



# New England Fishery Management Council

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## Groundfish: Council Schedules Amendment 23 Final Action for September; Discusses COVID-19 Emergency Action, Cod Issues

The New England Fishery Management Council addressed numerous groundfish-related items as it wrapped up its June 23-25, 2020 webinar meeting. Here are the highlights.

**Groundfish Monitoring Amendment 23:** This amendment is intended to improve catch monitoring and reporting in the commercial groundfish fishery. The Council has held three public hearings to date by webinar – one in April and two in May – and is now scheduling more public hearings for July and August. The public comment deadline has been extended through August 31, 2020. The Council will take final action at its [September meeting](#).

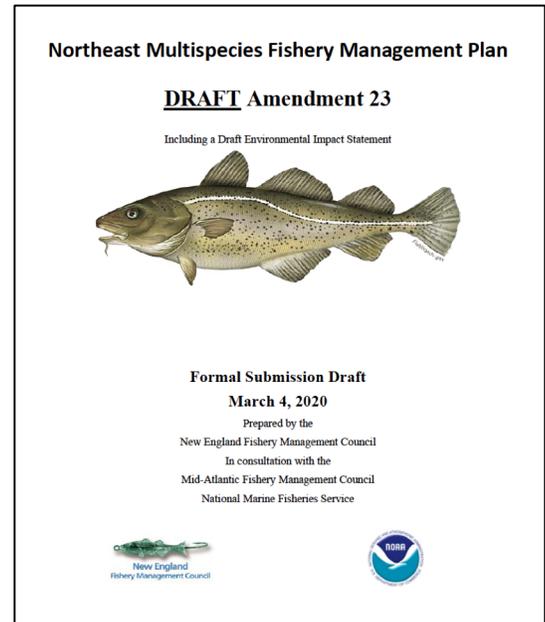
- The next public hearing will take place by webinar on [Thursday, July 16](#) beginning at 4:00 p.m. All related documents can be found in the Amendment 23 [library](#). The Council will announce the rest of the summer's hearing lineup shortly.

### Amendment 23 Outreach Efforts Underway

- The Council is planning several outreach efforts to help fishermen and other stakeholders better understand Amendment 23 and participate in the hearings. Keep an eye out for forthcoming details. The Council expects to:

1. Post a video of the public hearing presentation on the Council website so people can view it at their convenience and think about comments in advance;
2. Hold staff "office hours" so individuals and small groups can call in with questions; and
3. Coordinate with groundfish sectors and industry organizations to hold webinar training sessions in advance of the hearings.

**COVID-19 Commercial Fishery Impacts:** The Council voted to ask the Greater Atlantic Regional Fisheries Office (GARFO) to take emergency action on behalf of the Secretary of Commerce to address groundfish fishery impacts on sector vessels and the common pool fleet in light of the COVID-19 situation.



*The Draft Environmental Impact Statement (DEIS) for Amendment 23 includes a complete analysis of the alternatives and associated impacts. Download a copy at [A23 DEIS](#). Visit the Amendment 23 [library](#) to access all documents and public hearing materials.*



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**Emergency Action Request for Groundfish Sectors** – The Council asked for secretarial action to:

1. Allow sectors to carry over more than 10% of their unused fishing year 2019 annual catch entitlement (ACE) into fishing year 2020 for Gulf of Maine haddock, Georges Bank haddock, American plaice, and witch flounder consistent with [GARFO's June 3, 2020 memo to the Council](#);
2. Have GARFO evaluate the *de minimis* carryover provision and allow *de minimis* carryover of fishing year 2019 ACE to be more than 1% of the fishing year 2020 sector sub-annual catch limit (sub-ACL) without fear of triggering a pound-for-pound payback in 2020 (the Council requested this analysis for all stocks with carryover allowances); and
3. Upon conclusion of the fishing year 2019 ACE/landings reconciliation process, allow sectors that do not have the maximum allowed carryover of the stocks named in item 1 to trade with sectors that do in order to allow all sectors the chance of replenishing their carryover in light of COVID-19.

**Emergency Action Request for Common Pool** – The Council asked for secretarial action to allow the common pool fleet to roll over any unused leased days-at-sea from fishing year 2019 to 2020 in addition to the 10 days-at-sea that common pool vessels currently are allowed to carry over.

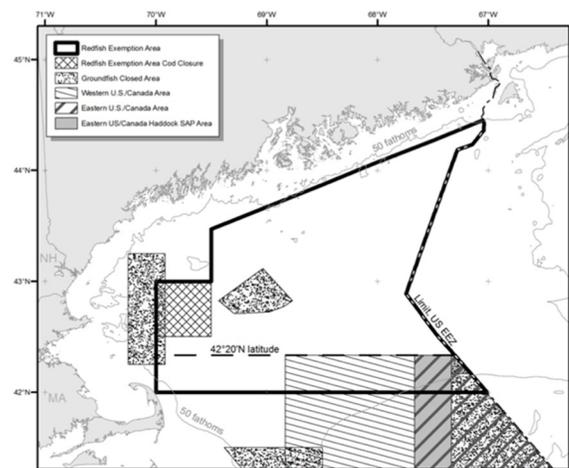
**Recreational For-Hire Vessels** – While not part of the emergency action request but still in response to COVID-19 impacts on the fishing community, the Council voted to revise its [initial 2020 recommendations](#) to GARFO for the for-hire fleet to add two additional weeks of fall fishing for Gulf of Maine cod.

- **Initial Request:** One Gulf of Maine cod per day from September 15-30;
- **Revised Request:** Also allow one Gulf of Maine cod per day from September 8-14 and October 1-7.

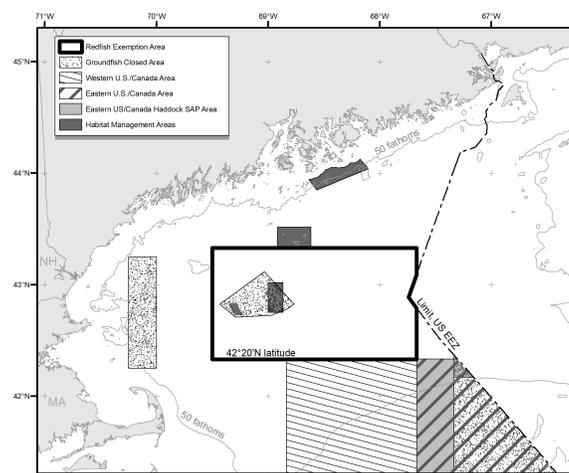
**IMPORTANT:** This is a Council *request* to GARFO. NOAA Fisheries will make the final decision.

**Redfish Exemption Area:** As part of the [2020 Interim Final Rule](#) for groundfish sectors that became effective on May 1, GARFO announced changes to the [Redfish Exemption Area](#). The revisions included changes to the boundaries “to minimize catch of non-redfish stocks under the exemption while still allowing vessels to fish in areas where redfish are abundant and bycatch of other stocks is minimal.”

## Previous Redfish Exemption Area



## Revised Redfish Exemption Area







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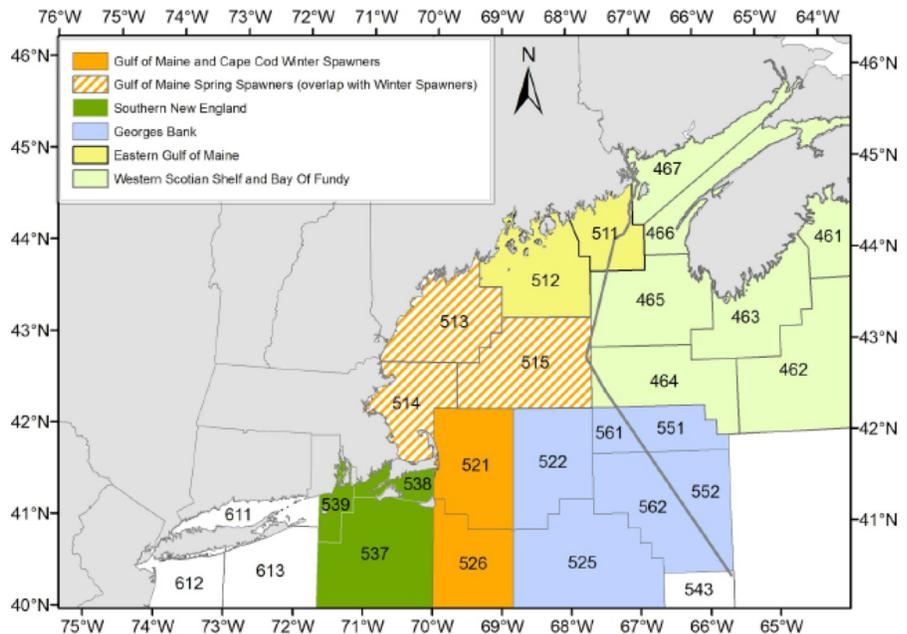
and parasites; and tagging studies. The working group concluded that Atlantic cod may be more appropriately viewed as five stocks (see map below) instead of two.

The Council then received a [presentation](#) on the peer review of the working group's report. The peer review panel concurred with many of the working group's conclusions and made numerous suggestions for improving the identification of stock structure for Atlantic cod.

**Next Steps:** If changes are made to the way cod is assessed, then changes to the management system also may be needed.

Given the implications, the Council agreed to have its leadership team work with the Northeast Fisheries Science Center to [form two working groups](#) – one to address the assessment questions raised by the report and the other to address management questions.

The two groups will report back to the Council in January.



## Atlantic Cod Petition for Rulemaking

*The Atlantic Cod Stock Structure Working Group is proposing that cod be viewed as five stocks (color coded above) instead of two as is currently the case – Gulf of Maine cod and Georges Bank cod.*

On February 13, 2020, the Conservation Law Foundation [petitioned](#) the Commerce Department and National Marine Fisheries Service (NMFS/NOAA Fisheries) to “end overfishing of Atlantic cod immediately and rebuild the two stocks in this fishery in as short a time as possible as required by the Magnuson-Stevens Fishery Conservation and Management Act.”

In a June 10 [letter](#) to the Council, GARFO Regional Administrator Mike Pentony said NMFS now must determine: (1) whether the petition has merit; and (2) whether to proceed with rulemaking through secretarial action. The regional administrator wrote, “At its core, the Magnuson-Stevens Act authorizes regional fishery management councils to develop fishery management measures” and specifically vests the New England Council with the authority to manage Atlantic cod. He added, “It is appropriate to work through the Council process when considering this petition for rulemaking.”

The Council voted to place the petition on the agendas for upcoming meetings of its Groundfish Committee, Groundfish Advisory Panel, and Recreational Advisory Panel and receive a report on those discussions in September. The Council will continue to work on its current slate of groundfish priorities.