



The NOAA FISHERIES NAVIGATOR

NOAA Enforcement Continues To Help Protect North Atlantic Right Whales

The North Atlantic right whale is one of the world's most endangered large whale species. The latest preliminary estimate indicates there are fewer than 350 individuals remaining, with fewer than 70 breeding females. The species has been experiencing an Unusual Mortality Event since 2017. NOAA Fisheries and our partners are dedicated to conserving and rebuilding their population, and NOAA's Office of Law Enforcement plays an important role. We enforce regulations designed to mitigate entanglement in fixed fishing gear and vessel strikes, two of the greatest threats to their recovery.

Please see our website for more information on the North Atlantic right whale:



Vessel Speed Enforcement

From November to July each year, multiple Seasonal Management Areas go into effect on the East Coast. During these times, most vessels 65 feet or longer are required to reduce their speeds to 10 knots or slower while transiting the designated areas. Since 2008, these areas have reduced the threat of vessel strikes to right whales in their feeding and calving grounds and on their migratory routes.

NOAA's Office of Law Enforcement is charged with enforcing these regulations and helping the public comply with the rules. To enforce the speed rule, we deploy a number of technologies and strategies, including:

- Industry and public outreach to help prevent violations before they happen
- Automatic Identification Systems (AIS) to detect speeding
- Portable radar units to detect speeding by vessels not carrying AIS
- Active patrolling of Seasonal Management Areas

NOAA has assessed \$882,806 in civil penalties across 53 cases for violations during the 2022–2023 season. NOAA's Office of Law Enforcement also provides the public with the information they need to comply with rules. Starting in 2018, we began sending compliance assistance letters to vessel owners in violation of the speed rule to support and enhance speed rule compliance. Since then, we have sent approximately 1,000 letters to vessel owners across multiple industries. That includes 179 sent out between April and June of 2023.

In addition, since November 2021 we have reacted in near-real time leveraging satellite-based technologies to send more than 250 alerts to vessels operating in close proximity to right whales. We alert



NOAA Fisheries photo

The M2 mobile radar unit alongside an OLE marked patrol vehicle, deployed during a vessel speed rule operation in the Mid-Atlantic.

vessels of confirmed right whale presence nearby for up to 48 hours following a confirmed sighting to remind them to go slow, keep a minimum distance of 500 yards, and if sighted to please report the sighting at 866-755-6622 or the WhaleAlert App.

Gear Enforcement

In 2021, NOAA Fisheries issued significant new regulations to reduce the risk of right whale entanglement in the Northeast lobster and Jonah crab fixed trap/pot fisheries. Since these regulations were implemented in May 2022, our Northeast team, state, and U.S. Coast Guard enforcement partners have conducted more than 250 lobster and crab pot/trap fixed gear-focused patrols. During those patrols, agents and officers have inspected more than 1,800 individual vessels for compliance with the new gear modification and marking requirements. About 73 percent of vessels were compliant when the new regulations went into

effect. As of June 2023, the compliance rate climbed to about 87 percent.

Contact Us

It will take everyone's cooperation and contributions to save these endangered whales, and put them on a path to recovery.

To report a violation, call the Law Enforcement Hotline, available 24/7 at (800) 853-1964

To report a whale or other marine animal in distress, call (866) 755-6622 in the Greater Atlantic Region (Virginia to Maine) or call (877-942-5343) in the Southeast Region (Florida to North Carolina)

For general law enforcement questions, contact our Northeast Division at (978) 281-9213 (ext. 2, compliance assistance) or Southeast Division at (727) 824-5344.

THIS SUPPLEMENT PROVIDED BY NOAA FISHERIES SERVICE'S GREATER ATLANTIC REGIONAL OFFICE

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Stellar Start to the 2023 Ecosystem Monitoring Survey Season!

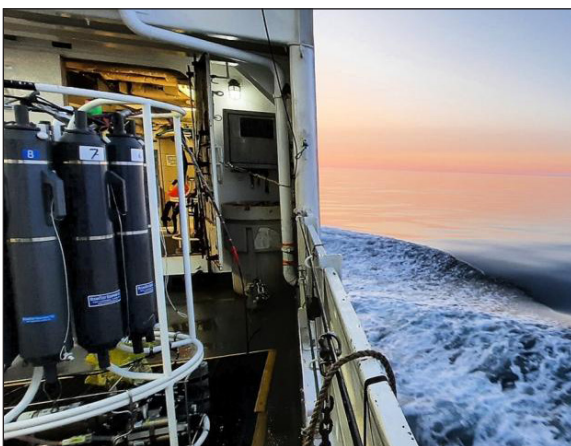
Researchers at the Northeast Fisheries Science Center successfully completed all of the planned stations for both the spring and summer Ecosystem Monitoring Survey cruises. The team spent 21 days sampling 222 stations in June and 18 days sampling 209 stations in August. They collected samples, data, and/or other information on:

- Plankton
- Conductivity, temperature, and depth profiles
- Ocean acidification
- Seabirds, marine mammals, and sea turtles

The team also conducted supplemental sampling and data collection efforts to aid ongoing projects at our science center that included:

- Pteropod sampling as part of a Bermuda Institute of Ocean Science partnership
- Plankton and hydrographic data in the central Gulf of Maine to better understand an earlier strong crossover water event from the Scotian Shelf to the Northeast Channel and Georges Bank regions
- Plankton, hydrographic data, and water samples to better understand two warm-core eddies offshore of Great South Channel and Nantucket Shoals
- Imaging flow cytobot sampling to capture images and count phytoplankton cells from surface waters as part of a National Science Foundation project led by Woods Hole Oceanographic Institution in collaboration with NOAA Fisheries
- Water column radiometry to measure subsurface light levels for scientists to evaluate the algorithms used by satellites to determine sea-surface chlorophyll estimates
- Plankton and hydrographic data to better understand endangered North Atlantic right whale foraging in our region
- Plankton, hydrographic data, and water samples to better understand an unusually large brown algae bloom in Gulf of Maine
- Plankton and hydrographic data in offshore wind lease energy areas near Nantucket Shoals to better understand the impacts of wind energy development in our region

Our ecosystem monitoring survey helps researchers better understand and predict changes in



NOAA Fisheries/Jerry Prezioso photo

Spring 2023 Ecosystem Monitoring Survey aboard the NOAA Ship Henry B. Bigelow.

the Northeast shelf ecosystem and its fisheries.

To learn more about the summer Ecosystem Monitoring Survey, please visit: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/science-data/2023-northeast-summer-ecosystem-monitoring-cruise-completed>.

To learn more about the spring Ecosystem Monitoring Survey, please visit: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/science-data/2023-northeast-spring-ecosystem-monitoring-cruise-completed>.

To learn more about the unusually large brown algae bloom in the Gulf of Mexico, please visit: <https://www.unh.edu/unhtoday/news/release/2023/08/23/researchers-identify-unusually-large-bloom-brown-algae-gulf-maine>.

Co-use and Protecting Biodiversity as the Offshore Wind Energy Industry Grows

We're working with NOAA Fisheries to promote ocean co-use and protect biodiversity as the offshore wind energy industry grows. Here's an update on how we've been addressing the challenges and opportunities.

Federal Surveys

It's clear offshore wind energy development will affect our federal surveys because our ships and aircraft that conduct the work are not able to operate in the lease areas as they have in the past. This potentially creates gaps in our databases, which are essential to understanding the status of species and marine ecosystems in our region. To address this we've:

- Developed a survey mitigation strategy with the Bureau of Ocean Energy Management (BOEM)
- Formed a joint implementation team with BOEM
- Started work to incorporate elements of the mitigation strategy into the terms and conditions of BOEM's offshore wind project approvals
- Started drafting survey-specific mitigation plans for all 14 of our impacted surveys using information from our recently released Synthesis of the Science report
- New Directions for Monitoring OSWE Effects on the Ecosystem

Another key focus for us is to develop new methods and plans for monitoring change in the environment as wind energy develops.

We collaborated with the Woods Hole Oceanographic Institution on a way to continue surveying Atlantic sea scallop populations in wind energy areas. We're thrilled that we've completed the first sea trials on a new long-range autonomous underwater vehicle that can operate in the lease areas. This vehicle carries HabCam—a stereo camera and sensor system that is also used during our federal scallop survey. The AUV is small, has all the necessary sensors and equipment used for surveying scallops,



NOAA Fisheries/Andy Lipsky photo

An offshore wind turbine from the Block Island Wind Farm off the coast of Block Island, Rhode Island.

and can be programmed. It's an excellent option for collecting the data and information we need inside wind energy lease areas.

We've also evaluated environmental monitoring planned by wind developers for their projects. We found that as currently designed, developer monitoring will not yield information to mitigate data lost from federal surveys in offshore wind energy areas. To help wind developers enhance their monitoring plans, we've provided a series of recommendations. These recommendations will also contribute to improved regional understanding of fishery resource responses to wind development.

Looking Ahead

Our staff participated in an International Council for the Exploration of the Sea Workshop on a Research Roadmap for Offshore and Marine Renewable Energy. Next month, ICES will hold their annual science conference. We are co-conveners for a session on the ecosystem science needed to support a new era of offshore marine renewable energy.

As always, we remain committed to working with a wide range of partners and collaborators to provide the best available scientific information and tools necessary for productive, sustainable, and healthy marine ecosystems and coastal communities in our region.

To learn more about our role in offshore wind energy development in our region, please visit: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/science-data/offshore-wind-energy-development-new-england-mid-atlantic-waters>.

To learn more about mitigation efforts to address anticipated impacts of offshore wind energy development on NOAA Fisheries' scientific surveys, please visit: <https://www.fisheries.noaa.gov/feature-story/efforts-mitigate-impacts-offshore-wind-energy-development-noaa-fisheries-surveys>.

To learn more about the final report synthesizing the current state of science on the interactions between fisheries and offshore wind, please visit: <https://www.fisheries.noaa.gov/feature-story/new-report-paves-way-northeast-fisheries-and-offshore-wind-science-agenda>.

2023 Pilot Hook-and-Line Survey Stakeholder Engagement Workshop Series

The Northeast Fisheries Science Center's Cooperative Research Branch seeks commercial Hook-and-Line fishermen and for-hire charter fishermen to attend a series of workshops throughout November 2023. The goal is to gather stakeholder input on best fishing practices for a Hook-and-Line Survey to be piloted in spring 2024.

Areas developed for offshore wind farms will be difficult or impossible to access using traditional mobile-gear surveys. That means we need to find alternatives to survey fish populations and provide data for stock assessments. A Hook-and-Line survey could be one alternative. To test this alternative, we are conducting a pilot Hook-and-Line survey to develop and test a methodology for deploying jigging machines in any habitat type and in close proximity to wind turbines. We need the expertise of for-hire and commercial rod and reel fishermen to make this pilot survey a success.

We are hosting the workshops in northern New England, southern New England, and the Mid-Atlantic, where the pilot survey will be conducted. The tentative schedule for the workshop series is:

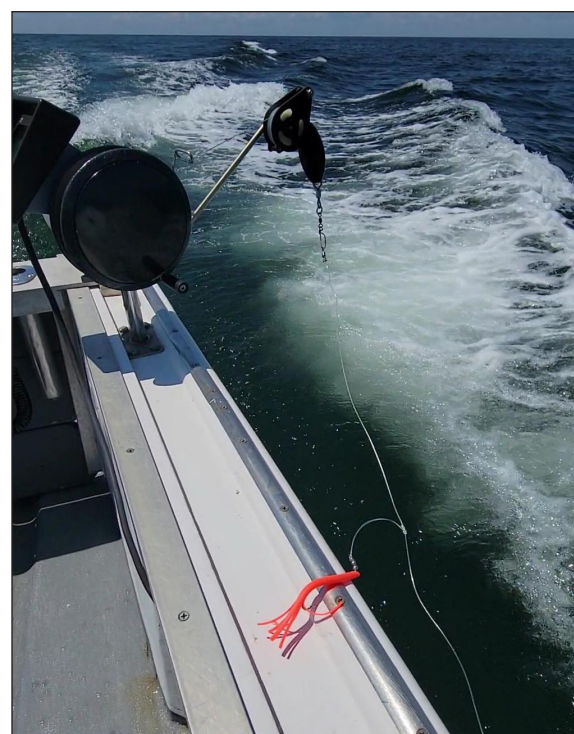
- November 6: Superior Trawl, Narragansett, Rhode Island
- November 8: UMass Dartmouth School for Marine Science and Technology, New Bedford, MA

- November 9: Online session for Southern New England region
- November 13: Chesapeake Bay Foundation Building, Virginia Beach, VA
- November 15: Rutgers Agricultural Experiment Station Cooperative Extension, Toms River, NJ
- November 20: Online session for Mid-Atlantic Region
- November 28: Urban Forestry Center, Portsmouth, NH
- November 29: Chesapeake Bay Foundation Building, Virginia Beach, VA
- November 30: Online session for Gulf of Maine Region

The kinds of discussions and input we are interested in includes:

- > Vessel specifications
- > Tackle selection and leader designs
- > Fishing Tactics
- > Possible industry vessels to utilize as survey platforms
- > Survey timing and sampling regions

The workshops are free and open to all interested stakeholders with expertise in Hook-and-Line gear. To register, please visit: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/science-data/cooperative-research-northeast>



NOAA Fisheries photo

A jigging machine similar to this one is being considered for the Pilot Hook and Line Survey.

The workshops are an important opportunity for stakeholders to provide input on the design of the Hook-and-Line Survey. We are committed to working with stakeholders to ensure that the survey is effective and can provide the best available science.

For more information, please contact Katherine Viducic at katherine.viducic@noaa.gov.

Fishing Survey Permit Guidance

Earlier this summer, NOAA Fisheries released a *Permitting Considerations for Fisheries Survey* document to provide guidance to offshore wind energy lessees, project proponents, and other stakeholders. The purpose of the document is to outline the various permit types, requirements, and considerations for those in the process of developing surveys targeting fish species managed by the NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO). The guidance document provides a step by step process to identify which type of permit may be necessary based on the fisheries survey and monitoring activities being developed and outlines the process to apply for each permit. Specific considerations and limitations to each permit type are further discussed alongside case studies outlining previously issued permits for wind energy fishery monitoring surveys.

The guidance discusses the conditions that would dictate whether a survey should be conducted under a Letter of Acknowledgment from the Regional Administrator or an Exempted Fishing Permit. Further, if through consultation with NOAA Fisheries GARFO Protected Resources Division it is identified that monitoring activities may potentially affect protected species or their critical habitat; the document outlines the processes, requirements, and timelines for applying for incidental take coverage through Section 7 consultations, Section 10 consultations, and/or Marine Mammal Protection Act Incidental Take Authorization. Overall, a primary recommendation for those designing fisheries surveys is early coordination with NOAA Fisheries staff, including as fishery monitoring plans are being developed, to identify any permits, authorizations, or exemptions that may be necessary.

The *Permitting Considerations for Fisheries Surveys* guidance document can be found on the technical guidance for offshore wind energy project webpage: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/science-data/technical-guidance-offshore-wind-energy-projects-greater-atlantic-region>.

The technical guidance page offers information to assist action agencies, wind energy lessees, and other stakeholders on how to best account for NOAA trust resources throughout the wind energy project development process. For more information contact Nick Sisson at nick.sisson@noaa.gov and Doug Christel at Douglas.Christel@noaa.gov.

Check out our podcast, Dive In With NOAA Fisheries!

NOAA Fisheries conducts world-class science to support sustainable marine life and habitats. We manage millions of square miles of ocean (almost 100,000 miles of coastline), support a \$244 billion fishing industry, and protect and rebuild endangered marine species and habitats. It's a huge job. Our podcast, "Dive In with NOAA Fisheries," is about the work we do and the people behind it.

Labor abuse is a dangerous problem in the seafood industry, and devastating for the victims and their families. A new initiative—Collaborative Accelerator for Lawful Maritime Conditions in Seafood, or CALM-CS—is bringing attention to the problem of labor abuse in the seafood sector.

In a recent episode, "Combating Labor Abuse in the Seafood Sector", we speak with Alexa Cole, the director of NOAA Fisheries Office of International Affairs, Trade and Commerce and the Chair of CALM-CS. Its goal is to facilitate public-private partnerships between governmental and non-governmental collaborators, such as industry, academic institutions, and non-governmental organizations. It will promote legal and safe working conditions throughout the fishing and seafood industry.

Although labor abuse is an international issue, it is a key concern for the United States, which has one of the largest seafood markets in the world. CALM-CS seeks to support collaboration between partners, leverage technology, explore novel sources of information, and identify best practices to ensure that seafood entering the United States is not harvested using illegal or unsafe labor practices.





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Atlantic Large Whale Take Reduction Plan Reminder: Lobster Management Area 1 Seasonal Restricted Area in Effect October 1 - January 31

Lobster and Jonah crab trap/pot fishermen in Maine LMA 1 Zones C, D, and E and a small sliver of LMA 3 are reminded of the Seasonal Restricted Area (SRA) that is in place annually from October 1 to January 31. No trap/pot gear with persistent buoy lines is allowed while the SRA is in place.

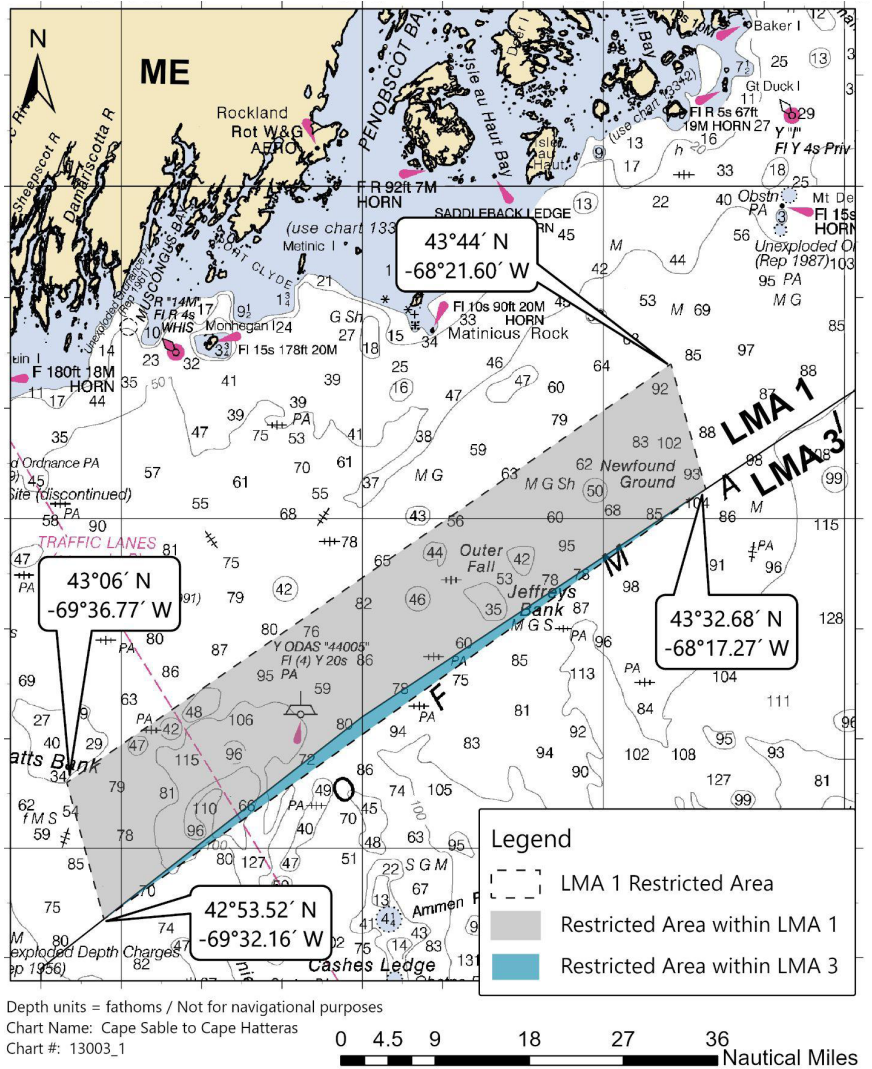
Longitude	Latitude
-69° 36.77' W	43° 06.00' N
-68° 21.60' W	43° 44.00' N
-68° 17.27' W	43° 32.68' N
-69° 32.16' W	42° 53.52' N
-69° 36.77' W	43° 06.00' N

Harbor Porpoise Take Reduction Plan Reminders: Closed Areas and Gear Requirements

The Harbor Porpoise Take Reduction Plan (HPTRT) regulations are intended to reduce the serious injury and mortality of harbor porpoises in Northeast sink gillnet and Mid-Atlantic gillnet fisheries from Maine through North Carolina. Conservation measures include pinger requirements, gear modifications, and time/area closures.

See charts below for a summary reminder of seasonal restrictions. For more information, contact the HPTRP Coordinator, Jennifer Goebel, at 978-281-9175 or visit the HPTRP web page.

If you have questions about gear requirements, please contact Rob Martin at 617-710-6322 or <robert.martin@noaa.gov>.



Mid-Atlantic Gillnet Fisheries (Large & Small Mesh)		
Area	GEAR MODIFICATIONS REQUIRED	GILLNET CLOSURE
Large Mesh Gillnet (Mesh Size 7-18 inches)		
Waters off New Jersey Management Area	January 1-March 31; April 21-30	April 1-20
Mudhole North Management Area	Jan. 1-Feb 14, Mar 16-31, Apr 21-30	February 15 - March 15; April 1-20
Mudhole South Management Area	January 1-31; March 16-31; April 21-30	February 1 - March 15; April 1-20
Southern Mid-Atlantic Management Area	February 1-14; March 16-April 30	February 15 - March 15
Small Mesh Gillnet (Mesh Size >5 inches to < 7 inches)		
Waters off New Jersey Management Area	January 1-April 30	-
Mudhole North Management Area	Jan 1-Feb 14, Mar 16-Apr 30	February 15 - March 15
Mudhole South Management Area	January 1-31; March 16-April 30	February 1 - March 15
Southern Mid-Atlantic Management Area	February 1-April 30	-

Northeast Gillnet Fisheries (All)		
AREA	DATES	RESTRICTIONS
Northeast Closure Area	August 15-September 13	CLOSURE
Mid-Coast Management Area	September 15-May 31	Pingers Required
Massachusetts Bay Management Area	November 1-February 28/29	Pingers Required
	March 1-31	CLOSURE
	April 1-May 31	Pingers Required
Stellwagen Bank Management Area	November 1-May 31	Pingers Required
Southern New England Management Area	December 1-May 31	Pingers Required
Cape Cod South Closure Area	March 1-31	CLOSURE
Offshore Management Area	November 1-May 31	Pingers Required
Cashes Ledge Closure Area	February 1-28/29	CLOSURE