



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 February 9-11, 2016
Meeting of the
Mid-Atlantic Fishery Management Council

February 9, 2016

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New England Council Actions

Small-Mesh Multispecies

None at the time

Groundfish

None at this time

Scallops

None at this time

Monkfish

None at this time

Herring

None at this time

Skate

None at this time

Atlantic Deep-Sea Red Crab

None at this time

Mid-Atlantic Council Actions

Summer Flounder, Scup, and Black Sea Bass

None at this time

Atlantic Bluefish

None at this time

Spiny Dogfish

None at this time

Atlantic Mackerel, Squid, and Butterfish

2016-2018 Specifications and Management Measures for the Atlantic Mackerel, Squid, and Butterfish Fisheries

NMFS published a proposed rule in the Federal Register on January 22, 2016, (81 FR 3768) proposing 2016-2018 specifications for the Atlantic mackerel, squid, and butterfish fisheries. The comment period closes February 22, 2016. This action proposes catch levels and associated management measures for the 2016-2018 fishing years for species managed under the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan (FMP).

The proposed action would:

- Lower the Atlantic mackerel quota by 56 percent to 9,177 mt for the next three years;
- Lower the cap on river herring and shad catch in the mackerel fishery from 89 mt to 82 mt for the next three years;
- Increase the trigger for when 3-inch mesh is required for longfin squid and butterfish moratorium permit holders from 2,500 lb to 5,000 lb of butterfish per trip;
- Clarify that 5-inch (square or diamond) or greater mesh (or net) strengtheners may be used outside the 3-inch mesh to avoid breaking nets during large hauls; and
- Suspend indefinitely the pre-trip notification system requirement for longfin squid and butterfish moratorium permit holders.

For additional information, please contact Carly Bari at (978) 281-9224 or email at Carly.Bari@noaa.gov

Tilefish

Tilefish IFQ Cost Recovery

As in previous years, tilefish cost recovery bills for the 2015 calendar year will be issued in March. A preliminary review of recoverable costs indicates that 2015 recoverable costs were approximately \$21,000. This is higher than for 2014 (\$14,662), but matches the average of the prior 5 years (2010-2014). We will again release the annual IFQ cost recovery report, which will provide more details about the recoverable costs and the value of the fishery when the tilefish cost recovery bills are issued. The Magnuson-Stevens Act requires all Limited Access Privilege Programs, such as the Tilefish IFQ Program, to undergo a periodic review every 5 years. The work to complete this review and generate a report will result in additional staff time for both the Regional Office and the Northeast Fisheries Science Center, which will be recoverable. Because this is the first such 5-year review conducted in this region, we do not have a good estimate of how much additional staff time this review will require. As a result, next year's bills will likely be higher. We will try to provide the Council and tilefish IFQ shareholders an estimate of total recoverable costs when they become available. For additional information, please contact Douglas Potts at (978) 281-9341 or e-mail at Douglas.Potts@noaa.gov.

Surfclam and Ocean Quahog

Surfclam/Ocean Quahog Cost Recovery Amendment (Amendment 17)

The Council approved the Cost Recovery Amendment at the February 2015 meeting. This action proposes to implement a cost recovery program for the individual transferable quota (ITQ) fishery, revise the process for incorporating new biological reference points into the FMP, and remove the optimum yield range from the FMP. A Notice of Availability and Proposed Rule for this action to solicit public comment on approval of the amendment and our proposed implementing measures will be published soon. For additional information, please contact Doug Potts at 978-281-9341 or email at Douglas.Potts@noaa.gov.

Other Actions

Lobster

None at this time

Jonah Crab

None at this time

Blueline Tilefish

None at this time

Paperwork Reduction Act

NMFS published a notice in the Federal Register on October 19, 2015 (80 FR 63201), requesting comments on a renewal for collection of information requirements under the Paperwork Reduction Act. This collection of information included the rules for the issuance and use of a vessel Interactive Voice Response (IVR) system, a Vessel Monitoring System (VMS), Vessel Trip Report (VTR) and Clam Log forms to obtain fishery-dependent data to monitor, evaluate, and enforce fishery regulations. NMFS is seeking comments on whether the collection is necessary, if NMFS's estimate of costs and burden is accurate, and ways to reduce these costs and improve data collection. The comment period for the information collection ended on December 18, 2015, but NMFS will accept comments until February 9, 2016.

Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via email at JJessup@doc.gov).

Requests for additional information or copies of the information collection instrument and instructions please contact James St. Cyr, at (978) 281-9369 or email at James.StCyr@noaa.gov.

Protected Resources Actions

Thorny Skates

NMFS received a petition from the Animal Welfare Institute and Defenders of Wildlife on May 28, 2015, to list the "Northwest Atlantic" or "United States" population of thorny skate as threatened or endangered under the Endangered Species Act (ESA). On October 26, 2015, we published a "positive" 90 day finding in the Federal Register (80 FR 65175) noting our determination that the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted and that we are initiating a status review. 90 day findings are only a preliminary step in the listing process and afford thorny skate no additional protections under the ESA. The FR notice requested scientific and commercial information pertaining to this species to be submitted to us by December 28, 2015. We received information from NEFMC, Maine DMR, Fisheries Survival Fund, Massachusetts Lobstermen's Association, Sustainable Fisheries Association, and the Associated Fisheries of Maine. GARFO is working closely with the NEFMC to complete a status review report, which will undergo external peer review. We anticipate convening an expert panel for an extinction risk workshop (to be held in Spring 2016). This workshop will be open to the public. For additional information, please contact Julie Crocker at (978) 281-9328 or email at Julie.Crocker@noaa.gov.

North Atlantic Right Whale Critical Habitat

On January 27, 2016, NMFS published a final rule (81 FR 4838) to replace the critical habitat for right whales in the North Atlantic with two new areas. The areas being designated as critical habitat contain approximately 29,763 nm² of marine habitat in the Gulf of Maine and Georges Bank region (Unit 1) and off the Southeast U.S. coast (Unit 2). In 1994, NOAA Fisheries designated critical habitat for the northern right whale in the North Atlantic Ocean. This designation included portions of Cape Cod Bay and Stellwagen Bank, the Great South Channel, and waters adjacent to the coasts of Georgia and Florida. NOAA Fisheries received a petition from the Center for Biological Diversity and several other NGOs to revise and expand the designated critical habitat of the North Atlantic right whale in feeding and calving areas and along a migratory corridor. The final rule expands feeding and calving areas but does not designate a migratory corridor. For additional information, please contact Mark Minton at (978) 282-8484 or e-mail at Mark.Minton@noaa.gov.

Research Document Applications Under Review

On December 15, 2015, Coonamessett Farm Foundation (CFF) submitted an application for an experimental fishing permit (EFP) to test an experimental Turtle Excluder Device (TED) in the summer flounder otter trawl fishery. This EFP would allow two commercial fishing vessels to trawl for summer flounder using an experimental TED in order to test target catch retention, and would exempt the vessels from minimum size requirements and possession limits found at 50 CFR 648 in order to sample restricted catch for scientific purposes only. Summer flounder would be kept and sold as allowed by the vessels' quotas. For additional information, please contact Liz Scheimer at (978) 281-9236 or email at Elizabeth.Scheimer@noaa.gov.

Status Report of Greater Atlantic Region Regulatory Actions

On November 12, 2015, CFF submitted an application for an EFP for two projects studying the feasibility of a reseeding program to enhance and stabilize scallop recruitment on Georges Bank in the Atlantic sea scallop fishery. One project has already received funding under the 2015 Atlantic Sea Scallop Research Set-Aside (RSA) Program, and the other project has been proposed for funding under the 2016 RSA program. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at Shannah.Jaburek@noaa.gov.

Research Document Application Review Completed

On January 5, 2016, NMFS issued a Letter of Acknowledgement (LOA) to the University of Massachusetts, Dartmouth, School for Marine Science and Technology (SMASST) to continue a study that investigates the application of video technology in a survey trawl to help improve estimates of the abundance, spatial distribution, size structure, and length-weight relationship of Gulf of Maine cod. For additional information, please contact Liz Sullivan at (978) 282-8493 or email at Liz.Sullivan@noaa.gov.

On January 6, 2016, NMFS issued a Letter of Acknowledgment (LOA) to the U.S. Fish and Wildlife Service to tag striped bass in effort to assess their annual mortality from fishing and to collect information on their movement, age and growth, and habitat use. For additional information, please contact Daniel Luers at (978) 282-9457 or email at Daniel.Luers@noaa.gov.

On January 26, 2016, NMFS issued a Letter of Acknowledgement (LOA) to Fisheries and Oceans Canada (DFO) for the Canadian Coast Guard Ship *Teleost* to conduct a bottom trawl survey of Georges Bank. For additional information, please contact Liz Sullivan at (978) 282-8493 or email at Liz.Sullivan@noaa.gov.