



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 April 6-8, 2021
Meeting of the
Mid-Atlantic Fishery Management Council

April 5, 2021

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New England Council Actions

Small-Mesh Multispecies

None at this time.

Groundfish

Proposed Rule to Approve Groundfish Sectors for the Northeast Multispecies Fishery

On Wednesday, March 31, 2021, NOAA's National Marine Fisheries Service (NMFS) published a proposed rule in the *Federal Register* (86 FR 16686) to approve fishing years 2021-22 operations plans and contracts, including regulatory exemptions, for 16 groundfish sectors; allocate fishing year 2021 annual catch entitlements; announce default specifications for seven groundfish stocks; announce our determination that the audit model electronic monitoring program may be used to meet sector monitoring requirements; and amend the regulations under our 305(d) authority to administer electronic monitoring. The public comment period is open until April 15, 2021. For additional information, please contact Claire Fitz-Gerald at (978)281-9255 or email at Claire.Fitz-Gerald@noaa.gov.

Revisions to Framework Adjustment 59

On Friday, March 26, 2021, NMFS published a final rule in the *Federal Register* (86 FR 16078) to correct minor errors published in the final rule approving and implementing Framework Adjustment 59 to the Northeast Multispecies Fishery Management Plan (FMP). This rule also distributed sector allocation carried over from fishing year 2019 to fishing year 2020 as authorized by the sector regulations. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

Possession and Trip Limit Increases for the Common Pool Fishery

On March 11, 2021, NMFS published a temporary rule in the *Federal Register* (86 FR 13823) announcing an increase in the possession and trip limits of Georges Bank cod, Gulf of Maine cod, Gulf of Maine haddock, Southern New England/Mid-Atlantic winter flounder, American plaice, and witch flounder for the Northeast multispecies common pool fishery for the remainder of the 2020 fishing year, through April 31, 2021. These changes are intended to provide the common pool fishery greater opportunity to harvest, but not exceed, its annual quota for these stocks. For additional information please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

Scallops

None at this time.

Herring

Final Rule to Implement Framework 8 to the Atlantic Herring Fishery Management Plan

On April 1, 2021, NMFS published an interim final rule in the Federal Register (86 FR 17081) for Framework 8 to the Atlantic Herring FMP. This framework sets specifications for the 2021-2023 fishing years for Atlantic herring, adjusts carryover provisions, and modifies herring management measures (i.e., possession limit adjustments in Herring Management Areas 2 and 3 and seasonal access to Area 1B) to support greater opportunities to catch Atlantic mackerel. Measures were effective on March 29, 2021. For additional information, please contact Aly Pitts at (978) 281-9352 or email at Alyson.Pitts@noaa.gov.

Closure of Management Area 3

On April 5, 2021 NMFS published a temporary rule in the *Federal Register* closing the directed Atlantic herring fishery in Management Area 3 and setting the herring possession limit at 2,000 lb. The closure was necessary because landings were projected to exceed 98 percent of the sub-Annual Catch Limit, the closure threshold required by the Atlantic Herring FMP. The closure was intended to prevent overharvest of Atlantic herring and quota reductions in the future. The temporary rule is effective through December 31, 2021. For additional information, please contact Lou Forristall at (978) 281-9321 or email at Louis.Forristall@noaa.gov.

Monkfish

None at this time.

Atlantic Deep-Sea Red Crab

None at this time.

Skate

None at this time.

Spiny Dogfish

Revised 2021-2022 Specifications

On March 4, 2021, NMFS published a proposed rule in the *Federal Register* (86 FR 12591) to implement revised 2021 and projected 2022 specifications for the spiny dogfish fishery, based on

the Mid-Atlantic Fishery Management Council's updated risk policy. The proposed specifications would increase the 2021 acceptable biological catch (ABC) from 35.4 million lb to 38.6 million pounds, and the resulting 2021 coastwide commercial quota from 27.4 million lb to 29.6 million lb. This is also 27 percent higher than the commercial quota for fishing year 2020. The specifications for fishing year 2022 are projected to be unchanged from the revised 2021 specifications. All other management measures, including the 6,000-lb Federal trip limit, would remain unchanged. The comment period for this proposed rule ended on March 19, 2021 and one comment was received from the public, with no changes necessary as a result of the comment. The final rule is currently in development, and expected to publish by the end of April 2021, in time for the start of the fishing year on May 1, 2021. For additional information, please contact Cynthia Ferrio at (978) 281-9180 or email at Cynthia.Ferrio@noaa.gov.

Mid-Atlantic Council Actions

Summer Flounder, Scup, and Black Sea Bass

Proposed Rule to Implement 2021 Summer Flounder Recreational Measures

On April 4, 2020, NMFS published a proposed rule in the *Federal Register* to implement 2021 summer flounder recreational measures. This action proposes to maintain conservation equivalency for 2021, as recommended by the Council and Commission. This action would also maintain the current non-preferred coastwide measures and precautionary default measures. The 2021-coastwide measures would become the default management measures in 2022, until either coastwide or conservation equivalency measures are established. The comment period closes on April 21, 2021. For additional information, please contact Emily Keiley at (978) 281-9116 or email at Emily.Keiley@noaa.gov.

Surfclam and Ocean Quahog

Proposed Rule for 2021-2026 Specifications

On February 17, 2021, NMFS published a proposed rule (86 FR 9901) soliciting public comment on 2021-2026 surfclam and ocean quahog specifications. This action would maintain quota levels of 3.4 million bushels (bu) for Atlantic surfclams, 5.36 million bu for ocean quahogs, and 100,000 Maine bu for Maine ocean quahogs and suspend the minimum size for surfclams for the 2021 fishing year. Four comments were received during the 15-day public comment period that closed on March 4, 2021. Three comments were in support of the specifications and one comment was not relevant. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.

Atlantic Bluefish

None at this time.

Atlantic Mackerel, Squid, and Butterfish

None at this time.

Tilefish

2021-2022 Golden Tilefish Specifications and Emergency Action

On December 21, 2020, NMFS published a final rule (85 FR 82944) implementing 2021-2022 golden tilefish specifications and emergency measures to allow tilefish individual fishing quota (IFQ) shareholders to carry over unharvested 2020 quota pounds, up to five percent of their initial allocation. A proposed rule was published on November 13, 2020 (85 FR 72616), with a public comment period through November 30, 2020. NMFS will send tilefish IFQ quota shareholders a revised allocation letter reflecting any applicable carryover. For additional information, please contact Douglas Potts at (978)-281-9341, or email at douglas.potts@noaa.gov.

Other Actions

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 February 4, 2021, the Northeast Fisheries Science Center submitted a Scientific Research Permit (SRP) application for spring and fall bottom longline surveys using commercial vessel research platforms during 2021. Vessels will sample high complexity bottom habitats in the Gulf of Maine using bottom longline gear with a focus on species like cod, haddock, halibut, and thorny skates. Activities will occur in the spring and fall. For additional information, please contact Kyle Molton at (978) 281-9236 or email at Kyle.Molton@noaa.gov.

On March 4, 2021, the Northeast Fisheries Science Center submitted a complete application for an Exempted Fishing Permit (EFP) in support of its Study Fleet Program. The EFP would exempt 20 commercial fishing vessels from minimum fish sizes and possession limits for species of interest in order to collect biological data and fish specimens for the Center. Collected data would be used in research relevant to stock assessments and fish biology. On March 23, 2021, NMFS published a notice in the *Federal Register* (86 FR 15465) to provide interested parties the opportunity to comment on EFP applications. The comment period closes on April 7, 2021. For more information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov

The Commercial Fisheries Research Foundation (CFRF) submitted a complete application for an Exempted Fishing Permit (EFP) in support of its South Fork Wind Farm (SFWF) Gillnet Survey on October 16, 2020. The proposed research would use large-mesh gillnet gear in a Before-After-Control-Impact study design to collect pre-construction data on the abundance, size structure, and distribution of monkfish, winter skate, and other species in the SFWF lease area and adjacent waters. A notice (86 FR 12657) soliciting public comment on the application published on March 4, 2021, and the comment period ended on March 19, 2021. For additional information, please contact Louis Forristall at (978) 281-9321 or email at louis.forristall@noaa.gov.

The Commercial Fisheries Research Foundation submitted a complete application for an EFP in support of its South Fork Wind Farm Fish Pot Survey on October 16, 2020. The proposed research would use scup traps in a Before-After-Control-Impact study design to collect pre-construction data on the abundance, size structure, and distribution of scup, black sea bass, and tautog in the South Fork Wind Farm area and adjacent waters. A notice (86 FR 12658) soliciting public comment on the application published on March 2, 2021, and the comment period ended on March 19, 2021. For additional information, please contact Louis Forristall at (978) 281-9321 or email at louis.forristall@noaa.gov.

The Maine Department of Marine Resources submitted a complete application for an EFP on December 23, 2020, requesting an exemption for vessels with Federal Northern Gulf of Maine permits fishing under their 2020 Scallop Research Set-Aside Letters of Authorization to fish their allocation outside of the NGOM management area. A notice (86 FR 13700) soliciting public comment on the application published on March 10, 2021, and the comment period ended on March 25, 2021. For additional information, please contact Louis Forristall at (978) 281-9321 or email at louis.forristall@noaa.gov.

Research Permits and Acknowledgments - Application Review Completed

On March 2, 2021, NMFS issued an SRP in support of Northeast Fisheries Science Center activities to be conducted on board Center-controlled research vessels during 2021. Planned research cruises include general ecosystem monitoring surveys and surveys to evaluate and monitor particular species. Fishing gear, when used, will include various types of trawl and dredge gear. For additional information, please contact Maria Fenton at (978) 281-9196 or email at Maria.Fenton@noaa.gov.

On March 8, 2021, NMFS issued a Letter of Acknowledgement (LOA) to the University of Massachusetts Dartmouth's School for Marine Science and Technology in support of a video trawl survey on Georges Bank. Survey work will occur during an 8-day research cruise and will use video technology to study abundance, spatial distribution, size structure, and length-weight relationships of flatfish in the study area. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

On March 8, 2021 NMFS issued an LOA to the Virginia Institute of Marine Science in support of the North East Area Monitoring and Assessment Program (NEAMAP) Near Shore Trawl Survey in Southern New England and the Mid-Atlantic. The survey will sample fish and select invertebrates from Cape Hatteras, NC to Montauk, NY during two research cruises, one each in the spring and fall. For additional information, please contact Spencer Talmage at (978) 281-9232 or email at Spencer.Talmage@noaa.gov.

On April 5, 2021, NMFS issued an EFP to the Commercial Resesarch Foundation to continue their ventless lobster gear study to examine the abundance and distribution of juvenile American lobster and Jonah crab along the north Atlantic coast in lobster conservation management areas 1, 2, 3, 4, and 5. Sampling will occur year round, with traps hauled weekly in Area 2, and every 10 days in the other areas. All lobster and Jonah crab caught in the experimental traps will be counted, sexed, and measured. Biological information, including shell hardness and presence of eggs, will also be recorded. All species captured in study traps will be returned promptly to the sea after sampling. For additional information, please contact Laura Hansen at (978) 281-9225 or email at Laura.Hansen@noaa.gov.