We do not know how these compare to nearby unfished areas, but it is clear fishing does not solely occur on sandy bottom as was once thought.

We were able to determine that the potential impacts of the Phase I proposal were minor and temporary in nature because Phase I was restricted to a limited area within the Rose and Crown area and for a limited duration, and because it was unclear the extent to which surfclam or mussel fishing gear interacted with complex habitats. As such, the issuance of the Phase I EFP did not require the preparation of an environmental impact statement or environmental assessment under the National Environmental Policy Act. We have not made any determination on what level of analysis might be needed to assess the potential impacts of an expanded Phase II project.

Given the need for additional analysis of Phase I data in order to determine whether a transition to Phase II may be appropriate, please let us know if you would like to discuss a reasonable extension of the Phase I EFP. If you have additional questions please contact Douglas Potts (Douglas.Potts@noaa.gov).

Sincerely,



Michael Pentony
Regional Administrator

Cc: Dr. John Quinn, NEFMC Chairman
Thomas Nies, NEFMC Executive Director

Atlantic Bluefin Tuna: Proposed Rule for Draft Amendment 13 to the 2006 Consolidated Atlantic HMS FMP

NOAA Fisheries announces a proposed rule for Draft Amendment 13 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan. The publication of this proposed rule coincides with the release of the Draft Environmental Impact Statement (DEIS) that analyzes the ecological and socioeconomic impacts of the alternatives that are considered in Draft Amendment 13. A schedule of public hearings will be announced in a separate Federal Register notice.

Who is affected?

The proposed measures could affect any U.S. fisherman who targets or incidentally catches Atlantic bluefin tuna.

What will it do?

A full description of the proposed management measures can be found in the proposed rule, which published on May 21, 2021, and the full range of alternatives considered can be found in the DEIS, which is on the [NOAA Fisheries Website](#). The proposed measures are summarized below.

Proposed Measures
<p>Longline category</p> <p><u>Individual Bluefin Quota (IBQ) Shares</u></p> <ul style="list-style-type: none">• Dynamic determination of IBQ shares based upon amount of designated species landings;• Modify regional Gulf of Mexico and Atlantic IBQ designations and cap bluefin catch from the Gulf of Mexico <p><u>IBQ Share Cap</u> - Cap amount of IBQ shares owned per entity at 25%</p> <p><u>Electronic Monitoring</u></p> <ul style="list-style-type: none">• Clarify and expand regulations for camera installation;• Specify additional fish handling protocols;• Reduce hard drive mailing frequency <p><u>Cost Recovery Program</u> - Implement a cost recovery program via dealers</p> <p><u>Dealer Reporting Requirements</u> - Remove PIN and dead discard requirements for IBQ reports</p>
<p>Purse Seine category and quota reallocation</p> <ul style="list-style-type: none">• Modify codified quota allocation percentages to reflect the annual 68-mt allocation to the Longline category;• Discontinue Purse Seine category and reallocate quota when Amendment 13 is implemented;

<ul style="list-style-type: none"> • Reallocate Purse Seine category quota proportionally to directed bluefin categories, including Reserve
<p>Angling category Modify Angling category trophy areas and allocations (percentages)</p>
<p>Harpoon category Set a Harpoon category limit on the total number of bluefin at 10 fish (combined large medium and giant) and maintain current retention limit range on large medium bluefin</p>
<p>Permit category corrections Allow vessels with an open access Atlantic tunas or HMS permit to change permit categories within a fishing year provided they have not landed a bluefin</p>

Submit Comments by July 20, 2020:

Written comments, identified by “NOAA-NMFS-2019-0042,” may be submitted electronically via the Federal eRulemaking Portal <http://www.regulations.gov>, or sent by mail to the contact information included below. All comments received are a part of the public record and generally will be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter N/A in the required fields if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

For further information on this proposed rule and draft environmental impact statement, contact HMS staff at 978-281-9260. Copies of the proposed rule, draft environmental impact statement, and other supporting documents are available upon request from the Highly Migratory Species Management Division (phone: 301-427-8503).