

NEW ENGLAND
FISHERY
MANAGEMENT
COUNCIL



Council Report

November/December 2014

The Council Report summarizes major actions approved at NEFMC meetings or highlights items of interest to stakeholders.

At its November 17-20, 2014 meeting in Newport, RI, the Council:

- ◆ Approved Sea Scallop Framework Adjustment 26
- ◆ Selected the range of alternatives to be analyzed in Amendment 18 to the Groundfish Plan
- ◆ Approved Framework Adjustment 53 to the Groundfish Plan
- ◆ Initiated a framework adjustment to the Monkfish Plan
- ◆ Approved fishery specifications to the Small Mesh Multi-species Plan
- ◆ Took final action on the NOAA's Vessel Baseline Amendment
- ◆ Approved a Risk Policy
- ◆ Reviewed the Annual Skate Monitoring Rept.

**Next Council Meeting
January 27-29, 2015**

Sea Scallops

Framework Adjustment 26 Approved

Landings projected to increase by 10 million pounds in 2015

The Council took final action on Scallop Framework Adjustment 26, specifications for 2015, and other measures that are important to the operations of the fishery including a proactive northern windowpane flounder accountability measure, a state waters exemption provision for Northern Gulf of Maine area, consistency between the current turtle regulations, and a provision to accommodate lengthy steaming times for vessels landing scallops in southern ports. The specifics are as follows:

- A 47 million pound total projected catch with 31 days-at-sea for full-time vessels, three 17,000 pound scallop area access trips (or 51,000 per vessel);
- New closures of the Nantucket Lightship extension area and the inshore Elephant Trunk Area;
- Flexible boundaries for 2015 trips in the Mid-Atlantic access areas along with adjusted pre-landing and automatic carryover provisions (for the Hudson Canyon, Elephant Trunk, and Delmarva Areas);
- A Total IFQ allocation of 2.97 million pounds for limited access general category (LAGC) vessels including about 2,000 fleet-wide trips in access areas;
- Crew limits in access areas with a maximum of eight for full-time and part-time limited access boats, and six for full-time small dredge vessels;
- A revision to the state waters exemption program that would allow a state to request a specific exemption for vessels to fish in state waters after the federal Northern Gulf of Maine area TAC (total allowable catch) is reached;
- Consistency for turtle regulations – a May-November west of 71°W requirement for turtle deflector dredges and turtle chain mats, and a modified flaring bar rule that would allow the bar to be connected in more than one place on a dredge frame;
- Proactive accountability measures (AMs) for northern windowpane flounder that would require both limited access and LAGC scallop vessels (all permit types in all areas), fish with a *maximum* of seven rows in the apron of a dredge throughout the year; in this case the AM trigger would occur only after the *total* ACL is exceeded; and
- The ability for limited access vessels to declare out of the fishery when landing scallops in ports south of Cape May only, along with several requirements; as a result, a days-at-sea adjustment of 0.14 days-at-sea would be necessary to account for this flexibility for at least 2 years (2015 and 2016) and days-at-sea would be allocated as a fraction of a each day moving forward.

Carryover

Provisions

The Council voted to revise the groundfish carryover provisions so that they are consistent with a U.S. District Court ruling that vacated the carryover provisions adopted in 2013. The ruling specified that the value of the stock-specific ACL, plus the carryover of unused annual catch entitlement or ACE, may not exceed the following year's ABC.

If approved, groundfish sectors could carry forward up to 10% of their unused ACE provided that the total unused sector ACE carried forward for all sectors from the previous fishing year and the total ACL does not exceed the ABC for the fishing year in which the carryover would be harvested. Accountability measures would not change under this action.

Windowpane flounder

Proposed sub-ACLs for the two stocks of windowpane were moved to the "considered but rejected" section of the framework document. The Council instead tasked the Groundfish PDT to develop a white paper to better understand the problems and potential management solutions related to these stocks.

Groundfish

Amendment 18 Range of Alternatives Identified

The Council finished approving the range of alternatives for this action in November. Amendment 18 includes measures that address accumulation limits, the Hand Gear A permit fishery, data confidentiality, inshore and offshore Gulf of Maine cod rules, and an exemption area in which to target redfish. The Council determined that measures related to trading quota with Canada would not be included in this action.

The Council is scheduled to review the Amendment 18 draft Environmental Impact Statement at its April 2015 meeting in Mystic, CT and select preferred alternatives. Public hearings are expected in the summer, followed by a final decision in September.

Framework 53 Approved

Gulf of Maine Cod Decisions Will Affect Both Commercial and Recreational Fishermen

The Council took final action on Framework Adjustment 53 to the Northeast Multispecies FMP which includes specifications for a number of stocks in the groundfish complex and adjustments to both commercial and recreational fisheries measures to address the steep decline of Gulf of Maine (GOM) cod. If the framework receives final approval by NOAA Fisheries, the following could be in place beginning on May 1, 2015. Major measures include those for:

Gulf of Maine haddock

The annual catch limit (ACL) is increasing substantially (from 677 metric tons to about 1,375 metric tons). It is no longer overfished and overfishing is not occurring. The increase is intended to provide fishermen with greater opportunities to access a healthy stock and a good alternative to cod.

Gulf of Maine cod

The ACL would be reduced to about 25% of the previous year's level. Additional cod protection measures, which include spatial management measures (closed areas for the commercial fleet and no possession for the recreational fleet) would reduce cod mortality and impacts spawning cod while minimizing impacts to the fleets by providing opportunities to fish for other species. The areas would modify the current rolling closures in April, May, and June, and add closures in November, December, and January. The Council also voted for no possession of GOM cod for the recreational fishery--with no additional restrictions on where they can fish.

There would be no changes to the other groundfish closures. The Whaleback Cod Spawning Closure Area would continue to be closed to both recreational and commercial fisheries. Year round closures (Cashes Ledge and Western Gulf of Maine Area, for example) would continue to be closed to the commercial fishery.

Other Issues

The Council also voted to roll over the specifications (35% for each groundfish stock) for four months (May 1- July 31) in the event that rulemaking is delayed in the future and provided that, on a stock by stock basis, these rollover specifications would not exceed any pending acceptable biological catch (ABC) recommendations. In other words, the rollover ACL may not exceed the anticipated ABC for the upcoming fishing year. Also if rollover specifications are implemented, groundfish sectors would not be subject to the currently required 20% ACE holdback during the rollover specifications period.

See sidebar this page for more Framework 53 issues.-

Monkfish Framework Adjustment Initiated

Measures formerly in Amendment 6 Fast Tracked

Amendment 6 to the Monkfish FMP has been under development for several years. The Monkfish Committee recommended taking certain measures out of the amendment and pursuing them in a framework action. The Council responded by voting to initiate framework adjustment to the Monkfish FMP (fishery management plan), agreeing that the measures would be useful to fishermen in the upcoming fishing year.

The action would include consideration of changes to allow at-sea declarations for groundfish DAS, changes to the days-at-sea/trip limit for Category F vessels (limited access offshore boats), increase monkfish-only days-at-sea based on the higher rate of groundfish common pool days-at-sea counting, and changes to the Northern Area monkfish trip limit for vessels fishing on a groundfish day-at-sea.

During the discussion, the Council also agreed to eliminate measures in Amendment 6 that would modify the incidental monkfish limits that would apply to sector vessels while not fishing on a groundfish or a monkfish day-at-sea, and fixed gear vessels operating on a groundfish day-at-sea in the Southern Management Area. The Council also added an additional alternative to be analyzed that would allow the implementation of a sector management program in this fishery in either the Northern or Southern Management areas or in both.

Final action on this framework is expected to occur at the NEFMC's January or April Council meeting. The Council also anticipates resuming work on Amendment 6 as soon as possible.

Small Mesh Multispecies (Whiting)

Fishery Specifications Approved 2015-2017

The Council approved specifications, or catch limits, for fishing year 2015-2017 based on updated stock assessments for northern and southern red and silver hake stocks. Changes in catch limits are warranted given the changes in estimated stock biomass and discard rates. Changes in the specifications range from a decrease of 8.2% for southern silver hake to an increase of 85% for northern silver hake.

A recent assessment update indicated that overfishing of northern red hake was occurring in 2013 and that catches exceeded the annual catch limit, or ACL. As a remedy, the Council also approved a reduction of the 5,000 pounds to the northern red hake possession limit.

The approved alternative would implement a 3,000 pound northern red hake possession limit at the beginning of the fishing year, to be reduced to 1,500 pounds when landings reach 45% of the total annual landings limit of 229,721 pounds. Under existing accountability measures, the northern red hake possession limit would be lowered to 400 pounds when landings reach 62.5% of the total landings allowed, possibly reducing the number of trips that target red hake.

Final Action Taken on Vessel Baseline Amendment

Following the Mid-Atlantic Council's vote to approve final action on a Vessel Baseline Omnibus Amendment prepared by NOAA's National Marine Fisheries Service, the NEFMC also approved Alternative 4 as its preferred alternative. If the agency, acting on behalf of the Secretary of Commerce, approves the proposal now supported by both Councils, the amendment could be implemented as early as next spring.

Alternative 4 would eliminate the one-time vessel upgrade limitation and also gets rid of the tonnage specifications, so that only length and horsepower would be used as baseline vessel specifications for upgrade limitations (10% size/20% horsepower limits). It is expected to reduce administrative costs and costs incurred by vessel owners trying to upgrade or replace their vessel.

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The New England Fishery Management Council is one of eight regional organizations created by the Magnuson-Stevens Fishery Conservation and Management Act, initially enacted in 1976.

The Council develops rules for both commercial and recreational fisheries that operate between three and 200 miles off the region's coastline. NEFMC management authority extends to fishing grounds in the Gulf of Maine, Georges Bank and southern New England and overlaps with the Mid-Atlantic Council for some species.

Happy Holidays to All!

NEFMC Risk Policy Finalized

The NEFMC's Risk Policy Working Group met several times during 2013 and 2014 and recommended a step-wise approach that was approved by the Council at the November meeting. The new policy will serve as guidance to the Scientific and Statistical Committee and Council for specifying ABC and ACLs for all Council-managed species.

Northeast Skate Complex

Annual Monitoring Report Available

The Council was provided with the Annual Skate Monitoring Report prepared by Skate Plan Development Team. Based on data forwarded by the Northeast Fisheries Science Center that included information collected through spring 2014, the report concluded that the status of all skates remains the same as reported in the previous status update. Thorny skate is overfished, and overfishing is still occurring on thorny as well as winter skate.

Details about rebuilding skate stocks

- ◆ The rebuilding deadline for smooth skate is 2020 (10 years from the implementation of Amendment 3), and it appears that it could be rebuilt before the deadline if the current biomass trend continues.
- ◆ The rebuilding deadline for thorny skate is 2028 (25 years from implementation of the Skate FMP), yet 10 years into the rebuilding period, the stock continues to decline. NOAA Fisheries considers it a species of concern.
- ◆ While barndoor skate is not overfished, no significant rebuilding has occurred since 2006. Adding complexity is that the rebuilding deadline is not clearly defined in the Skate FMP, due to uncertainties in basic life history parameters.

