

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 January 24-26, 2017  
Meeting of the  
New England Fishery Management Council

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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).

#### Approval of At-Sea Monitor Providers for Groundfish Sectors in Fishing Years 2017 and 2018

On December 9, 2016, NMFS published a Federal Register notice (81 FR 89065) approving at-sea monitoring providers for the Northeast multispecies fishery for fishing years 2017 and 2018. Five companies, all of which are currently approved to provide at-sea monitoring services to sectors, submitted applications and have been approved for the next two fishing years. There will be an opportunity for additional providers to apply to provide services for 2018. For additional information, please contact Kyle Molton at (978)281-9236 or email at [Kyle.Molton@noaa.gov](mailto:Kyle.Molton@noaa.gov).

#### Inseason Action to Modify Common Pool Possession and Trip Limits for Southern New England/Mid Atlantic Yellowtail Flounder and Georges Bank Cod

On December 22, 2016, NMFS filed a temporary rule in the Federal Register increasing the possession and trip limit for SNE/MA yellowtail flounder to 500 lb per day-at-sea, and 1,000 lb per trip through the end of the fishing year, April 30, 2017. NMFS also lowered the common pool possession and trip limits for Georges Bank cod to 25 lb per day-at- sea, up to 50 lb per trip, for the remainder of the fishing year. NMFS took these actions to provide additional fishing opportunities for SNE/MA yellowtail flounder and to prevent a quota overage for GB cod. For additional information, please contact Kyle Molton at (978) 281-9236 or [Kyle.Molton@noaa.gov](mailto:Kyle.Molton@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.

## **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 closes on February 3, 2017. For additional information, please contact Travis Ford at (978) 281-9233 or email at 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.

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, allocating an addition 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.

## Skate

None at this time

## 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 Safe Harbor Quota Transfer – New Jersey to Virginia

NMFS published a temporary rule in the Federal Register on December 9, 2016, (81 FR 89010) allowing New Jersey to transfer 226 pounds of summer flounder commercial quota to Virginia. The revised summer flounder quotas for calendar year 2016 are: New Jersey, 1,381,653 lb; and Virginia, 1,759,787 lb. This transfer was requested by New Jersey to repay landings by a New Jersey-permitted vessel that landed in Virginia under a safe harbor agreement. For additional information, please contact Cynthia Hanson at (978) 281-9180 or email at [Cynthia.hanson@noaa.gov](mailto:Cynthia.hanson@noaa.gov).

### Atlantic Bluefish

#### Commercial Bluefish Quota Transfer – Maine to Rhode Island

NMFS published a temporary rule in the Federal Register on November 22, 2016 (81 FR 83715) allowing a transfers of 32,000 lb of commercial bluefish quota from Maine to Rhode Island. The revised bluefish quotas for calendar year 2016 are: Maine, 655 lb; Rhode Island, 464,561lb. This transfer was prompted by the diligent efforts of state officials in Rhode Island 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).

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

NMFS published a temporary rule in the Federal Register on November 29, 2016 (81 FR 85904) allowing two transfer totaling 80,000 lb of commercial bluefish quota from Virginia to New York. The revised bluefish quotas for calendar year 2016 are: Virginia, 370,287 lb; New York, 877,289 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.

### New York Commercial Bluefish Closure

NMFS filed a temporary rule published in the Federal Register on December 6, 2016 (81 FR 87844) as notification that the 2016 commercial bluefish quota allocated to the State of New York has been harvested and the fishery has been closed for the remainder of the fishing year. Vessels holding Federal commercial permits are prohibited from landing bluefish, effective 0001 hours, December 2, 2016 for the remainder of the 2016 calendar year. This closure is concurrent with the State of New York's closure of its commercial bluefish fishery to state permitted vessels and dealers. For additional information, please contact Reid Lichwell at (978) 281-9112 or email at Reid.Lichwell@noaa.gov.

### 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.

## **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 initial 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. NMFS 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.

Surfclam and Ocean Quahog 2017-2018 Specifications

On December 27, 2016, we published a final rule (81 FR 95060), which set status quo harvest quotas and suspends the default surfclam minimum size limit for the 2017 fishing year. Eight comments were received on the proposed rule, and are addressed in the final rule. The summary of a new stock assessment for surfclams was released in November 2016, and a new ocean quahog assessment is underway. We expect the Mid-Atlantic Council will fully consider these assessment results and recommend specifications for 2018 through 2020. 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**

2016 Tilefish IFQ Cost Recovery

As in previous years, the annual tilefish individual fishing quota (IFQ) cost recovery bills for 2016 will be sent in March 2017. We anticipate the 2016 cost recovery fee percentage will be somewhat higher than previous years as a result of higher than usual costs and lower than usual total ex-vessel value of the fishery. The higher costs are primarily the result of work conducted on the 5-year review of the tilefish IFQ program required by the Magnuson-Stevens Act. Details about the recoverable costs, the fee percentage, and how it is calculated will be provided in an annual tilefish IFQ cost recovery report, which will be released with the bills. For additional information, please contact Douglas Potts at (978) 281-9341 or e-mail at [Douglas.Potts@noaa.gov](mailto:Douglas.Potts@noaa.gov).

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. Because of anticipated delays related to the change in administration, a proposed rule may not publish until March 2017. For additional information, please contact Doug Potts at 978-281-9341 or email at [Douglas.Potts@noaa.gov](mailto:Douglas.Potts@noaa.gov).

Blueline Tilefish Amendment:

This action would add blueline tilefish to the Mid-Atlantic Council's existing Tilefish Fishery Management Plan and establish management measures for the blueline tilefish fishery north of the North Carolina/Virginia border. Proposed measures include permitting and reporting requirements and possession limits for both the commercial and recreational sectors of the fishery along with other details of the management process. We are currently reviewing the amendment environmental assessment document and preparing a proposed rule and notice of availability. Because of anticipated delays related to the change in administration, a proposed rule may not publish until March 2017. For additional information, please contact Doug Potts at 978-281-9341 or email at [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 notices 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

We 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**

None at this time

## **Research Document Application Review Completed**

On November 21, 2016, NMFS issued an Exempted Fishing Permit (EFP) to the Commercial Fisheries Research Foundation and the Rhode Island Department of Environmental Management in support of a black sea bass sampling study. Black sea bass will be sample by vessels utilizing different gear types, including trawlers, lobster pots, gillnet, and hooks and line gear. This EFP authorizes eight vessels to retain black sea bass with exemptions from the minimum size requirements and the possession limit requirements while catch is measured before discarding. [For additional information, please contact Reid Lichwell at \(978\) 281-9112 or email at Reid.Lichwell@noaa.gov.](#)

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.](#)

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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](mailto: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](mailto:Cynthia.hanson@noaa.gov).