



National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Sustainable Fisheries Division
www.greateratlantic.fisheries.noaa.gov



Status Report of Greater Atlantic Region Actions

Prepared for the December 14-17, 2020
Meeting of the
New England Fishery Management Council

December 14, 2020

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

None at this time.

Scallops

Temporary Rule to Extend an Emergency Action to Extend Portions of the Fishing Year 2019 Carryover Provisions in the Atlantic Sea Scallop Fishery Management Plan

On November 24, 2020, NOAA's National Marine Fisheries Service (NMFS) published a temporary rule in the *Federal Register* (85 FR 74919) continue emergency measures that extend portions of the fishing year 2019 carryover provisions in the Atlantic Sea Scallop Fishery Management Plan into the 2020 fishing year published on June 1, 2020 (85 FR 33027), which was scheduled to expire on November 29, 2020. This action is intended to provide additional time for Limited Access General Category Individual Fishery Quota vessels to land the 2019 carryover allocation granted by the original emergency action and to provide the New England Fishery Management Council additional time to develop a plan for the management of the Nantucket Lightship-West Access Area while it remains closed. This action will expire on June 1, 2021. For additional information, please contact Travis Ford at (978) 281-9233 or email at Travis.Ford@noaa.gov.

Herring

Closure of Management Area 1A

On November 11, 2020, NMFS published a temporary rule in the *Federal Register* (85 FR 72579) closing the directed Atlantic herring fishery in Management Area 1A. The closure was necessary because landings were projected to exceed 92 percent of the sub-annual catch limit (ACL), as required by the Atlantic Herring Fishery Management Plan. The closure was intended to prevent overharvest of Atlantic herring and quota reductions in the future. The temporary rule is effective through December 31, 2020. For additional information, please contact Aly Pitts at (978) 281-9352 or email at Alyson.pitts@noaa.gov.

Closure of Management Area 1B

On November 30, 2020, NMFS published a temporary rule in the *Federal Register* (85 FR 76487) closing the directed Atlantic herring fishery in Management Area 1B. The closure was necessary because landings were projected to exceed 92 percent of the sub-ACL, as required by the Atlantic Herring Fishery Management Plan. The closure was intended to prevent overharvest of Atlantic herring and quota reductions in the future. The temporary rule is effective through December 31, 2020. For additional information, please contact Lou Forristall at (978) 281-9321 or email at Louis.Forristall@noaa.gov.

2020 Specifications Adjustment

On October 22, 2020, NMFS published a temporary rule in the *Federal Register* (85 FR 67311) adjusting the Atlantic herring specifications. This rule increased the 2020 Atlantic herring annual catch limit and Area 1A sub-annual catch limit by 1,000 metric tons (mt). This action is required by the herring regulations when, based on data through October 1, the New Brunswick weir fishery lands less than 2,942 mt of herring. For additional information, please contact Carrie Nordeen at (978) 281-9272 or email at Carrie.Nordeen@noaa.gov.

Monkfish

None at this time.

Atlantic Deep-Sea Red Crab

None at this time.

Skate

None at this time.

Spiny Dogfish

None at this time.

Mid-Atlantic Council Actions

Summer Flounder, Scup, and Black Sea Bass

Proposed Rule for the 2021 Summer Flounder, Scup, and Black Sea Bass Specifications

On November 11, 2020, NMFS published a proposed rule in the *Federal Register* (85 FR 73253)

that would revise the 2021 summer flounder, scup, and black sea bass specifications. These revisions are primarily based on recent changes to the Mid-Atlantic Council's risk policy, which defines the acceptable risk of overfishing associated with an acceptable biological catch limit. The comment period on the proposed rule closes December 2, 2020. For additional information, please contact Emily Keiley at (978)281-9116 or email at Emily.Keiley@noaa.gov.

Final Rule Implementing Amendment 21 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (Summer Flounder Commercial Issues Amendment)

On December 14, 2020, NMFS published a final rule in the *Federal Register* (85 FR 80661) implementing Amendment 21 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, Amendment 21 was approved on October 19, 2020. Amendment 21 changes the summer flounder commercial state quota allocation system and fishery management plan goals and objectives. This rule will be effective on January 1, 2021. Summer flounder state quotas will be published in the final rule for the 2021 Summer Flounder, Scup, and Black Sea Bass Specifications. For additional information, please contact Emily Keiley at (978)281-9116 or email at Emily.Keiley@noaa.gov.

Summer Flounder Quota Transfers

On November 23, 2020, and December 15, 2020, NMFS published notices in the *Federal Register* (85 FR 74612) notifying the public of inseason transfers of 2020 summer flounder quota. North Carolina transferred a total of 90,000 lb of 2020 summer flounder quota to Connecticut. These transfers occurred through mutual agreement of the states to ensure Connecticut would not exceed its 2020 quota. The revised summer flounder quotas for fishing year 2020 are now: North Carolina, 3,035,501 lb; and Connecticut, 350,241 lb. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Surfclam and Ocean Quahog

None at this time.

Atlantic Bluefish

2021 Specifications

On November 5, 2020, NMFS published a proposed rule in the *Federal Register* (85 FR 70573) to implement bluefish fishery specifications in fishing year 2021. These specifications would be unchanged from the 2020 catch limits, except for a reduction in the recreational harvest limit (RHL) from 9.48 million pounds to 8.34 million pounds to account for higher recreational discards in 2019 than initially projected. The recreational fishery is projected to fully harvest this RHL, therefore no transfer of quota to the commercial fishery is proposed in 2021. These specifications make no changes to the recreational management measures, but if the Council decides that adjustments are necessary, they will be addressed in a separate action following the December joint Council meeting. The comment period for this action ended on November 20,

2020, and the final rule is expected to publish before the end of December 2020. No substantive changes to the rule are expected as a result of the comments received. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Bluefish Quota Transfers

On October 08, 2020, October 26, 2020, and November 20, 2020, NMFS publishes notices in the Federal Register (85 FR 63460, 85 FR 67683, 85 FR 74266) to inform the public of inseason transfers of 2020 bluefish quota. The states of New Hampshire and Maryland, and the Commonwealth of Virginia transferred a portion of their 2020 bluefish quota to the state of North Carolina. These transfers occurred through mutual agreement of the states to ensure North Carolina would not exceed its 2020 quota.

On December 9, 2020, NMFS published a notice in the Federal Register (85 FR 79139) to inform the public of an inseason transfer of 2020 bluefish quota. The Commonwealth of Massachusetts transferred 15,000 lb of bluefish quota to the state of Rhode Island. This transfer occurred through mutual agreement of the states to ensure Rhode Island would not exceed its 2020 quota.

The revised 2020 bluefish quotas for fishing year 2020 are: New Hampshire 2,468 lb; Maryland 53,054 lb; Virginia 253,682 lb; Massachusetts 170,838 lb; and, Rhode Island 313,366 lb.

For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Atlantic Mackerel, Squid, and Butterfish

None at this time.

Tilefish

2021-2022 Golden Tilefish Specifications and Emergency Action

On November 13, 2020, NMFS published proposed specifications for the 2021 commercial golden tilefish fishery and projected specifications for 2022 (85 FR 72616). NMFS accepted public comment through November 30, 2020. The proposed specifications are based on the status quo Annual Catch Limit. The requested emergency measures would allow tilefish individual fishing quota shareholders to carryover unharvested 2020 quota pounds, up to five percent of their initial allocation. Rollover provisions in the regulations will allow the fishery to continue to operate under 2020 measures until a final rule is implemented. For additional information, please contact Douglas Potts at (978)-281-9341, or email at douglas.potts@noaa.gov.

Blueline Tilefish Commercial Fishery Closure

On November 20, 2020, NMFS published a temporary rule in the *Federal Register* (85 FR 74919) to close the blueline tilefish commercial fishery, effective 0001 hours November 21, 2020,

through the end of the fishing year (December 31, 2020). This closure was necessary because, the fishery was projected to land 100 percent of the total allowable landings by November 21, 2020. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.hansen@noaa.gov.

Other Actions

Electronic Vessel Trip Reporting

Final Rule to Approve Electronic Vessel Trip Reporting

On November 10, 2020, NMFS published a final rule (85 FR 71575) to require federally permitted commercial fishing vessels to submit vessel trip reports electronically within 48 hours of the end of a trip. Upon request of the New England Council, NMFS is also extending this requirement to vessels issued charter/party permits for New England Council-managed fisheries (i.e., Northeast multispecies). This rule will be effective one year from the publication date on November 10, 2021. For additional information please contact Moira Kelly at (978) 281-9218, or email at Moira.Kelly@noaa.gov.

Paperwork Reduction Act

None at this time.

Jonah Crab

None at this time.

Industry Funded Monitoring Omnibus Amendment

None at this time.

Lobster

None at this time.

Habitat Actions

None at this time.

Protected Resources Actions

None at this time.

Research Permits and Acknowledgments - Applications Under Review

On March 4, 2020, NMFS received an application from the Northeast Sector Service Network for an Exempted Fishing Permit (EFP) in support of an ongoing project to develop a maximized retention electronic monitoring (MREM) program to meet monitoring requirements for the Northeast multispecies fishery. This EFP would allow one MREM participant to conduct exploratory fishing for haddock and pollock while using a 5.1-inch square mesh codend without gear modifiers in the Redfish Exemption Area. The vessel would use electronic monitoring on 100 percent of sector trips and the video footage would be used to confirm that the vessel complied with retention requirements. Catch would be assessed via a dockside monitoring program. For additional information, please contact Mark Grant at (978) 281-9145 or email at mark.grant@noaa.gov.

On October 26, 2020, NMFS received an application from the Coonamessett Farm Foundation to renew an EFP. This EFP would allow one participating vessel to participate in a black sea bass tagging study in two sampling events in April and August 2021. A total of 40 black sea bass would be tagged. No catch would be landed for sale. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

On November 2, 2020, NMFS received an application from Seawatch International for an EFP to explore the potential expansion of the allowable fishing grounds for surfclams into statistical area 552. Under this EFP, four commercial surfclam vessels that are certified in at sea testing for paralytic shellfish poisoning, would take up to 100 trips per year from January 31, 2021 through January 31, 2022. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

On November 9 2020, NMFS published a notice of receipt in the *Federal Register* (85 FR 71323) for an application from the Maine Center for Coastal Fisheries for an EFP that would exempt vessels from the gear requirements of the Open Access Multispecies Handgear B Permit. These vessels would opportunistically deploy handgear on commercial lobster trips in the eastern Gulf of Maine to collect samples of adult cod greater than 24 inches in length. The project is intended to support research started in response to the findings of the Atlantic Cod Stock Structure Working Group. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at spencer.talmage@noaa.gov.

Research Permits and Acknowledgments - Application Review Completed

On October 26, 2020, NMFS issued an EFP to the Commercial Fisheries Research Foundation to conduct a beam trawl survey in and around the South Fork Wind Farm work area. The purpose of this study is to collect oceanographic data and pre-construction data on the abundance, size

structure, and distribution of marine organisms in and around the work area. The EFP authorizes 8 vessels to conduct up to 24 1-day sampling trips from October 2020 through October 2022 (1 trip per month). Nine tows will be completed during each sampling trip: Three tows in a sampling area inside the South Fork Wind Farm work area, and six tows in reference areas adjacent to the work area. For additional information, please contact Maria Fenton at (978) 618-8923 or email at Maria.Fenton@noaa.gov.