

Status Report of Northeast Region Actions

Prepared for the May 2-3, 2001
Meeting of the
New England Fishery Management Council

April 30, 2001



National Marine Fisheries Service
Northeast Regional Office
Sustainable Fisheries Division
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New England Council Actions

Scallop Regulations

Framework Adjustment 14 - On April 27, 2001, NMFS approved Framework Adjustment 14 to the Atlantic Sea Scallop FMP. Framework 14, which is an annual adjustment action for a 2-year period, includes a days-at-sea (DAS) adjustment, an area access program for the Mid-Atlantic scallop closed areas, and a restriction on the possession of in-shell scallops inside the vessel monitoring system (VMS) demarcation line. Framework 14 is intended to address improved conditions in the scallop resource through an increase in fishing effort and controlled exploitation of the resource in the Mid-Atlantic scallop closed areas. This action becomes effective on May 1, 2001 (Pete Christopher, 978-281-9288).

Request for Proposals (RFP) - NMFS has received an RFP from the New England Fishery Management Council to solicit Atlantic sea scallop research proposals. The RFP describes how a researcher may be selected to perform sea scallop research projects funded by the 1% set-aside of the scallop total allowable catch (TAC) under Framework Adjustment 14 to the Atlantic Sea Scallop Fishery Management Plan (FMP) and how NOAA and the Council will select proposals to be funded under the research TAC set-aside. The publication of the RFP in the *Federal Register* is pending (Pete Christopher, 978-281-9288).

Multispecies Regulations

Target Total Allowable Catch (TAC) Levels and Management Measures for Fishing Year 2001 - On March 21, 2001, NMFS published the target TAC levels for the Northeast multispecies fisheries and announced that the multispecies management measures currently in effect will remain unchanged for the fishing year beginning May 1, 2001 (Dave Gouveia, 978-281-9280).

Fishing Capacity Reduction Program - On April 3, 2001, NMFS published a notice announcing a proposed fishing capacity reduction program for the Northeast multispecies fishery. The Military Construction Appropriations Act for FY 2001 included an emergency supplemental appropriation for the Northeast multispecies fishery of \$10.0 million. The emergency appropriation is intended to support a voluntary fishing capacity reduction program in the Northeast multispecies fishery (FCRP) that permanently removes multispecies limited access fishing permits. NMFS is considering a plan for distributing funds to permit holders in exchange for their permit forfeiture. NMFS suggests two methods for ranking bids (math programming or correlation with fishing capacity). NMFS is requesting comments on the most appropriate and cost-effective means to accomplish the FCRP's intended goal. NMFS also announces that it will be holding a series of meetings to discuss the program and receive comments and suggestions on implementation. NMFS will accept public comments through **May 25, 2001**. Public meetings will be held between May 8, 2001 and May 17, 2001 (Jack Terrill, 978-281-9136).

Herring Regulations

Vessel Monitoring System (VMS) Requirements Delayed - On February 27, 2001, NMFS published a notice to announce the delay of the VMS requirements implemented through the Atlantic Herring FMP. The VMS requirements for the Atlantic herring fishery were originally scheduled to take effect on March 12, 2001. However, the VMS requirements have been temporarily delayed for 60 days by Presidential directive. Therefore, the VMS requirements will become effective on May 11, 2001 (Marty Jaffe, 978-281-9272).

Specifications for Fishing Year 2001 - On March 5, 2001, NMFS published the proposed 2001 specifications for the Atlantic herring fishery, which includes a 5,000 mt allocation for TALFF. The intent of the specifications is to conserve and manage the herring resource and provide for sustainable fisheries, and to comply with the provisions in the Fishery Management Plan for Atlantic Herring (FMP). The

comment period for the proposed specifications ended April 4, 2001. A final rule is pending (Myles Raizin, 978-281-9104).

Red Crab Request for Regulatory Action

The New England Fishery Management Council has requested that the Secretary of Commerce, through Secretarial Emergency Action, address the imminent rapid increase in harvest and to halt or prevent overfishing, while providing immediate protection of the red crab resource as the Council develops the Red Crab Fishery Management Plan. This request is currently under review (Marty Jaffe, 978-281-9272).

Mid-Atlantic Council Actions

Summer Flounder, Scup and Black Sea Bass Regulations

Summer Flounder Specifications for Fishing Year 2001 - On March 23, 2001, NMFS published the final specifications for the 2001 summer flounder fishery and preliminary adjustments to the 2001 commercial quotas for this fishery (Rick Pearson, 978-281-9279).

Recreational Specifications for Fishing Year 2001 - NMFS has received the recreational specifications for the 2001 summer flounder, scup and black sea bass recreational fisheries. This action is under review and a proposed rule is pending (Allison Ferreira, 978-281-9103).

Framework Adjustment 2 - NMFS has received Framework Adjustment 2 to the Summer Flounder, Scup and Black Sea Bass FMP. Framework 2 proposes to modify the mechanism for specifying the annual management measures for the summer flounder recreational fishery by implementing a management system that will constrain the recreational summer flounder fishery to either a coastwide recreational harvest limit or allow states to customize summer flounder recreational management measures. This action is currently under review (Dave Gouveia, 978-281-9280).

Bluefish Regulations

On February 21, 2001, NMFS published the proposed 2001 specifications for the Atlantic bluefish fishery, including a total allowable harvest level (TAL), state-by-state commercial quotas, and recreational harvest limits and possession limits for Atlantic bluefish off the east coast of the United States. The intent of the specifications is to conserve and manage the bluefish resource and provide for sustainable fisheries. NMFS also proposes to amend the regulations implementing the Fishery Management Plan for Atlantic Bluefish (FMP) to specify the procedures for setting the annual TAL. The comment period for the proposed specifications ended March 23, 2001. A final rule is pending (Myles Raizin, 978-281-9104).

Spiny Dogfish Regulations

On March 30, 2001, NMFS published the proposed specifications for the 2001 spiny dogfish fishery. The comment period for the proposed specifications ended April 14, 2001. A final rule is pending (Rick Pearson, 978-281-9279).

Tilefish Regulations

Notice of Availability for the Tilefish Fishery Management Plan - On February 12, 2001, NMFS published a Notice of Availability for the Tilefish Fishery Management Plan (FMP). The comment period ended April 13, 2001, and the comments received will be considered in the decision making process for the FMP. A

decision date on the FMP is expected on May 11, 2001 (Myles Raizin, 978-281-9104).

Proposed Rule to Implement the Tilefish Fishery Management Plan - On April 3, 2001, NMFS published a proposed rule to implement the Tilefish Fishery Management Plan (FMP). Comments on the proposed rule must be received no later than **5:00 PM on May 18, 2001**. A final rule is pending (Myles Raizin, 978-281-9104).

Other Regulations

Omnibus Framework Adjustment 1 - NMFS has received Omnibus Framework Adjustment 1 to the Atlantic Mackerel, Squid, and Butterfish; Summer Flounder, Scup, and Black Sea Bass; Bluefish; and Tilefish Fishery Management Plans. Framework 1 proposes to implement a research set-aside allocation process to allow the Mid-Atlantic Council (Council) to set aside up to 3 percent of total allowable landings to be used for research purposes for each of the respective fisheries. The Council will solicit proposals from industry, based on research priorities identified by the Council. Proposals will be reviewed and approved through the Federal grant review and award procedures based on recommendations by the Council. Vessels conducting research would in many cases be requesting exemptions from some management restrictions. The analysis of the exemptions will be included as part of the annual quota specification package submitted by the Council as proposed by NMFS. This action is currently under review (Dave Gouveia, 978-281-9280).

Request for Proposals (RFP) - NMFS has received an RFP from the Mid-Atlantic Fishery Management Council to solicit research proposals for the summer flounder, scup, black sea bass, *Loligo* squid, *Illex* squid, Atlantic mackerel, butterfish, bluefish, and tilefish fisheries. The RFP describes how a researcher may be selected to perform research projects funded by the research set-aside of up to 3% of a species annual quota under Framework Adjustment 1 to the Atlantic Mackerel, Squid, and Butterfish; Summer Flounder, Scup, and Black Sea Bass; Bluefish; and Tilefish Fishery Management Plans and how NOAA and the Council will select proposals to be funded under the research set-aside. The publication of the RFP in the *Federal Register* is pending (Dave Gouveia, 978-281-9280).

Experimental Fishery Actions

Requests Under Review

Proposals submitted for funding through the Research Steering Committee

For more information on the contracts or proposals submitted for funding, contact Earl Meredith at (978)281-9276. For more information on the proposals submitted for Exempted Fishing Permits (EFPs) contact Bonnie Van Pelt at (978) 281-9244.

Proposals submitted for funding through the Northeast Consortium - NMFS has received 10 out of 11 research proposals for review submitted to the Northeast Consortium for funding. Here is a status of the review process on the 10 proposal that have been received for review: 1) Three projects will follow normal fishing operations (no exemptions required), 2) Two requests have received EFPs to conduct exempted fishing activities, 3) Three requests have received Letters of Acknowledgment (LOA) to conduct scientific research activities, 4) One request was withdrawn and, 4) One request is currently under review for an EFP.

Blackfin Monkfish Experiment off North Carolina and Virginia - North Carolina Department of Environment and Natural Resources submitted a request for an EFP to conduct a blackfin monkfish gillnet experiment off North Carolina and Virginia. The purpose of the study is to characterize the distribution and abundance of the blackfin monkfish component of the monkfish fishery off NC and VA. A notice soliciting public

comment on this experiment was published in the *Federal Register* on April 10, 2001. The comment period ended April 25, 2001. A decision is pending. For more information, contact Bonnie Van Pelt, 978-281-9244.

Jonah Crab Experiment in Federal Lobster Management Area 1 - The Maine Department of Marine Resources (MEDMR) submitted a request for EFPs to use modified lobster traps (modified side entry trap) to target Jonah crab in Nearshore Lobster Management Area 1. The intent of the fishery is to determine if modified side entry lobster traps can exclude American lobster in anticipation that this information would support a future gear exemption request. The initial application for EFPs required revisions. The revised request was received on April 23, 2001, and is currently under review. A notice soliciting public comment will be published in the *Federal Register* in the near future. For more information, or a copy of the proposed experiment contact Bonnie Van Pelt, 978-281-9244.

Composite Mesh Selectivity Experiments in the GOM/GB Regulated Mesh Area - The Manomet Center for Conservation Sciences submitted a proposal to conduct composite mesh selectivity experiments in the GOM/GB Regulated Mesh Area. The EFP would allow one Federally permitted groundfish vessel to conduct composite mesh selectivity studies with 1-7/8 inch (47.8 mm) mesh codend covers ("double codend mesh") to target mixed groundfish species; primarily yellowtail flounder, winter flounder (blackback), summer flounder (fluke), American plaice (dab) and cod. The purpose of the study is to compare the length frequencies of the catch retained by the codend covering the two standard industry codend mesh sizes with that retained by the codend covering the two composite mesh size combinations. This proposal is for phase two of a study that began in December 2000. The experimental fishing activities will be conducted in an area just north of the previous area to capture seasonal variability in target species distribution and abundance. A notice soliciting public comment will be published in the *Federal Register* in the near future. For more information, or a copy of the proposed experiment contact Bonnie Van Pelt, 978-281-9244.

Whiting Experiment in the Gulf of Maine - The Maine Department of Marine Resources submitted a proposal develop a whiting fishery in the Gulf of Maine that meets whiting conservation goals for size selectivity and regulated multispecies bycatch targets. The project will test 2-1/2 inch diamond mesh and 2-1/4 inch square mesh with a 50 mm bar space grate in combination with a raised footrope net configuration and 42-inch dropper chains. The project will be conducted in three phases: 1) video footage of the net configuration under tow to demonstrate effectiveness of the gear and to document fish behavior, 2) testing of the cod end mesh, bar spacing in the grate and the raised footrope trawl with roller frame, 3) sea trials of the gear combinations under commercial fishing conditions. The initial application for EFPs was revised and a notice soliciting public comment will be published in the *Federal Register* in the near future. For more information, or a copy of the proposed experiment contact Bonnie Van Pelt, 978-281-9244.

Sea Trials to Test Flexible Trawling Devices - NMFS has received a request from the Massachusetts Institute of Technology/Sea Grant to conduct sea trials to test flexible trawling devices using commercial vessels beginning in year two of a two part study which is also designed to test electronic data loggers. This action is currently under review. For more information, contact Bonnie Van Pelt, 978-281-9244.

Massachusetts Division of Marine Fisheries Flatfish Trawl Net Study to Reduce Cod Bycatch -NMFS has received a request from MDMF for an Exempted Fishing Permit in order to conduct a study to evaluate the effectiveness of two flatfish trawl net designs in the Gulf of Maine. A notice requesting public comment on this proposal was published in the Federal Register on April 17, 2001. The comment period ended May 2, 2001, and a decision is pending. For more information or a copy of the proposed experiment, contact Tom Warren, 978-281-9347.

University of Massachusetts at Dartmouth and Manomet Center for Conservation Science - NMFS has received a request from the University of Massachusetts at Dartmouth and Manomet for an Exempted Fishing

Permit in order to conduct a study of multispecies gear selectivity on Georges Bank. The goal is to develop trawl gear designed to target flatfish that allows greater escapement of cod and haddock. This request is currently under review. For more information or a copy of the proposed experiment, contact Tom Warren, 978-281-9347.

Bycatch Reduction in the Atlantic Sea Scallop Fishery - NMFS has received an experimental fishery proposal from Coonamessett Farm to conduct research addressing scallop bycatch reduction. The proposal supplements two previous experiments conducted by Coonamessett Farm and would continue to investigate the possible reduction of yellowtail flounder and skate bycatch by Atlantic sea scallop dredges using an experimental dredge equipped with a roller sweep and an excluder panel. The experimental dredge would also be lightened in order to test the protection of habitat. An Environmental Assessment is currently being prepared and a notice soliciting public comment on this experiment will be published in the *Federal Register* after the assessment is complete. For more information, contact Jennifer Anderson, 978-281-9226.

Mesh Selectivity Study for Yellowtail Flounder within a Portion of the Southern New England Regulated Mesh Area NMFS has received an experimental fishery proposal from the Rhode Island Department of Environmental Management, Division of Fish and Wildlife to conduct a mesh selectivity study for yellowtail flounder within a portion of the Southern New England Regulated Mesh Area during June and July 2001. The applicant proposes to examine differences between the mesh selectivity of 6-inch diamond and 6.5-inch square mesh to 6.5-inch diamond and 7-inch square mesh. An alternate tow design will be utilized for a comparison of mesh selectivity. Each net configuration will be tested with and without a 3-inch liner. The applicants will charter up to four federally permitted vessels in the limited access multispecies fishery. The EFPs would allow participating vessels to be exempt from the multispecies minimum mesh size restrictions. All other regulations specified under 50 CFR part 648 will apply. Vessels would be fishing under the multispecies DAS program, and thus would be authorized to retain and sell all legal sized groundfish and bycatch species up to the regulatory amounts for each species. A notice soliciting public comment will be published in the *Federal Register* in the near future. For more information, or a copy of the proposed experiment contact Dave Gouveia, 978-281-9280.

Approved Requests

Excluder (EX-it) Device Gear Trials in the GOM/GB Regulated Mesh Area - NMFS issued EFPs to the Manomet Center for Conservation Sciences (Manomet) for two commercial vessels to conduct trawl net gear trials with modified excluder devices in a portion of the Gulf of Maine/Georges Bank Regulated Mesh Area. The fishery will take place from April 1 through May 31, 2001. This collaborative study involves Manomet, the Massachusetts Division of Marine Fisheries, and the Maine Department of Marine Resources as co-principal investigators. In addition, project tasks will be coordinated with the Canadian Department of Fisheries and Oceans to ensure compatibility with existing methodology and data format. A bycatch reduction device called EX-it was developed by the Icelandic fishing industry, with scientific and Governmental collaboration. The main objective of the experiment is to field test two modifications of the EX-it device for selectivity in the mixed-groundfish fisheries. For more information, contact Bonnie Van Pelt, 978-281-9244.

Maine Department of Marine Resources (MEDMR) Cooperative Atlantic Halibut Survey NMFS has issued EFPs to 6 vessels under the direction of MEDMR to conduct an experimental Atlantic halibut fishery in the eastern portion of the Gulf of Maine. Vessels will utilize traditional longline or tub trawl gear and would be authorized to fish for and possess Atlantic halibut within the proposed experimental boundary. The fishery will take place from April 1 through May 31, 2001. The intent of this project is to continue the collection of data on biological reference points, including distribution, relative abundance, migration, stock definition, mortality rates, stock size, and yield. This experimental fishery is an extension of the Atlantic halibut experiment conducted by MEDMR in 2000. For more information, contact Allison Ferreira, 978-281-9103.

Program to conduct side-by-side tows with the R/V Albatross - NMFS has issued an EFP that allows one federally permitted vessel to conduct side-by-side tows with the *R/V Albatross* using 6-cm codend mesh. This research is in support of an experimental fishery proposal submitted by the Haskin Shellfish Research Laboratory. No species will be targeted by the study, but the nets will be fished to maximize the catch of summer flounder, scup and black sea bass on Leg I of the survey, and silver hake on Leg II. The purpose of the study is to provide information on the relative catchability of the two platforms and gears fished during the NMFS Spring Trawl Survey. For more information, contact Allison Ferreira, 978-281-9103.

Maine Department of Marine Resources (MEDMR) and Gulf of Maine Aquarium Development Corporation Northern Shrimp Bycatch Study - NMFS has issued Exempted Fishing Permits to 10 vessels under the direction of MEDMR and the Gulf of Maine Aquarium Development Corporation to enable the execution of multispecies bycatch research in the northern shrimp fishery. This research will be conducted southeast of Loran 25600 line during April and May. For more information on the experiment, contact Tom Warren, 978-281-9347.

FOR YOUR INFORMATION:

<http://www.nero.nmfs.gov/ro/doc/nero.htm>