



Emergency Regulations to Address Overfishing of North Atlantic Shortfin Mako Sharks

We have taken emergency rulemaking action in response to a new stock assessment and a subsequent binding recommendation from the International Commission for the Conservation of Atlantic Tunas (ICCAT) that address overfishing of North Atlantic shortfin mako sharks. The emergency action is a short-term measure while the agency develops a regulatory amendment (Amendment 11) to establish the foundation for a shortfin mako rebuilding plan.

ICCAT found that the North Atlantic population of shortfin mako sharks is overfished and experiencing overfishing, based on its recent international stock

assessment. In response to the new assessment, ICCAT adopted shortfin mako management measures at its November 2017 annual meeting.

We then adopted an emergency interim final rule under the dual authority of 1) the Atlantic Tunas Convention Act, which requires the United States to promulgate such regulations as may be necessary and appropriate to carry out ICCAT recommendations, and 2) the Magnuson-Stevens Fishery Conservation and Management Act, which requires us to prevent overfishing, among other things.

Affecting both commercial and recreational fisheries that interact with shortfin mako sharks, the emergency action was immediately effective and focuses on maximizing live releases of these sharks. Retention of this species is allowed only under limited circumstances, and minimum size limits are increased.

A provision in the ICCAT recommendation will review data from the first six months of 2018 to determine whether additional measures are needed to address overfishing. It is vital that these numbers reflect the new measures so that ICCAT has an accurate

See MAKOs, page 4



Commercial Measures

Fishermen using pelagic longline gear must:

Release all live shortfin mako sharks with a minimum of harm, while giving due consideration to the safety of crew members, and Retain a shortfin mako shark only if it is dead at haulback.

Fishermen using commercial gear other than pelagic longline (e.g., bottom longline, gillnet, handgear, etc.) must release all shortfin sharks, alive or dead, with a minimum of harm, while giving due consideration to the safety of crew members.

Recreational Measures

Fishermen that hold an HMS Angling or Charter/Headboat permit, and fishermen that hold an Atlantic Tunas General category and Swordfish General Commercial permit when participating in a registered HMS tournament, are encouraged to practice catch and release of all shortfin mako sharks.

Fishermen that hold the above permits may only land a shortfin mako shark (male or female) if the shark meets the following minimum size: 83 inches (210 cm) FL.

Commercial Sale Endorsement Now Available for HMS Charter/Headboat Permits

As of January 5, 2018, all Highly Migratory Species (HMS) Charter/Headboat permit holders that intend to sell HMS must obtain a Commercial Sale endorsement for their permit. We added this option as a means to clarify which HMS Charter/Headboat permitted vessels are subject to United States Coast Guard (USCG) commercial fishing vessel safety regulations. Previously, all HMS Charter/Headboat permit holders could legally sell Atlantic tunas and swordfish, but most (93%) did not use the commercial sale provision of this permit.

Commercial fishing vessel safety provisions contained in the Coast Guard Authorization Act of 2010 and the Coast Guard and Maritime Transportation Act of 2012 were the subject of a Marine Safety Information Bulletin (MSIB 12-15) issued by the USCG on October 20, 2015. This Bulletin clarified that the law requires mandatory dockside safety exams for a broader group of commercial fishing vessels. That broader group included HMS Charter/Headboat vessels that were authorized by the permit to sell fish commercially, and also possessed a state commercial sale permit.

We believed the broad application of the USCG commercial fishing vessel safety regulations to all HMS Charter/Headboat vessels was overly burdensome for the majority of HMS Charter/Headboat permit holders, and raised questions about applicability with the USCG along with the regulated community. In response, the USCG issued another Marine Safety Information Bulletin (MSIB 008-17) on July 10, 2017 to clarify

the applicability of commercial fishing vessel safety requirements for vessels with HMS permits, including HMS Charter/Headboat permits. USCG regulations define a commercial fishing vessel as a vessel that commercially engages in the catching, taking, or harvesting of fish, or an activity that can reasonably be expected to result in the catching, taking, or harvesting of fish. According to the 2017 Bulletin, if an individual has an HMS Charter/Headboat permit and a state permit to sell catch, the vessel is considered subject to commercial fishing vessel safety regulations.

As a result of the 2017 Bulletin, many HMS Charter/Headboat operators that neither sold, nor intended to sell, their catch found that the USCG policy identified their operations as commercial, and required them to adhere to USCG commercial fishing vessel safety requirements. These include a check for required commercial fishing vessel safety equipment, such as life rafts, emergency beacons, and survival suits

For example, small charter vessels (i.e., less than 20 feet in length) operating in the warm waters of the Gulf of Mexico with no intent to sell HMS, may have been required under the USCG regulations to carry an inflatable life raft that cost approximately \$1,750. In addition to the cost burden, a vessel of this size has minimal space to store such gear. These smaller HMS Charter/Headboat permitted vessels were previously subject to the USCG safety regulations for uninspected passenger vessels of less than 100 gross tons and carrying six or less passengers, which are less extensive and less costly.

In response, we created a Commercial Sale endorsement for the HMS Charter/Headboat permit to clearly identify which of these vessels intend to sell HMS and may be subject to the USCG safety regulations. As of the January 5, 2018 effective date, only HMS Charter/Headboat permit holders with the endorsement are authorized to sell Atlantic tunas or swordfish, or sharks if they also have the required commercial shark permit. Any HMS Charter/Headboat vessel that selects this commercial sale endorsement may be categorized as a commercial fishing vessel under USCG criteria, and subject to USCG commercial fishing vessel safety requirements. Alternatively, those vessels issued an HMS Charter/Headboat permit without a Commercial Sale endorsement will not be categorized as commercial fishing vessels, and will not be subject to the USCG commercial fishing vessel safety requirements. Please contact the USCG with questions about commercial fishing vessel safety requirements.

Since approximately 93% of HMS Charter/Headboat operators do not sell their catch, this regulatory action could save these permit holders an estimated \$2,358 in the cost of safety equipment for the first year, and approximately \$438 in upkeep and recordkeeping in subsequent years. Fleetwide, initial cost savings could be over \$7 million.

Interested permit holders can obtain the commercial sale endorsement for no additional cost when renewing or obtaining their 2018 HMS Charter/Headboat permit on the HMS Permits webpage <https://hmspermits.noaa.gov>. For further information, contact Dianne Stephan at 978-281-9260 or email her at Dianne.Stephan@noaa.gov

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Framework Adjustment 57 to the Northeast Multispecies Fishery Management Plan

Recently, we proposed new measures to implement Framework Adjustment 57 to the Northeast Multispecies Fishery Management Plan. Framework 57 would revise groundfish catch limits, as well as adjust several allocations and accountability measures to increase fishing opportunities and flexibility for fishermen in the groundfish, scallop, summer flounder, scup, and skate fisheries. The proposed measures are expected to generate \$9 million in additional revenue compared to 2016. Details, including quotas, are available in the proposed rule published in the *Federal Register*.

Changes to Quotas

Framework 57 would set 2018-2020 catch limits for 20 groundfish stocks and 2018 catch limits for the 3 stocks jointly managed with Canada (Eastern Georges Bank (GB) cod, Eastern GB haddock, and GB yellowtail flounder) based on the latest stock assessments. For 2018, quotas for the majority of stocks (11) will increase from 2017, including Georges Bank cod (139%), Gulf of Maine cod (41%), Gulf of Maine haddock (190%), American plaice (30%), and witch flounder (11%). Quotas will decrease for nine stocks, including Southern New England yellowtail flounder (-75%), Gulf of Maine winter flounder (-45%), white hake (-20%), and Southern New England /Mid-Atlantic (SNE/MA) winter flounder (-7%).

Halibut Measures for Federally Permitted Vessels

When catch exceeds the quota, halibut possession would be prohibited for all vessels issued a commercial federal permit, including vessels only issued a federal lobster permit. This possession restriction would not apply to vessels issued only a federal multispecies charter/party permit, an Atlantic highly migratory species angling permit, and/or an Atlantic highly migratory species charter/headboat permit. This is designed to facilitate enforcement of the federal possession limit and ensure a reduction in directed fishing effort that is expected to help keep catch below the quota.

When the halibut quota is exceeded, groundfish vessels are also subject to several gear-restricted areas (see Figure 1). The proposed measures include changes to these gear-restricted areas that exempt longline vessels from the gear restrictions and allow groundfish trawl and fixed gear vessels additional flexibility while continuing to reduce catch of halibut when the accountability measures are triggered (see Figure 2).

The southern windowpane flounder accountability measures include gear-restricted areas for all trawl vessels fishing with a 5-inch or greater codend mesh, including vessels that target summer flounder, scup, and skates (see Figure 3). Based on updated information, Framework 57 would allow smaller areas and shorter seasons for non-groundfish trawl vessels (see Figure 4). These modifications would allow additional flexibility while continuing to reduce impacts on the southern windowpane stock, similar to provisions already implemented for the groundfish fishery.

The scallop fishery is allocated quotas of four groundfish stocks to manage the scallop fishery's bycatch and minimize potential negative impacts to the groundfish fishery. Framework 57 would change the trigger for the scallop fishery so that the accountability measure for SNE/MA yellowtail flounder is triggered only if the scallop fishery exceeds its sub-ACL *and* the overall ACL is exceeded in 2018. This change is intended to provide flexibility for the scallop fishery to better achieve optimal yield, despite a reduction in the 2018 quota, while continuing to prevent overfishing.

For more information, contact Mark Grant, Sustainable Fisheries Division, at (978) 281-9145 or email him at Mark.Grant@noaa.gov

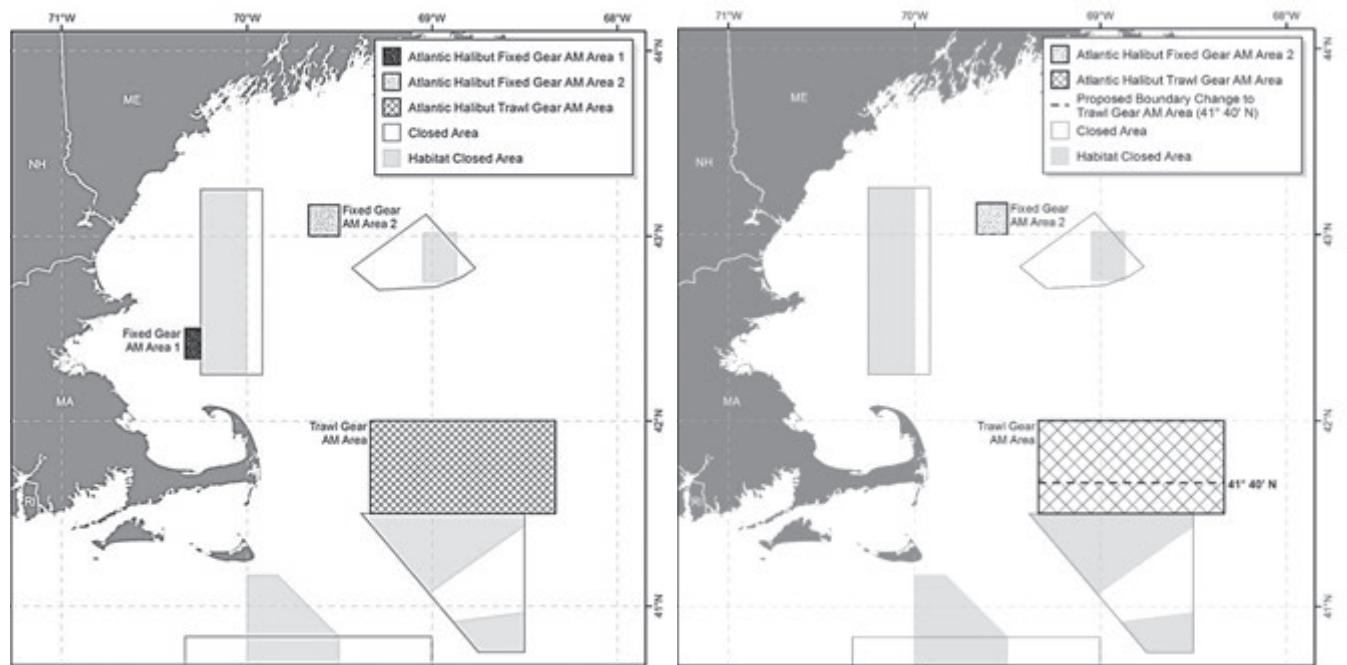


Figure 1. Map of Existing Atlantic Halibut Gear Restricted Areas.

Figure 2. Proposed Changes to Atlantic Halibut Gear Restricted Areas.

Changes to Southern Windowpane Flounder Accountability Measures

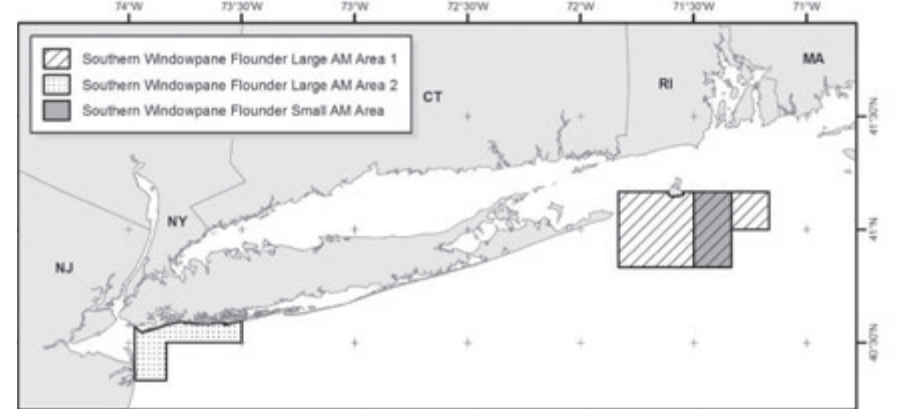


Figure 3. Southern Windowpane Gear Restricted Areas for Large Mesh Non-Groundfish Fisheries.

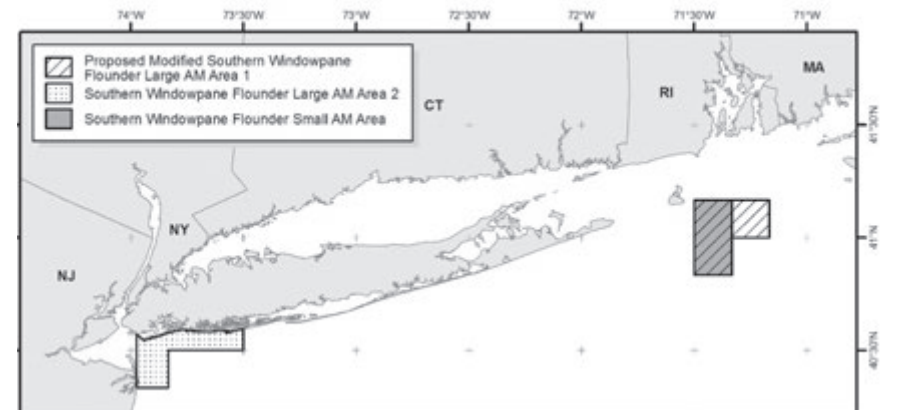


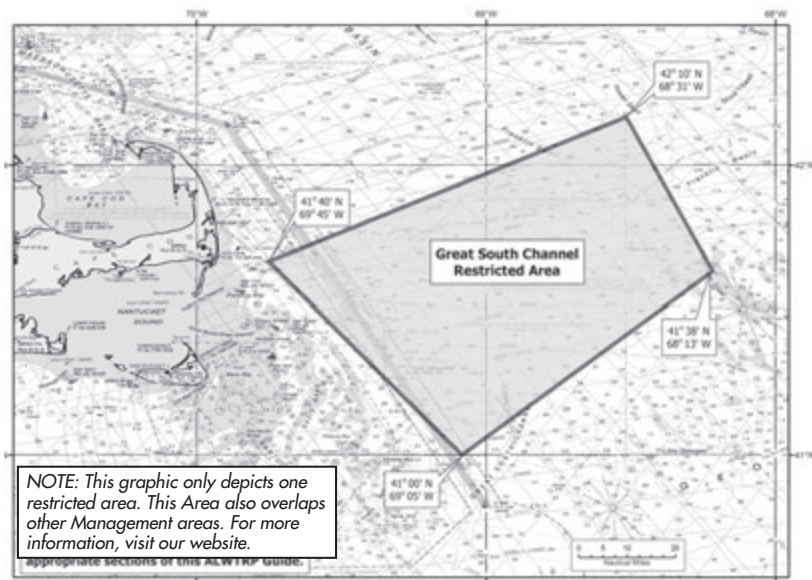
Figure 4. Proposed Changes to the Southern Windowpane Gear Restricted Areas for Large Mesh Non-Groundfish Fisheries.

Atlantic Large Whale Take Reduction Plan Closure Reminder

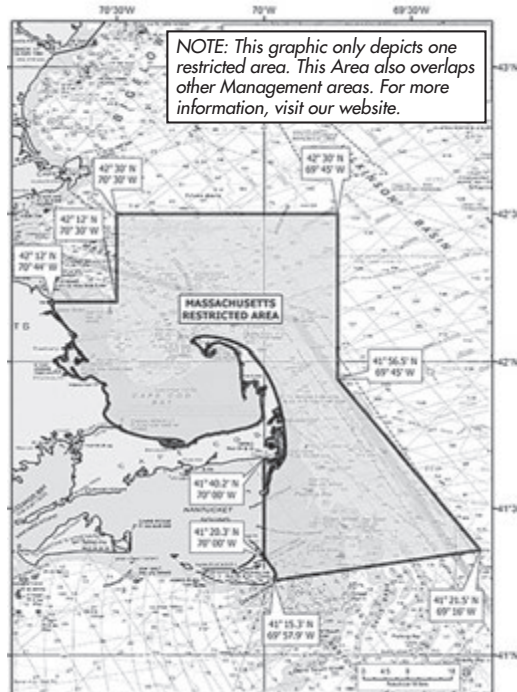
The Atlantic Large Whale Take Reduction Plan (ALWTRP) was implemented to reduce serious injuries and deaths of right, humpback, and fin whales due to entanglement in commercial trap/pot and gillnet gear from Maine to Florida. The following table lists the current and upcoming trap/pot and gillnet closure areas.

Trap/pot and gillnet gear restrictions, modifications, and area-specific gear markings are also required in areas that are open to fishing. Please visit www.greateratlantic.fisheries.noaa.gov/whaletrp/ for more details on these requirements. If you have questions about gear requirements, please contact the fishery liaison for your area: John Higgins (978) 711-3669 in New England, Glenn Salvador (757) 414-0128 in the Mid-Atlantic.

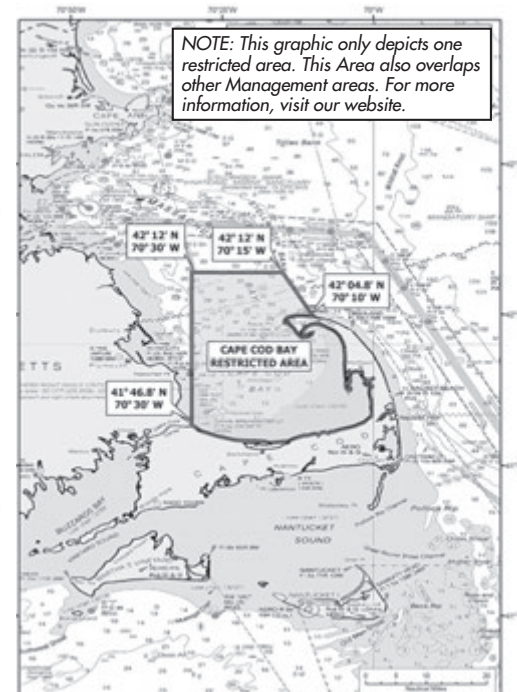
Atlantic Large Whale Take Reduction Plan		
TRAP/POT CLOSURES		
Management Area	Dates	Closure or Gear Modifications
Massachusetts Restricted Area	Feb. 1- April 30	CLOSED to ALL trap/pot fishing
Great South Channel Restricted Trap/Pot Area	April 1-June 30	CLOSED to ALL trap/pot fishing
GILLNET CLOSURES		
Management Area	Dates	Closure or Gear Modifications
Cape Cod Bay Restricted Area	Jan. 1- May 15	CLOSED to ALL gillnet fishing
Great South Channel Restricted Gillnet Area	April 1- June 30	CLOSED to ALL gillnet fishing



Great South Channel Trap/Pot and Gillnet Closure Area (April 1-June 30)



Trap/Pot Massachusetts Restricted Area Closure Area (Feb. 1-April 30)



Cape Cod Bay Restricted Gillnet Area (Jan. 1- May 15)

What is a Northeast Multispecies Handgear Permit?

Handgear permits are vessel permits that allow commercial fishermen to harvest groundfish in Federal waters using rod and reel, handlines, and hand-hauled tub trawls. Vessels may fish with up to a total of 250 hooks. Because these permits are limited to fishing with handgear, vessels may not harvest groundfish with auto-jiggers, traps, gillnets, or trawl gear. There are two types of handgear

permits: Handgear A and Handgear B.

How are Handgear A and Handgear B different?

*To acquire an Open Access Handgear B permit, free of charge, you can call the Permits Office at (978) 281-8438

What are catch restrictions for handgear permits?

Vessels fishing for groundfish with a Handgear A or B permit may not haul lobster traps on the same trip. A handgear vessel must fish for lobster and groundfish on separate trips.

Handgear vessels are subject to Federal groundfish limits on all trips, including the current limit of one Atlantic halibut per trip. This limit applies in to all Federal handgear vessels even

if fishing in state waters.

Handgear vessels must adhere to Federal closed area requirements, including year-round closed areas (e.g., Cashes Ledge) and the Gulf of Maine Cod Protection Closures, which change each month.

What are the reporting requirements for Handgear permits?

Handgear vessels must submit a vessel trip reports weekly for every fishing trip regardless of where the fishing occurs or what species are fished for or caught. This includes lobster trips, state waters fishing, for-hire and recreational trips. If you have other permits you may have more restrictive reporting requirements for all trips or just certain ones. This includes for-hire trips for vessels with one of the mid-Atlantic species permit. These trips require reports be submitted electronically within 48 hours of the end of a trip. "Did Not Fish" VTR reports are now longer required in any fishery.

For more groundfish and handgear resources, please visit our webpage at <https://www.greateratlantic.fisheries.noaa.gov/regs/info.html>. You may also contact Kyle Molton, Sustainable Fisheries Division, at 978-281-9236 or email him at Kyle.Molton@noaa.gov

	HANDGEAR A	HANDGEAR B
PERMIT TYPE	Limited Access	Open Access*
SECTOR ELIGIBLE?	Yes	No
REPORTING REQUIREMENTS	Interactive Voice Response (IVR) or Vessel Monitoring System, and Vessel Trip Reports (VTR)	VTR
COMMON POOL LIMITS	Generally, Handgear A permits will have a higher cod trip limit than the Handgear B permit, but this is not always the case. Trip limits for other stocks are the same for both permits.	
MARCH 1-20 SPAWNING CLOSURE	May Fish	May Not Fish



New Reporting Requirements for the Charter and Party Fleet Fishing for Species Managed by the Mid-Atlantic Fisheries Management Council

Starting March 12, 2018, vessels issued a charter/party permit for a Mid-Atlantic managed fishery will be required to submit electronic vessel trip reports for all trips carrying passengers for hire. These new requirements stem from the Mid-Atlantic Fishery Management Council's Omnibus Electronic Vessel Trip Reporting (eVTR) Framework.

What are the new reporting requirements?

Affected vessels must submit vessel trip reports: Electronically through a NOAA-approved application Within 48 hours of completing the fishing trip

Which vessels must use eVTR for reporting?

This change applies to all vessels with federal charter or party permits for any of the following species:

Atlantic mackerel	Summer Flounder
Squid	Scup
Butterfish	Black sea bass
Bluefish	Tilefish

Are fishermen in other regions, such as New England, affected by this regulation?

Yes, if they possess a charter or party permit for the species listed above. This regulation applies to all vessels regardless of where they are fishing when carrying passengers for hire.

Makos *Continued from page 1*

assessment of their impact when reviewing the need for additional measures later this year.

Measures in NOAA Fisheries emergency action that became effective March 2, 2018 (83 FR 8946).

The United States catch of shortfin mako is approximately 11 percent of the overall catch in the North Atlantic. The emergency action is intended to reduce the proportion of overfishing of the stock that may occur in U.S. fisheries. The vast majority of U.S. shortfin mako catch is incidental in the pelagic longline fishery, and by hook and line in the recreational fishery. Average annual mortality is fairly evenly split between these two fisheries, with landings ranging between 300 mt and 532 mt during 2010-2016.

The emergency action took effect on March 2, 2018, expires on August 29, 2018, and may be extended for an additional 186 days. In the meantime, we published a Notice of Intent (NOI) to prepare an Environmental Impact Statement and Amendment 11 to the 2006 Consolidated Highly Migratory Species (HMS) Fisheries Management Plan. The NOI requests comments on commercial and recreational management measures, including those in the emergency rule, and others such as recreational monitoring requirements and rebuilding program options.

Amendment 11 will provide a foundation for the international rebuilding plan expected from ICCAT in 2019. An Issues and Options paper for Amendment 11 is available on the NOAA Fisheries Atlantic HMS Management Division website. Comments on both the emergency interim final rule and the NOI are due by May 7, 2018 and may be submitted by mail or

If I have a Federal charter or party permit for a Mid-Atlantic species, but I am fishing on a trip without taking passengers for hire, do I still have to submit an eVTR?

When you are not carrying paying passengers, you may submit an electronic or paper vessel trip report. This applies to commercial trips as well as to recreational trips with no paying passengers.

How will these changes benefit fishermen?

Electronic reporting will:

- Make the collection of important data on fishing vessel activity more efficient, convenient, and timely for fishery managers and other data users
- Minimize delays between the time when fishing activity occurs and when the data are available to fisheries managers
- Ease the reporting associated with fishing in multiple areas or creating duplicate reports
- Easily save three years' worth of VTRs as required

For more information, contact Daniel Luers, Sustainable Fisheries Division, at 978-282-8457 or email him at Daniel.Luers@noaa.gov. You may also contact your local GARFO port agent by searching for "GARFO port agent" in your search engine.

More information about eVTRs, recreational fisheries regulations, and other related material can be found by visiting our recreational fisheries web page at www.greateratlantic.fisheries.noaa.gov/sustainable/recfishing/

electronically via the Federal eRulemaking Portal.

On April 19, 2018, we will hold a scoping meeting for the NOI from 5-8 p.m. at our Greater Atlantic Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. We will hold additional scoping meetings mid-March through mid-April. Please contact Guy DuBeck (301-427-8540) or Guy.DuBeck@NOAA.gov for more information.

GARFO eVTR App Available for Online Reporting

With our new NOAA Fish Online App (iOS), you can now submit your electronic Vessel Trip Reports (eVTRs) using your iPhone or iPad. With the free app, you can:


- Create a new eVTR
- Edit an existing report
- Be alerted to any errors made
- Auto-fill forms
- Start and complete a form at different times prior to landing

Reports submitted via this app will meet all of GARFO's reporting requirements for both commercial (except ITQ Clams) and recreational fishing.

If you have a valid Federal fishing permit and would like to use this convenient app, first contact our Help Desk at 978-281-9188 or nmfs.gar.helpdesk@noaa.gov to obtain log-in information. Then search for "NOAA EVTR" in the Apple App Store, use the Filters dropdown menu to select "iPhone Only", and download the free app to your iOS device. Our Help Desk is available if you need additional assistance.

In addition to our NOAA Fish Online App, we approved other applications for electronic reporting. Go to our Electronic Vessel Trip Reporting [website](#) for more information.

NOAA Upgrades Online Groundfish Trip Notification System

 ur Pre-trip Notification System, or PTNS, ensures fair and adequate monitoring across fleets. Before leaving on a trip to catch groundfish, Northeast multispecies permitted vessels must first notify us about the trip so a fishery monitor or observer can be assigned to the trip if needed. Data collected by observers and monitors support a range of fishery management and science-based work. These data provide valuable information on what kind of fish are caught, but not landed, from our waters and how much. This information informs fishery management decisions.

Since 2010, our staff has been compiling suggestions from users on suggested improvements, many of which were used in the redesign. Updates will make the system easier to use, mobile friendly, and more adaptable to new management requirements as they occur. Starting in late April,

users will see improvements in both accessibility and data entry.

"We are thrilled to launch this upgrade," said Dr. Jon Hare, Director of the Northeast Fisheries Science Center (NEFSC). "Fishermen have one of the toughest jobs in the world. We continue to look for ways to make fishery monitoring easier and more valuable to every business we work with. This is a big step in the right direction."

To make sure that fishermen and fishing businesses are familiar with these updates ahead of the May 1 start for the groundfish fishery, NEFSC staff are visiting major ports and attended the recent Maine Fishermen's Forum to demonstrate the system and provide hands-on support.

For more information, contact PTNS Coordinators Sarah Cierpich and Maggie Heinichen, Northeast Fisheries Science Center, at 855-347-4371 or by email at NEFSC.PTNS@noaa.gov.