

National Marine Fisheries Service  
Greater Atlantic Regional Fisheries Office  
Sustainable Fisheries Division  
[www.greateratlantic.fisheries.noaa.gov](http://www.greateratlantic.fisheries.noaa.gov)



# Status Report of Greater Atlantic Region Actions

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Prepared for the February 14-16, 2017  
Meeting of the  
Mid-Atlantic Fishery Management Council

February 14, 2017

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## New England Council Actions

### Small-Mesh Multispecies

None at this time

### Groundfish

#### Amendment 18 to the Northeast Multispecies Plan

On December 20, 2016, NMFS published a proposed rule for Amendment 18 in the Federal Register (81 FR 92761). Amendment 18 was developed to promote fleet diversity in the groundfish fishery and enhance sector management. The Amendment proposes to limit the number of permits and annual groundfish allocation that an entity could hold. This action also removes several effort restrictions to increase operational flexibility for limited access handgear vessels. Comments on Amendment 18 must be received on or before February 3, 2017. For additional information, please contact William Whitmore at (978) 281-9182 or email at [William.whitmore@noaa.gov](mailto:William.whitmore@noaa.gov).

#### Reimbursement of Sector At-Sea Monitoring Costs

For the 2016 fishing year, NMFS has been able to fully fund our SBRM monitoring program and, are using remaining funds to offset some of industry's costs for the groundfish at-sea monitoring program through a cooperative agreement with the Atlantic States Marine Fisheries Commission. The ASMFC has been reimbursing sectors for 85 percent of their ASM and electronic monitoring costs for sector trips beginning on or after July 1, 2016. To date, all 14 sectors actively fishing have submitted invoices and been reimbursed for ASM trips, on a total of 663 days, that occurred from July through December, including applicable EM trips. We are actively monitoring and evaluating the spend-down of available funds consistent with projected effort for the remainder of the fishing year. For additional information, please contact Mark Grant at (978) 281-9145 or email at [Mark.Grant@noaa.gov](mailto:Mark.Grant@noaa.gov).

#### Inseason Action to Prohibit Common Pool Possession of Georges Bank Cod and to Close the Georges Bank Cod Trimester Total Allowable Catch Area to Common Pool Fishing

On January 9, 2017, NMFS filed a temporary rule in the Federal Register prohibiting the possession of GB cod by common pool vessels and closing the GB cod Trimester Total Allowable Catch Area (statistical areas 521, 522, 525, and 561) to common pool vessels on a groundfish trip. NMFS took these actions because data indicated that the common pool quota for GB cod had already been exceeded for fishing year 2016. For additional information, please contact Kyle Molton at (978) 281-9236 or [Kyle.Molton@noaa.gov](mailto:Kyle.Molton@noaa.gov).

### Monkfish

None at this time

## Scallops

### Proposed Rule for Framework 28

NMFS published a proposed rule for Framework 28 in the Federal Register on January 19, 2017 (82 FR 6472). Framework 28 would: set specifications for the scallop fishery for fishing year 2017; revise the way we allocate catch to the limited access general category individual fishing quota fleet to reflect spatial management of the scallop fishery; and implement a 50-bushel shell stock possession limit for limited access vessels inshore of the days-at-sea demarcation line north of 42° 20' N. lat. The comment period on this rule closed on February 3, 2017. For additional information, please contact Travis Ford at (978) 281-9233 or email at [travis.ford@noaa.gov](mailto:travis.ford@noaa.gov).

## Herring

### Adjustments to the 2017 Management Area Annual Catch Limits

On December 28, 2016, NMFS published a final rule in the Federal Register (81 FR 95494) adjusting the 2017 catch limits in the four herring management areas (Areas 1A, 1B, 2, and 3) to account for underages in those areas during 2015. In order to ensure that the carryover of underages do not cause overfishing of the herring resource, management area-specific carryover does not increase the stock-wide annual catch limit. This action was necessary to ensure that NMFS accounts for herring catch consistent with the requirements of the Atlantic Herring Fishery Management Plan. For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at [Shannah.Jaburek@noaa.gov](mailto:Shannah.Jaburek@noaa.gov).

### Inseason Adjustment to the Herring Management Area 1A Sub-Annual Catch Limit

NMFS published an inseason adjustment in the Federal Register on December 29, 2016 (81 FR 95909), allocating an additional 1,000 mt of Atlantic herring to the Management Area 1A Sub-Annual Catch Limit due to an underharvest in the New Brunswick weir fishery. This action was necessary to comply with the 2016-2018 specifications and management measures for the Atlantic Herring FMP, and to ensure that accounting of the annual catch limit is accurate for fishing year 2016. The allocation was not large enough to reopen the herring fishery in Area 1A. For additional information, please contact Daniel Luers at (978) 282-8457 or email at [Daniel.Luers@noaa.gov](mailto:Daniel.Luers@noaa.gov).

## Skate

### Commercial Skate Wing and Skate Bait Possession Limit Reduction

NMFS published a temporary rule in the Federal Register on January 25, 2017 (82 FR 8364), which reduced the skate wing possession limit from 4,100 lb of skate wings to 500 lb per trip, and reduced the skate bait possession limit from 25,000 lb to 1,135 lb per trip, effective January 30, 2017, through April 30, 2017. We are authorized to reduce the commercial possession limit for the skate wing fishery and required to reduce the possession limit for the skate bait fishery when landings are projected to reach 85 and 90 percent, respectively, of their annual total allowable landings (TAL). For additional information, please contact Reid Lichwell at (978) 281-9112 or email at [Reid.Lichwell@noaa.gov](mailto:Reid.Lichwell@noaa.gov).

## **Atlantic Deep-Sea Red Crab**

### Atlantic Deep-Sea Red Crab Specifications for Fishing Years 2017-2019

NMFS published a proposed rule in the Federal Register on December 1, 2016 (81 FR 86703), proposing the 2017 Atlantic deep-sea red crab quota and proposing projected quotas for 2018-2019. The New England Fishery Management Council's recommendation is to continue the existing red crab fishery quota of 1,775 metric tons for fishing years 2017-2019. This action is necessary to establish allowable red crab harvest levels that will prevent overfishing and allow harvesting of optimum yield. The comment period closed on January 3, 2017. The final rule is in development. If the final rule does not publish before the start of the 2017 fishing year (March 1, 2017), rollover specifications will go into place until replaced by the final rule. For additional information, please contact Allison Murphy at (978) 281-9122 or email at [Allison.Murphy@noaa.gov](mailto:Allison.Murphy@noaa.gov).

## **Mid-Atlantic Council Actions**

### **Summer Flounder, Scup, and Black Sea Bass**

#### Summer Flounder Specifications for Fishing Years 2017-2018

NMFS published a final rule in the Federal Register on December 22, 2016 (81 FR 93842), that established revised summer flounder specifications for the 2017 and 2018 fishing years. These specifications, effective January 1, 2017, were based on updated information regarding the status of the summer flounder stock and represent a 30-percent decrease from those implemented through the summer flounder, scup, and black sea bass specifications set in 2015 for the 2016-2018 fishing years. In addition, the final rule announced an automatic accountability measure for the black sea bass commercial fishery that lowered the previously established 2017 specifications for that fishery. This accountability measure was due to a commercial quota overage and higher-than-expected commercial discards in the 2015 fishing year. We will revisit the need for this accountability measure when we review any updates to the 2017 black sea bass specifications that result from the new black sea bass benchmark assessment. For additional information, please contact Emily Gilbert at (978) 281-9244 or email at [Emily.Gilbert@noaa.gov](mailto:Emily.Gilbert@noaa.gov).

## **Atlantic Bluefish**

### Commercial Bluefish Quota Transfer – Maryland to New York

NMFS published a temporary rule in the Federal Register on December 12, 2016 (81 FR 89396) allowing a transfer of 50,000 lb of commercial bluefish quota from Maryland to New York. The revised bluefish quotas for calendar year 2016 are: Maryland, 96,631 lb; New York, 927,289 lb. This transfer was prompted by the diligent efforts of state officials in New York not to exceed the commercial bluefish quota. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at [Reid.Lichwell@NOAA.gov](mailto:Reid.Lichwell@NOAA.gov).

## Spiny Dogfish

None at this time

## Surfclam and Ocean Quahog

### Surfclam and Ocean Quahog ITQ Cost Recovery

The 2017 fishing year marks the start of the new cost recovery program for the surfclam and ocean quahog individual transferable quota (ITQ) fisheries. At the end of 2017, ITQ shareholders will be responsible for a fee based on how many of their 2017 cage tags are used to land surfclams or ocean quahogs throughout the year. The fee to the ITQ shareholder will be based on the cage tag numbers initially allocated to each shareholder, even if some or all of those tags are leased or otherwise transferred to another individual who uses them to land clams. We will announce the new fees per tag in March 2017, and will issue bills in March 2018 once we know which tags were used. Details about the new cost recovery program were published in the Atlantic Surfclam and Ocean Quahog Amendment 17 final rule (81 FR 38969; June 15, 2016). For additional information, please contact Doug Potts at 978-281-9341 or [Douglas.Potts@noaa.gov](mailto:Douglas.Potts@noaa.gov).

## Atlantic Mackerel, Squid, and Butterfish

### Amendment 16 (Deep-Sea Coral Amendment)

NMFS published a final rule for Amendment 16 in the Federal Register on December 14, 2016 (81 FR 90246). Amendment 16 protects deep-sea corals from the effects of commercial fishing gear in the Mid-Atlantic. The management measures implemented in this rule are intended to protect deep-sea coral and deep-sea coral habitat while promoting the sustainable utilization and conservation of several different marine resources managed under the authority of the Mid-Atlantic Fishery Management Council. For additional information, please contact Travis Ford at (978) 281-9233 or email at [travis.ford@noaa.gov](mailto:travis.ford@noaa.gov).

## Tilefish

### Tilefish Framework 2

This action would modify the incidental possession limit, clarify allowed gear for recreational fishing, and make several improvements to the tilefish individual fishing quota (IFQ) program. We are currently reviewing the framework environmental assessment document and preparing a proposed rule to seek public comment on the action. For additional information please, contact Doug Potts at 978-281-9341 or [Douglas.Potts@noaa.gov](mailto:Douglas.Potts@noaa.gov).

### Blueline Tilefish Amendment

This action would add blueline tilefish to the Tilefish Fishery Management Plan and establish management measures for the resource in the Mid-Atlantic. We are currently reviewing the amendment environmental assessment document and preparing a proposed rule to seek public comment on the action. For additional information please, contact Doug Potts at 978-281-9341 or [Douglas.Potts@noaa.gov](mailto:Douglas.Potts@noaa.gov).

## Other Actions

### Paperwork Reduction Act

Comment Period for the Extension to the Greater Atlantic Region Gear Identification Collections  
On December 27, 2016, a notice was published in the Federal Register (81 FR 95119) announcing a 60-day comment period on a proposed extension to the Greater Atlantic Region Gear Identification collection of information as part of its continuing effort to reduce paperwork and respondent burden. Regulations require that Federal fisheries permit holders using certain types of fishing gear, mark the gear with specified information for the purposes of vessel and gear identification. The regulations also specify how the gear is to be marked for the purposes of visibility. These gear marking requirements aid fishery law enforcement, make the gear more visible to other vessels to aid in navigation, and provide other fishermen with information regarding the gear type being used to help prevent gear conflicts. The public comment period is currently open, and ends on February 27, 2017. 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 the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)). For additional information, please contact Cynthia Hanson at (978) 281-9180, or email at [Cynthia.hanson@noaa.gov](mailto:Cynthia.hanson@noaa.gov).

Comment Period for Atlantic Herring Amendment 5 and Mackerel, Squid, and Butterfish Amendment 14 Data Collections  
NMFS published a notice in the Federal Register on September 25, 2016, requesting comments on the data collection associated with Amendment 5 to the Atlantic Herring Fishery Management Plan (81 FR 73382) and Amendment 14 to the Atlantic Mackerel, Squid, and Butterfish FMP (81 FR 73380). The Paperwork Reduction Act of 1995 requires the Department of Commerce to attempt to reduce paperwork and respondent burden on proposed and continuing data collections. Comments are invited on the necessity of the collections, the accuracy of the agency's estimate of burden, ways to enhance the collection, and ways to minimize the burden on respondents. 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 the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)). For additional information, please contact Daniel Luers at (978) 282-8457 or email at [Daniel.Luers@noaa.gov](mailto:Daniel.Luers@noaa.gov).

Comment Period for Renewal of Atlantic Sea Scallop Amendment 10 Data Collections  
NMFS published a notice in the Federal Register on January 17, 2017 (82 FR 4859), requesting comments to renew the collection of information requirements associated with Amendment 10 to the Atlantic Sea Scallop Fishery Management Plan. The Paperwork Reduction Act of 1995 requires the Department of Commerce to attempt to reduce paperwork and respondent burden on proposed and continuing data collections. Comments are invited on the necessity of the collections, the accuracy of the agency's estimate of burden, ways to enhance the collection, and ways to minimize the burden on respondents. The comment period for the information collection is open through March 20, 2017. 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 the Internet at [JJessup@doc.gov](mailto:JJessup@doc.gov)). For additional information, please contact Shannah Jaburek at (978) 282-8456 or email at [Shannah.Jaburek@noaa.gov](mailto:Shannah.Jaburek@noaa.gov).

## **Lobster**

None at this time

## **Jonah Crab**

None at this time

## **Blueline Tilefish**

None at this time

## **Industry Funded Monitoring Omnibus Amendment**

None at this time

## **Protected Resources Actions**

None at this time

## **Research Document Applications Under Review**

On January 3, 2017, NMFS received a request for a letter of authorization (LOA) from the University of New England (UNE) in support of a barndoor skate discard mortality study. The participating commercial fishing vessel would conduct sampling using skink gillnet gear in areas off the coast of Massachusetts, between April and June of 2017. UNE proposes to tag 50 individual skates with satellite telemetry tags to track post-release mortality. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at [Reid.Lichwell@noaa.gov](mailto:Reid.Lichwell@noaa.gov).

## **Research Document Application Review Completed**

On December 2, 2016, NMFS issued an LOA to Stellwagen Bank National Marine Sanctuary to conduct monthly research trawls for northern sand lance within Stellwagen Bank National Marine Sanctuary to study the life history, abundance, and distribution of the sand lance; and evaluate the potential impact of ocean acidification on the species' larval development. Study trawls are conducted monthly in within the sanctuary, and two days a year in two additional locations off Race Point and on Cape Cod Slope to provide a comparison. Each trawl will be towed at two to four knots with a target catch of roughly 100 to 200 sand lance per trip. No species caught during the surveys will be retained for commercial purposes, and no take of marine mammals is expected. For additional information, please contact Cynthia Hanson at (978) 281-9180, or email at [Cynthia.hanson@noaa.gov](mailto:Cynthia.hanson@noaa.gov).



## *Status Report of Greater Atlantic Region Regulatory Actions*

On December 22, 2016, NMFS issued a Letter of Acknowledgement (LOA) to the United States Army Corps of Engineers to conduct a lobster monitoring study at the Isles of Shoals North Disposal Site, off the New Hampshire coast. All lobsters below the legal size limit will be returned to the sea as soon as possible after data is collected. Legal size lobsters will be retained and sold by the participating vessel in compliance with their lobster permit. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at Reid.Lichwell@noaa.gov.

On January 10, 2017, NMFS issued an LOA to The Virginia Institute of Marine Science to conduct the Northeast Area Monitoring and Assessment Program (NEAMAP) Nearshore Trawl Survey. This survey consists of two research cruises: one in the spring, and one in the fall of 2017. Each cruise will conduct 150 20-minute tows using bottom trawl gear to sample fishes and select invertebrates in the coastal ocean from Cape Hatteras, NC to Montauk, NY. No species caught during the surveys will be retained for commercial purposes, and no take of marine mammals is expected. For additional information, please contact Cynthia Hanson at (978) 281-9180, or email at Cynthia.hanson@noaa.gov.

On February 7, 2017, NMFS issued an Exempted Fishing Permit (EFP) extension to the Cornell Cooperative Extension to continue to conduct research on codend mesh selectivity for summer flounder, scup and black sea bass. This extension was authorized to allow the participating vessel to conduct the remaining research trips described in their scientific research plan. The scope and scale of the project has not changed from the previously issued EFP. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at Reid.Lichwell@noaa.gov.