

# Status Report of Northeast Region Actions

---

Prepared for the June 13-14, 2001  
Meeting of the  
New England Fishery Management Council

June 12, 2001



National Marine Fisheries Service  
Northeast Regional Office  
Sustainable Fisheries Division  
<http://www.nero.nmfs.gov/ro/doc/nero.htm>.



## Table of Contents

New England Council Actions .....	1
Scallop Regulations .....	1
Multispecies Regulations .....	1
Herring Regulations .....	1
Mid-Atlantic Council Actions .....	1
Summer Flounder/Scup/Black Sea Bass Regulations .....	1
Mackerel, Squid, and Butterfish Regulations .....	2
Atlantic Bluefish Regulations .....	2
Tilefish Regulations .....	3
Other Regulations .....	3
Experimental Fishery Actions .....	3
Requests Under Review .....	3
Approved Requests .....	5

## New England Council Actions

### Scallop Regulations

Request for Proposals (RFP) - On May 29, 2001, NMFS published a RFP on behalf of 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. Proposals for research utilizing the 2001 research set-aside must be received by **June 19, 2001**. Proposals for research utilizing the 2002 research set-aside must be received by **November 1, 2001**. Interested parties may contact either Patricia Fiorelli of the New England Fishery Management Council at 978-465-0492, or Peter Christopher at the NMFS Northeast Regional Office at 978-281-9288.

### Multispecies Regulations

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

Specifications for Fishing Year 2001 - On May 25, 2001, NMFS published the final 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 (Myles Raizin, 978-281-9104).

## Mid-Atlantic Council Actions

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

Summer Flounder Commercial Quota Harvested for the States of Maine and Delaware - On May 18, 2001, NMFS published a notice announcing that the summer flounder commercial quota available to the States of Maine and Delaware have been harvested. Effective 0001 hours, May 18, 2001, fishing vessel issued a Federal moratorium permit for the summer flounder fishery may no longer land summer flounder in the States of Maine and Delaware for the remainder of the calendar year (Paul Jones, 978-281-9273).

Scup Commercial Quota Harvested for the Summer Quota Period - On May 25, 2001, NMFS published a notice announcing that the scup commercial quota available for the Summer quota period (May through October) has been harvested. Effective 0001 hours, June 1, 2001, fishing vessel issued a Federal moratorium permit for the scup fishery may no longer land scup through October 31, 2001. The commercial scup fishery will reopen at the start of the Winter II quota period on November 1, 2001

(Jennifer Anderson, 978-281-9226).

Recreational Specifications for Fishing Year 2001 - On May 26, 2001, NMFS published a proposed rule for the recreational specifications for the 2001 summer flounder, scup and black sea bass recreational fisheries. The comment period ended June 11, 2001. A final rule is pending (Allison Ferreira, 978-281-9103).

Black Sea Bass Commercial Quota Harvested for the Quarter 2 Quota Period - On June 5, 2001, NMFS published a notice announcing that the black sea bass commercial quota available for the Quarter 2 quota period (April through June) has been harvested. Effective 0001 hours, June 10, 2001, fishing vessel issued a Federal moratorium permit for the black sea bass fishery may no longer land black sea bass through June 30, 2001. The commercial black sea bass fishery will reopen at the start of the Quarter 3 quota period on July 1, 2001 (Jennifer Anderson, 978-281-9226).

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).

## **Mackerel, Squid, and Butterfish Regulations**

Framework Adjustment 2 - NMFS has received Framework Adjustment 2 to the Atlantic Mackerel, Squid, and Butterfish FMP. Framework 2 proposes to: (1) Extend the *Illex* squid moratorium for 1 year; (2) modify the *Loligo* overfishing definition and control rule; and (3) roll-over the annual specifications for the squid, mackerel, and butterfish fisheries in the event the annual specifications are not published prior to the start of the fishing year. The framework action also includes a measure to create a *Loligo* squid exemption in the *Illex* squid fishery during a closure of the directed *Loligo* squid fishery from August-September. This action is currently under review (Jennifer Anderson, 978-281-9226).

Loligo Squid Commercial Quota Harvested for the Quarter 2 Quota Period - On May 22, 2001, NMFS published a notice announcing that the *Loligo* squid commercial quota available for the Quarter 2 quota period (April through June) has been harvested. Effective 0001 hours, May 29, 2001, the directed fishery for *Loligo* squid will close and vessels issued Federal permits for *Loligo* squid may not retain or land more than 2,500 pounds of loligo per trip through June 30, 2001. The directed commercial *Loligo* squid fishery will reopen at the start of the Quarter 3 quota period on July 1, 2001 (Paul Jones, 978-281-9273).

## **Bluefish Regulations**

Atlantic Bluefish Commercial Quota Harvested for the State of North Carolina - On May 15, 2001, NMFS published a notice announcing that the Atlantic bluefish commercial quota available for the state of North Carolina has been harvested. Effective 0001 hours, May 15, 2001, fishing vessel issued a Federal commercial permit for the Atlantic bluefish fishery may no longer land Atlantic bluefish in the State of North Carolina for the remainder of the calendar year (Allison Ferreira 978-281-9103).

## **Tilefish Regulations**

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). The comment period on the proposed rule ended 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).

American Lobster - On May 24, 2001, NMFS published an Advance Notice of Proposed Rule making seeking public comment on revisions to Federal American lobster regulations for the Exclusive Economic Zone (EEZ) associated with Addendum II to Amendment 3 of the Interstate Fishery Management Plan for American Lobster (ISFMP). Addendum II revises the ISFMP Amendment 3 egg production schedule in each of seven lobster conservation management areas (LCMAs) to end overfishing of American lobster stocks by extending it to the end of 2008. The management measures defined in Addendum II to meet the egg production targets include a series of minimum gauge size increases (increases in the minimum allowable harvest size of American lobster) in five of the seven LCMAs (excluding LCMA 1 encompassing the Nearshore waters of the Gulf of Maine and LCMA 6 encompassing Long Island Sound), trap gear modifications to increase the minimum size of the escape vent opening, and a revised 4-year trap reduction schedule for LCMA 3. Comments on the ANPR must be received no later than **5:00 PM on June 25, 2001**. A final rule is pending (Bob Ross, 978-281-9234).

## **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.

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 was published in the *Federal Register* on May 22, 2001. The comment period ended June 6, 2001, and a final decision is pending. For more information, or a copy of the proposed experiment contact Allison Ferreira, 978-281-9103.

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 was published in the *Federal Register* on June 4, 2001. Comments on the proposal must be received on **June 19, 2001**. A final decision is pending. 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.

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.

Cod Bycatch Reduction Trawl Gear Testing study - UNH Cooperative Extension in coordination with a member of the industry proposes to conduct gear trials on a double grid system to separate cod from flatfish, as well as to reduce bycatch of undersized flatfish. Phase I of the study will test the codend selectivity devise in a flume tank to verify design specifications. Phase 2 will test a prototype net and selectivity device under commercial conditions against an industry standard flatfish trawl net. A notice soliciting public comment in the *Federal Register* will be published in the near future. For more information or a copy of the proposed experiment, contact Walter Gardiner, 978-281-9326.

## **Approved Requests**

Mesh Selectivity Study for Yellowtail Flounder within a Portion of the Southern New England Regulated Mesh Area - NMFS issued four EFPs to 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. For more information, or a copy of the proposed experiment contact Dave Gouveia, 978-281-9280.

## **FOR YOUR INFORMATION:**

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