# ADDITIONAL CORRESPONDENCE

**ASSOCIATED FISHERIES OF MAINE**
**PO Box 287, South Berwick, ME 03908**



November 25, 2015

Mr. Terry Stockwell, Chair
New England Fishery Management Council

VIA ELECTRONIC MAIL

Dear Terry:

The SSC recommendation for ABC for witch flounder will create an unprecedented dilemma for groundfish sectors.

Goundfish sectors, through self management techniques like gear modifications and self-imposed closed areas, have been successful in complying with extremely low sub ACLs for stocks found in one broad stock area, e.g. Gulf of Maine cod, GB yellowtail, SNE yellowtail, etc.

However, this will be the first time that sectors are challenged by an unrealistic sub ACL for a unit stock (witch flounder), found in all broad stock areas (covering nearly 80,000 square nautical miles), that cannot be avoided by relocating fishing activity to a different stock area (or subset of a stock area).

Therefore, the Associated Fisheries of Maine seeks the Council's support for the unanimous groundfish committee motion to accept a preliminary ABC for witch flounder, and to ask the SSC to reconsider the ABC taking into account unavoidable catch of witch flounder by groundfish sectors.

The ACL for witch flounder, after being reduced by 25% or roughly 100 mt for other fisheries (without accountability measures for groundfish bycatch), leaves an unworkable sub ACL of 277 mt for groundfish sectors. That other, non- groundfish fisheries have an estimated need of 100 mt highlights the broad range of this stock, and the difficulty to avoid bycatch.

As always, we appreciate your careful consideration of our views.

Sincerely,

M. Raymond

Maggie Raymond
Executive Director

jc/jp c- 11/25/15

**From:** Jim Ford- F%2FV Lisa Ann II [mailto:captainjim1@comcast.net]
**Sent:** Monday, November 23, 2015 12:46 PM
**To:** Bill Karp; Pat Fiorelli
**Cc:** John Hoey
**Subject:** lisa ann III

Bill, Council,
I just wanted you to know the same stuff is still going on with observers, throwing fish over and not recording it on some trips, looking at one tow but not the next on day boats, allowing some gill netters and trawlers to toss cod. This is all coming from various captains. I am absolutely so frustrated with this whole program that I don't want anything to do with it. I am amazed that this information is still being held in high regard. This is a bad situation, but until they stop counting discards against quota you will never see accurate data. I think using a estimated discard rate would go further than the way it is being done now. I have really given up on the observer program along with most fishermen and now we will be paying for horrible data that's even worse. I understand you have a tough job but this problem is far from being fixed.

Thanks,
Jim Ford

SUSTAINABLE HARVEST SECTOR
PO Box 356, So. Berwick ME 03908 | 207-956-8497 | www.groundfish.org



November 23, 2015

Terry Stockwell, Chair
NEFMC
50 Water St., Mill 2
Newburyport, MA 01950

Dear Chairman Stockwell,

It has come to our attention that the New England Fishery Management Council will debate a Groundfish Committee recommendation to request that the Scientific and Statistical Committee revisit the ABC for witch flounder.

Attached please find a document that describes the witch flounder utilization by the Sustainable Harvest Sectors, which we hope will inform your discussion.

We are concerned that the ABC recommendation, particularly as reduced by the sub ACL for other fisheries, results in a groundfish sector sub ACL that will create an untenable situation for sectors in the coming fishing years.

Sincerely,

Frank Patania

Frank Patania
President

# Witch Flounder Utilization in the Sustainable Harvest Sectors

## Allocation & Use

Witch flounder is a high-demand stock. Under five years of sector management, the fleet has caught most of its annual allocation, exceeding 100% in FY2013, when a lawsuit filed by environmental firm Oceana forced the NMFS to retroactively reduce the fleet's ACE late in the fishing year (Table 1).

**Table 1: Sectors' Witch Utilization Rates**

| FY | SECTOR ALLOCATION | CATCH | PCT CAUGHT |
|---|---|---|---|
| 2010 | 852 | 725.3 | 84% |
| 2011 | 1236 | 997.1 | 82% |
| 2012 | 1448 | 983.3 | 69% |
| 2013 | 610 | 642.3 | 107% |
| 2014 | 610 | 515.4 | 86% |
| 2015 (est) | 610 | 530 | 87% |
| *2016 (SSC)* | *277 (approx)* | | |

Witch is harvested not only for its own value, but as an important bycatch component for trawlers targeting monkfish in the Northern Fishery Management Area. When targeting monkfish (which at times can add 20% to the value of a groundfish trip), witch bycatch is largely unavoidable. Of the Sustainable Harvest Sector's (SHS) 350 trawl trips which landed 1,000 pounds or more of monktails in FY14, 99% landed some amount of witch as well (Table 2).

**Table 2: Witch Bycatch in the SHS Trawl Directed Monk Fishery, FY14**

| | |
|---|---|
| Trip Median Catch – Monktail: | 2,130 pounds |
| Trip Median Catch – Witch: | 600 pounds |
| Witch Leverage Ratio: | 3.5 : 1 |

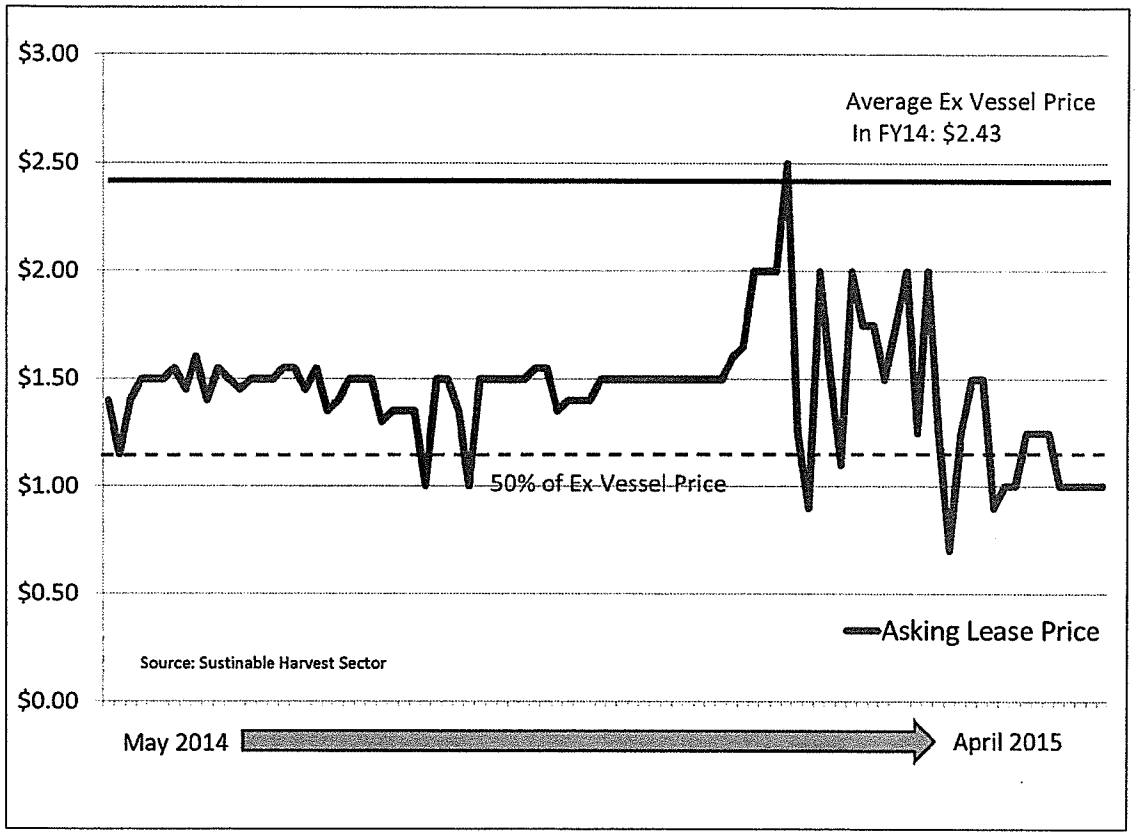
Witch is also of increasing importance to the inshore fleet, whose opportunities to harvest other stocks have diminished under sector management. Our <50 ft vessels are very reliant on plaice, conducting 120 trips last year which caught at least 100 pounds of plaice. Just one of those trips had no witch catch (Table 3).

**Table 3: Witch Bycatch in the SHS <50 ft Plaice Fishery, FY14**

| | |
|---|---|
| Trip Median Catch – Plaice: | 1,430 pounds |
| Trip Median Catch – Witch: | 450 pounds |
| Witch Leverage Ratio: | 3.2 : 1 |

Lease demand for ACE is high. Lease prices for witch are among the top five of the seventeen tradeable stocks[1], a function of both the ex-vessel value of the fish and its high utilization. The NMFS estimates witch ACE prices range from 25%-50% of the ex-vessel price[1] from 2010-2013; our recent experience suggests that ratio has increased (Figure 1).

**Figure 1: Witch ACE Lease Price Offers in the SHS, FY14**




**In summary, witch allocation is in high demand, nearly fully utilized, and sought for both its value as a standalone stock, and to leverage the harvest of several million dollars of other stocks annually.**

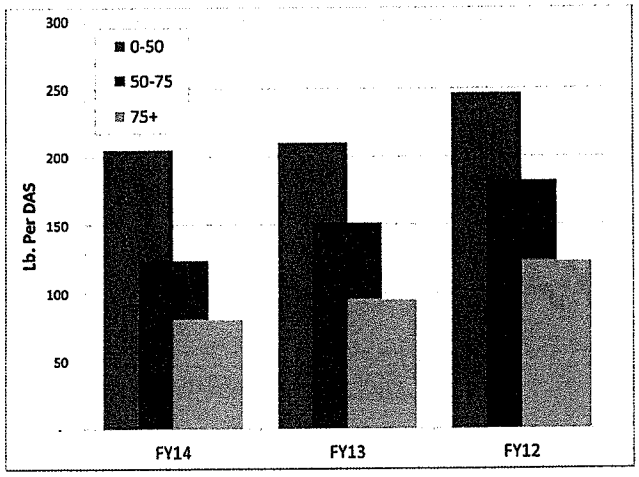
[1] Source: 2013 Final Report on the Performance of the Northeast Multispecies (Groundfish) Fishery, http://www.nefsc.noaa.gov/publications/crd/crd1502/.

## SHS Landings

In FY14, 88% of our sector's total trawl trips landed some amount of witch. There were about 1,000 trips; nearly all fished in Broad Stock Areas 1, 2 and 3.

Our small boats are more reliant on the witch resource than larger boats, with the smallest vessel class generally catching twice as much as the largest class, per day fished (Figure 2).

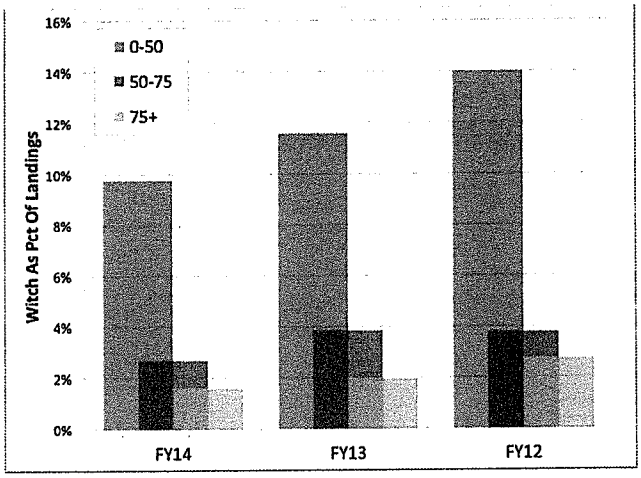
**Figure 2: SHS Vessel Witch Catch Per DAS, By Vessel Length**




Witch also comprises a greater percent of landings of the smallest vessels, which is logical: they are unable to pursue in commercial quantities several stocks available to their larger brethren (e.g. redfish; the eastern Georges stocks) (Figure 3).

**Figure 3: SHS Vessel Witch Landings As Pct of Total Landings, By Vessel Length**

*[Includes non-groundfish stocks caught on groundfish trips]*



As allocations are cut, the small boat fleet is running out of opportunity stocks. The FY14 variability of groundfish landings by vessel size in our sector illustrates the issue. Two of our <50 ft. fleet's top three landed stock ACEs (GOM cod and witch) are or will be set at near-moratorium levels (Figure 4).

**Figure 4: SHS <50 ft Trawl Vessel Diversity of Landings, FY14**

*[Groundfish only]*

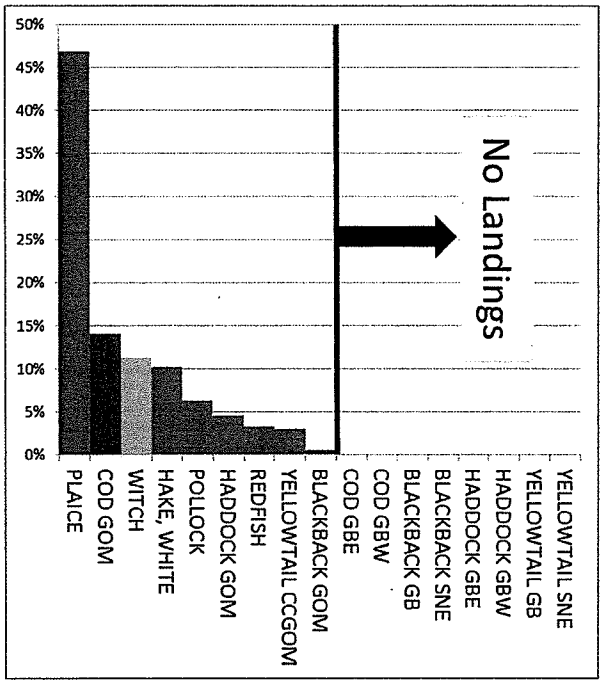



Figure 4 shows FY14's catch composition, which included GOM cod catch under a quota which was four times higher than this year's. This fleet's reliance on plaice and witch has likely increased in FY15.

## Distribution

The SHS encounters witch throughout the Gulf of Maine and on Georges Bank, both in and offshore. Over the last four years, observers have monitored 3,400-5,400 of our vessels' tows annually, with similar encounter rates (Table 4).

**Table 4: Sustainable Harvest Sector | Observed Trawl Tows | FY10-FY14**
**Percent Of Tows Where Some Witch Was Encountered**

| BSA | Stat Area | FY11 | FY12 | FY13 | FY14 | | Avg Annual Tows |
|---|---|---|---|---|---|---|---|
| 1 | 464 | 44% | 49% | 41% | 26% | | 54 |
| 1 | 465 | 82% | 100% | 95% | 92% | | 43 |
| 1 | 511 | 100% | 100% | 88% | 86% | | 26 |
| 1 | 512 | 94% | 98% | 86% | 88% | | 153 |
| 1 | 513 | 93% | 93% | 96% | 92% | | 552 |
| 1 | 514 | 71% | 65% | 78% | 73% | | 599 |
| 1 | 515 | 78% | 67% | 72% | 62% | | 1,116 |
| 2 | 521 | 67% | 51% | 59% | 52% | | 865 |
| 3 | 522 | 67% | 83% | 68% | 72% | | 508 |
| 3 | 525 | 6% | 0% | 0% | 4% | | 30 |
| 3 | 561 | 57% | 27% | 33% | 50% | | 80 |
| 3 | 562 | 6% | 0% | 0% | 0% | | 9 |

As a 'unit' stock, witch is harvested in all four broad stock areas. In Figure 5 below, the statistical areas shaded in grey represent a reasonable facsimile of where most of the catch occurs. The total of those grey areas encompasses 73,000 square miles of fishing grounds (less the 8,300 square miles of the five permanently closed areas) (Figure 5, next page).

In FY15, the commercial fleet is allocated 610 MT (1,345,000 pounds) of witch flounder. This is the equivalent of 18 pounds of allocation per square mile, higher only than Georges Bank yellowtail at 16 pounds per square mile (even Gulf of Maine cod fares better, at 23 pounds per square mile of fishing ground) (Table 5, next page).

**Figure 5: Groundfish Catch Stock Attribution**

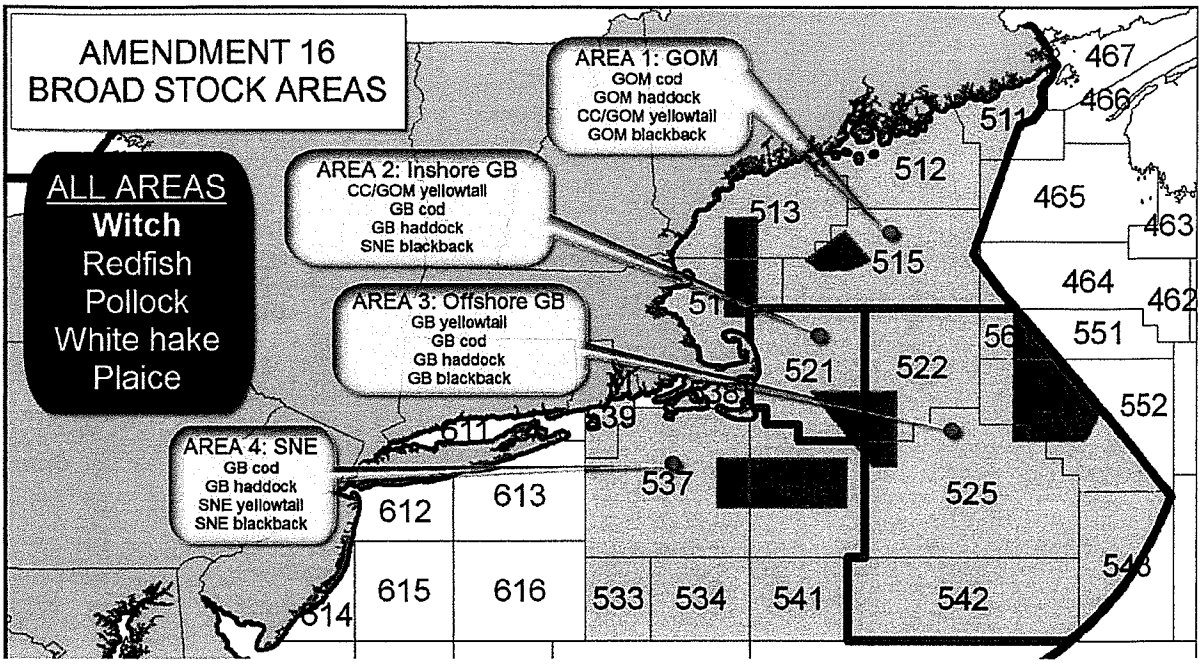



**Table 5: FY15 Allocation Availability Per Square Mile of Fishing Grounds**

| Stock | Available Harvest Area in Square Miles | FY15 Commercial Allocation - MT | FY15 Commercial Allocation - Lb | Allocation Available Per Square Mile |
|---|---|---|---|---|
| HADDOCK GB | 53,100 | 21,759 | 47,978,595 | **903** |
| POLLOCK | 73,000 | 13,720 | 30,252,600 | **414** |
| REDFISH | 73,000 | 11,034 | 24,329,970 | **333** |
| BLACKBACK GB | 27,100 | 1,891 | 4,169,655 | **154** |
| HAKE, WHITE | 73,000 | 4,343 | 9,576,315 | **131** |
| BLACKBACK SNE | 26,100 | 1,306 | 2,879,730 | **110** |
| HADDOCK GOM | 19,900 | 958 | 2,112,390 | **106** |
| COD GB | 53,100 | 1,787 | 3,940,335 | **74** |
| YELLOWTAIL SNE | 21,500 | 557 | 1,228,185 | **57** |
| BLACKBACK GOM | 19,900 | 392 | 864,360 | **43** |
| PLAICE | 73,000 | 1,408 | 3,104,640 | **43** |
| YELLOWTAIL CCGOM | 24,500 | 458 | 1,009,890 | **41** |
| COD GOM | 19,900 | 207 | 456,435 | **23** |
| WITCH | 73,000 | 610 | 1,345,050 | **18** |
| YELLOWTAIL GB | 27,100 | 195 | 429,975 | **16** |

An allocation of witch flounder of 277 MT to sectors next year is the equivalent of about 8 pounds of ACE per square mile.

[END]