



February 2022 Council Meeting Summary

The Mid-Atlantic Fishery Management Council (Council) met February 8-9, 2022 via webinar. The following summary describes actions taken and issues considered during the meeting. Presentations, briefing materials, motions, and webinar recordings are available at <http://www.mafmc.org/briefing/february-2022>.

HIGHLIGHTS

During this meeting, the Council:

- Reconsidered the black sea bass recreational management measures previously recommended for 2022 and voted to modify the coastwide reduction target to 20.7%
- Reviewed the range of alternatives in the Recreational Harvest Control Rule Framework/Draft Addenda and requested that the SSC provide a qualitative evaluation of the alternatives (joint meeting with the ASMFC ISFMP Policy Board)
- Received a presentation regarding ongoing efforts to address Atlantic sturgeon bycatch in the Federal large mesh gillnet fisheries
- Received a briefing on financial disclosures and recusal requirements
- Approved the reappointment of 16 SSC members

Reconsideration of 2022 Black Sea Bass Recreational Management Measures

In December 2021, the Council and the Atlantic States Marine Fisheries Commission's (Commission's) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) jointly approved a 28% reduction in coastwide black sea bass harvest compared to the 2018-2021 average. This reduction was deemed necessary to prevent exceeding the 2022 recreational harvest limit (RHL). They also jointly agreed to use the conservation equivalency process to waive federal waters measures and allow states to work together as regions to develop measures to collectively reduce harvest to prevent a 2022 RHL overage.

The Commission's Summer Flounder, Scup, and Black Sea Bass Technical Committee (TC) met several times in January 2022 to develop an agreed upon methodology for states to use when developing regional proposals for recreational black sea bass measures. The TC considered methodologies for identifying and smoothing outlier recreational harvest estimates at the state, wave, mode, and year level for 2018-2021. As a result of this analysis, the TC recommended a modified coastwide harvest reduction target of 24% but agreed that reductions ranging from 20.7% to 26.8% could be justified based on its outlier analysis.

During this meeting, the Council and Board reviewed the TC's recommendations and voted to modify the coastwide reduction target to 20.7%. Under the conservation equivalency process, the Council and Board also approved non-preferred coastwide measures. These measures are intended to be waived in favor of regional measures which would collectively prevent an RHL overage. The Council and Board modified the non-preferred measures to reflect the revised harvest reduction target of 20.7%. The revised non-preferred coastwide measures include a 14-inch minimum size limit, a 5 fish possession limit, and an open season of May 15-October 8. The Council and Board's December 2021 recommendation for precautionary default measures, consisting of a 16-inch minimum size, a 3 fish possession limit, and an open season of June 24-December 31, remained unchanged. These measures are intended to be implemented in any state or region that does not put forward a proposal that can be approved by the Board through the Commission's conservation equivalency process.

Recreational Harvest Control Rule Framework/Addenda

The Council and the Commission's Interstate Fisheries Management Program Policy Board (Policy Board) met to review the range of alternatives in the Recreational Harvest Control Rule Framework/Draft Addenda. The goal of this proposed action is to establish a process for setting recreational bag, size, and season limits for summer flounder, scup, black sea bass, and bluefish such that measures aim to prevent overfishing, are reflective of stock status, appropriately account for uncertainty in the recreational data, take into consideration angler preferences, and provide an appropriate level of stability and predictability in changes from year to year. The alternatives under consideration include various methods to allow for greater stability in measures and more explicit consideration of stock status when setting the measures compared to the current process.

The Council and Policy Board requested that the Council's Scientific and Statistical Committee (SSC) provide a qualitative evaluation of the potential effect of each of the five primary alternatives in this proposed action on the SSC's assessment and application of risk and uncertainty in determining acceptable biological catch levels. The intent is to provide the Council and Policy Board with information to consider the tradeoffs among the different alternatives with respect to the relative risk of overfishing, increasing uncertainty, fishery stability, and the likelihood of reaching or remaining at the target biomass level.

The Policy Board approved its draft addenda for public comment. Public hearings will take place through the Commission process in the coming months. Additional information on hearing dates and locations will be posted on the Council and Commission's websites once it is available. The Council's framework action will consider the same range of alternatives as the Commission's addenda. The Council does not typically hold public hearings for framework actions. Therefore, the Council agreed that additional hearings beyond those planned through the Commission process are not necessary.

Atlantic Sturgeon Bycatch

Spencer Talmage (NOAA Fisheries Greater Atlantic Regional Fisheries Office) provided an update on the formation and planned activities of the Atlantic Sturgeon Bycatch Working Group. Atlantic sturgeon, a slow growing and late maturing species, have been listed under the Endangered Species Act (ESA) since 2012. On May 27, 2021, NOAA Fisheries released a "batched" biological opinion which considered the effects of several fishery management plans on ESA-listed species. The Biological Opinion specifies a number of requirements necessary to minimize the impacts of any incidental take. These include a requirement that NMFS convene a working group to address Atlantic sturgeon bycatch in the Federal large mesh gillnet fisheries. The group aims to produce a review of available bycatch information relevant to federal large mesh gillnet fisheries and then use this review to develop an action plan to reduce Atlantic sturgeon bycatch in relevant fisheries by 2024. There will be opportunities for public input throughout the process. Members of the Council and public asked questions and provided feedback related to the process and information used. Some voiced concerns over the goal of Action Plan completion in May 2022, stating this may not be realistic.

Other Business

- John Almeida (NOAA Office of General Counsel, Northeast) provided a briefing on financial disclosure and recusal requirements.
- Executive Director, Dr. Chris Moore, provided an overview of planned meeting topics for 2022.
- The Council approved reappointment of 16 SSC members whose three-year terms will expire in March 2022.
- The Council received an update on recent leadership level discussions regarding the Great South Channel Habitat Management Area.
- Staff provided updates on recent offshore wind activities. The Council briefly discussed the overlap of the draft Central Atlantic wind energy call areas and the Frank R. Lautenberg Deep Sea Coral Protection Areas.

In December 2021, the Council requested that these coral areas be excluded from all stages of wind energy development, including these early planning stages for the Central Atlantic.

- The Council reviewed a list of new and reappointed members of the Northeast Trawl Advisory Panel (NTAP).
- The Council discussed a recent [NOAA comment period](#) seeking comments on whether a nomination for Hudson Canyon National Marine Sanctuary should remain in the inventory of potential future marine sanctuaries. This area was added to the inventory in 2017 and is undergoing a five-year review process to determine whether it still meets a set of 11 criteria against which proposals for sanctuaries are evaluated. In 2017, the Council wrote a [letter](#) expressing concern about designating of a sanctuary in Hudson Canyon given the inability to guarantee that the Council would retain management authority in the area. The designation process for marine sanctuaries is separate from the nomination process, and designation has not been initiated for the Hudson Canyon area. If designation of this area were considered, the Council would provide comments during this highly participatory process that typically takes 3-5 years.

Next Meeting

The next Council meeting will be held **April 5-7, 2022**. This will be a hybrid meeting with options to participate virtually or in person in Galloway, New Jersey. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.