PUBLIC HEARING DOCUMENT
for

AMENDMENT 18
DRAFT ENVIRONMENTAL IMPACT STATEMENT
to the

Northeast Multispecies Fishery Management Plan

Prepared by the New England Fishery Management Council

50 Water Street, Mill #2; Newburyport, Massachusetts 01950

SCHEDULE OF PUBLIC HEARINGS

Date	Time	Location	City/State
Monday, August 3, 2015	6:00 ï 8:00 p.m.	Holiday Inn by the Bay 88 Spring Street	Portland, ME
Tuesday, August 4, 2015	6:00 ï 8:00 p.m.	Best Western Plus Wynwood Hotel & Suites 580 US Highway 1 Bypass	Portsmouth, NH
Monday, August 10, 2015	6:00 ï 8:00 p.m.	Fairfield Inn & Suites by Marriott 185 MacArthur Drive	New Bedford, MA
Thursday, August 13, 2015	6:00 ï 8:00 p.m.	Hyatt Place Hotel 224 Greenmanville Avenue	Mystic, CT
Tuesday, August 18, 2015	6:00 ï 8:00 p.m.	Massachusetts Division of Marine Fisheries Annisquam River Marine Fisheries Station 30 Emerson Ave	Gloucester, MA
Thursday August 20, 2015	6:00 ï 8:00 p.m.	Webinar. Register to participate: https://attendee.gotowebinar.com/register/2899621437233775618 Call in info: Toll: +1 (702) 489-0003 Access Code: 211-601-302	

The New England Fishery Management Council (Council) is conducting public hearings to get comments on Draft Amendment 18 to the Northeast Multispecies (Groundfish) Fishery Management Plan (FMP). These hearings are being conducted to comply with the Magnuson-Stevens Fishery Conservation and Management Act and with the National Environmental Policy Act. Following these hearings, additional opportunities for review and comment on Amendment 18 and the Draft Environmental Impact Statement (DEIS) may be provided by the National Marine Fisheries Service (NMFS).

HOW TO COMMENT

Members of the public may submit oral and/or written comments at any of public hearings listed on the cover of this document. Also, written comments may be sent directly to the NMFS.

At each hearing, Council staff will brief the public on Amendment 18 before opening the hearing for public comments. Please contact the Council office if you need directions to any of these hearing locations. A copy of the Amendment 18 DEIS document can be download from the Councilôs website: http://www.nefmc.org/library/amendment-18-information or requested from the Council office if needed.

Written comments:

Mail:

John K. Bullard

Regional Administrator

Greater Atlantic Regional Fisheries Office

National Marine Fisheries Service

National Oceanic and Atmospheric Administration

55 Great Republic Drive

Gloucester, MA 01930-2298

Fax:

Greater Atlantic Regional Fisheries Office

978-281-9135

Subject line: ñComments on Groundfish Amendment 18ò

Email:

nmfs.gar.Amendment18@noaa.gov

Subject line: ñComments on Groundfish Amendment 18ò

Written comments must be submitted before 5:00 pm EST on Friday August 31, 2015.

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1.0 INTRODUCTION

Because of concerns related to maintaining the diverse makeup of the fleet, as well as an interest in keeping active and thriving fishing ports throughout New England, the Council is considering a range of measures that would impose limits on the amount of fishery permits and/or Potential Sector Contribution (PSC) that individuals or groups may hold, as well as other measures that may promote fleet diversity or enhance sector management.

This document summarizes the management measures under consideration as well as their expected impacts. The larger, more comprehensive Draft Amendment 18 document, including the Draft Environmental Impact Statement (DEIS) is available from the Councilôs website: http://www.nefmc.org/library/amendment-18-information. The DEIS details the background information, purpose and need for this action, goals, management alternatives under consideration, alternatives considered but rejected, affected environment and expected environmental impacts of the measures. There is also a description of the required provisions of federal laws that this action is subject to.

The Council has identified ñpreferred alternativesò for most of these measures. A preferred alternative reflects the Councilôs favored approach to managing the groundfish fishery at this time; however, the Council has not made final decisions on Amendment 18. The preferred alternatives have been identified to help focus public comment. The Council will consider all public comments before making final recommendations on Amendment 18 at its meeting in Plymouth, MA on September 29 ï October 1, 2015.

2.0 BACKGROUND

In May 2010, Amendment 16 to the Northeast Multispecies FMP greatly expanded the catch share (i.e., sector) program and implemented Annual Catch Limits (ACLs) and Accountability Measures (AMs) to comply with federal law. The amendment also included many mortality reduction measures for ñcommon poolò (i.e., non-sector) vessels and the recreational fishery. As Amendment 16 was being implemented, the public, the Council, and the National Marine Fisheries Service (NMFS) raised concerns that a fishery-wide catch share management system would lead to excessive consolidation of the fishery and reduced fleet diversity. To help rebuilt multispecies stocks of low abundance, catch limits for many stocks were set at very low levels. Catch limits have continued to be restrictive for many stocks and are anticipated to remain so for the near future. There has been concern regarding consolidation and diversity in the groundfish fleet as stocks rebuild and Acceptable Biological Catches (ABCs) increase.

This amendment is needed to address concerns regarding fleet diversity and fishery consolidation within the Northeast Multispecies FMP. The purpose of this action is to implement measures that affect the level of fishery holdings that individuals or groups of individuals may control, inshore-offshore sub-ACL measures, and other measures aimed at maintaining the diversity of the fleet. The action is needed to promote resilience and stability of fishing businesses by encouraging diversification and fuller use of fish quota; to prevent any individual(s), corporation(s), or other entity(ies) from acquiring or controlling excessive shares of the fishery access privileges, and to encourage active and thriving fishing ports throughout New England.

3.0 WHAT IS THE AMENDMENT 18 TIMELINE?

The 45-day comment period on Draft Amendment 18 and its DEIS is July 17 ï August 31, 2015 (Table 1). Final Council decisions regarding Amendment 18 may not be made until after the comment period and all comments are summarized and reviewed by the Council. The Council will also consider comments and recommendations from its Groundfish Committee, Groundfish Advisory Panel, and Groundfish Plan Development Team.

The Council anticipates selecting final management measures for Amendment 18 at its September 29 ï October 1, 2015 meeting in Plymouth, MA. If approved by NMFS, the management measures probably will be implemented by May 1, 2016.

Table 1 - Amendment 18 timeline

2015	
Jul 17.-Aug. 31	45-day public comment period on management alternatives and Draft EIS
Sept. 2	Groundfish Advisory Panel meeting
Sept. 3	Groundfish Committee meeting
Sept.29-Oct. 1	Council meeting, final action
Mid Oct.	Draft Final EIS submitted to GARFO
Oct. - Dec.	Final EIS review, 60-day public comment period
2016	
Jan.- Feb.	Continue review/comment period
May 1	Target date for implementation of measures

4.0 WHAT ARE THE GOALS OF AMENDMENT 18?

The Council has identified four goals for this action.

1. Promote a diverse groundfish fishery, including different gear types, vessel sizes, ownership patterns, geographic locations, and levels of participation through sectors and permit banks;

2. Enhance sector management to effectively engage industry to achieve management goals and improve data quality;

3. Promote resilience and stability of fishing businesses by encouraging diversification, quota utilization and capital investment; and

4. Prevent any individual(s), corporation(s), or other entity(ies) from acquiring or controlling excessive shares of the fishery access privileges.

In developing measures to address these goals, the Council asked Compass Lexecon in July 2013 to analyze whether excessive shares exist in the Northeast multispecies fishery today and to recommend an appropriate excessive shares limit in the fishery. Their report was completed in December 2013 (Mitchell & Peterson 2013) and was peer reviewed in June 2014 by three Center for Independent Experts reviewers and one independent reviewer (Thunberg et al. 2014). The rationale for several of the accumulation limit alternatives in Amendment 18 are based on the Compass Lexecon analysis.

5.0 WHAT MANAGEMENT MEASURES IS THE COUNCIL PROPOSING?

The Council recommends the following as *Preferred Alternatives* in Amendment 18:

- *Accumulation Limits.* Create an accumulation limit for individuals and entities on the Potential Sector Contribution that may be held in aggregate across all stocks to an average of no more than 15.5 PSC. Create a limit on the Northeast multispecies permits that may be held to no more than 5%. A permit holder could purchase, retain and renew permits with PSC in excess of the limit. The excess holdings could not be contributed to a sector or the common pool. PSC holdings in excess of a cap (which are not grandfathered) would have the associated ACE annually redistributed to the rest of the groundfish fishery in the manner described in Framework 45;
- *Handgear A (HA) Permits.* Create a sub-ACL that HA permits could enroll in; remove the March 1-20 closure for common pool HA vessels; remove the standard fish tote requirement for HA vessels; allow sectors to annually request that HA vessels fishing in the sector be exempt from use of VMS (would use IVR);
- *Data Confidentiality.* Do not adjust what fishery data are considered confidential, specifically the price of ACE transferred within a sector or leased between sectors;
- *Inshore/Offshore GOM.* Do not establish an inshore/offshore boundary within the Gulf of Maine with associated measures; and
- *Redfish Exemption Area.* Establish an area in which vessels could fish with a smaller mesh net than the standard mesh size, targeting redfish.

6.0 WHAT IS THE RANGE OF ALTERNATIVES IN AMENDMENT 18?

The Council is seeking public comment on all management alternatives/options under consideration in Amendment 18, which are included in full below. The Councilôs *Preferred Alternatives* are noted.

6.1 ACCUMULATION LIMITS[1]

6.1.1 Provisions

The following provisions would apply to the accumulation limit alternatives. In addition, none of the alternatives would limit ACE leasing.

6.1.1.1 Entities to which accumulation limit alternatives would apply

The alternatives under consideration in Section 6.1 apply to individuals, permit banks, and other entities. ñEntitiesò includes groundfish sectors; the alternatives would constrain permit or PSC holdings of a sector, not the ACE allocated to it.

Rationale: Ensuring that an accumulation limit applies to individuals, not just entities, is a more effective approach to achieving the Amendment 18 goal of preventing excessive shares, as

[1] Final data on PSC holdings used in this section will be provided by the Analysis and Program Support Division at GARFO.

business entities can form and reform with different configurations of owners, perhaps to avert an accumulation limit. Compass Lexecon recommended accumulation limits at the individual level (Mitchell & Peterson 2013: 39). For Moratorium Right Identifiers (MRIs) held by more than one person, NMFS does not have data on the percent interest of persons in those MRIs. Under the alternatives here, one may not be associated with more than X amount of PSC or permit/MRI. Each individual permit holder would be subject to the accumulation limit alternative that is approved, no matter how permits were obtained (e.g., issued by NMFS, purchased, bequeathed).

Note: If an accumulation limit is implemented, NMFS may apply an accumulation limit to individuals and state-operated permit banks for the following reasons:

- Definitions for ñpermit bankò and ñentityò have not been identified.
- For each of the nonprofit permit banks, there is an individual associated with each permit in the NMFS database.
- The permit cap in the scallop fishery applies to individuals. In Scallop Amendment 11, the preferred alternative had the permit cap apply to individuals and entities, but the Final Rule stated that the cap applies to just individuals. NMFS may take a similar approach.

6.1.1.2 Future adjustment of accumulation limit

If an accumulation limit is implemented through this action, it may be modified in a future framework due to a federal permit buyback or buyout.

Rationale: During the development of this action, the NMFS Greater Atlantic Regional Fisheries Office was convening the Northeast Multispecies Disaster Funding Vessel Buyout/Buyback Working Group, comprised of federal, state and industry representatives. The Group was developing recommendations for designing a potential federal permit buyback or buyout. However, no specifics of a plan have been finalized. This provision would enable the impact of a federal permit buyback or buyouts to be considered in a future adjustment of an accumulation limit through a framework action.

6.1.2 Limit the holdings of PSC

6.1.2.1 Alternative 1: No action

No action. Do not limit the PSC holdings by individuals, permit banks, and other entities.

Rationale: The absence of an accumulation limit would allow the market to determine the concentration of holdings for the fishery. While there is no federal requirement to implement accumulation limits for the fishery, NMFS does need to ensure that the FMP complies with National Standard 4, which prevents acquisition of excessive share of fishing access privileges.

6.1.2.2 Alternatives 2-6

Current PSC holdings in excess of accumulation limit

If one of Alternatives 2-6 is selected, there are cases where the current PSC held by an individual, permit bank, or entity exceeds the accumulation limit. In February 2012, the public was notified that current holdings may be limited. The Council considered how to treat these excess holdings, and created the grandfathering provision and options below.

Note: Should NMFS determine that holdings above the accumulation limit selected through this action constitute an excessive share under the Magnuson-Stevens Act, an individual or entity may not be allowed to have holdings above the limit.

Grandfathering current holdings as of the control date. If an individual or entity held more PSC on the control date (April 7, 2011) than the accumulation limit alternative selected through this action, they would be exempt from the accumulation limit, but would be restricted to holding no more PSC than they held as of the control date. The grandfathered holdings may be fished or leased by the individual. The grandfathered status of an individual or entity is not transferrable and is not attached to the holdings itself.

This would allow certain permit holders to exceed the accumulation limit established through this action, those who held a higher amount of PSC on the control date than the accumulation limit. This may result in less disruption to the individuals with holdings above whichever accumulation limit alternative is adopted than if there was no grandfathering provision. For example, if the PSC limit for a stock is X, and oneôs holdings as of the control date = X+2 and as of the implementation date = X+3, the permits associated with a PSC of X+2 could still be held and used.

Disposition of current holdings in excess of what is allowed. This section pertains to how to treat holdings at the implementation of this action that are in excess of the accumulation limit alternative selected and which are not grandfathered as described above. The following three options are considered for how to treat these holdings (Table 2). *The Council may select Option A, B, or C.*

Option A. May hold permits, but not use excess PSC. ***(PREFERRED ALTERNATIVE)*** A permit holder could retain and renew permits with PSC in excess of the identified accumulation limit. For holdings in excess, the holder could not contribute the excess PSC to a specific sector or to the common pool. PSC holdings in excess of a cap (which are not grandfathered) would have the associated ACE annually redistributed to the rest of the groundfish fishery in the manner described in Framework 45. The PSC associated with all permits would remain unchanged. Thus, when a permit is sold, the full PSC originally assigned to it is retained.

Framework 45 distribution formula:

$PSC_{year\ 1} = PSC_{year\ 0} * 1 / (1 - PSC_{exited})$

Year 0 is the year in which calculations are performed.

PSC_{exited} is the total PSC that was attached to all permits leaving the fishery.

Rationale: This option would not force the divestiture of permits when holdings exceed the accumulation limit. For a permit that would put the holder in excess of a stock cap the PSC for stocks not exceeding the cap could still be contributed to a sector or the common pool. When a permit is sold, the seller and buyer can benefit from full amount of PSC originally assigned to it.

Option B. Must divest permits with excess PSC. A permit holder could not retain permits with PSC in excess of the identified accumulation limit. In the event that a permit holder is required to divest permits as a result of this action, adequate time will be provided to do so. In the interim, the PSC holdings in excess of the cap may not be fished or leased.

Rationale: This option allows flexibility for the permit holder to dispose of a permit, such that time would be provided to enable the sale of a permit, rather than forcing a holder to not renew a

permit. When this permit is sold, the seller and buyer can benefit from full amount of PSC originally assigned to it.

Option C. May hold permits, but must divest excess PSC. A permit holder could retain and renew a permit with PSC that would result in exceeding the identified accumulation limit; however, the excess PSC must be permanently removed from the permit. The PSC would be redistributed to the rest of the groundfish fishery in the manner described in Framework 45. When the permit is sold, the excess PSC would no longer be attached to that permit.

Rationale: This option would not force the divestiture of an entire permit when holdings exceed the accumulation limit for certain stocks. For a permit that would put the holder in excess of a stock cap, the PSC for stocks not exceeding the cap could still be contributed to a sector or the common pool. When the permit is sold, the seller and buyer can benefit from the partial PSC that is retained with it.

Table 2 - Options for the disposition of current holdings in excess of what is allowed

	Option A	Option B	Option C
May permits with excess PSC be retained?	Yes	No	Yes
May the excess PSC be retained?	Yes	n/a	No
May the excess PSC be used?	No	n/a	n/a

Acquisition of future holdings. The Council considered whether an individual or entity may acquire permits in the future that may result in exceeding the PSC cap for a particular stock. Two options are considered (Table 3) pertaining to acquisition of future holdings. See also Section 6.1.1.2 regarding future federal permit buyouts and buybacks. *The Council may select Option A or B.*

Option A. May hold permits, but not use excess PSC. ***(PREFERRED ALTERNATIVE)*** Subsequent to the implementation of this action, a permit may be purchased with PSC that would result in exceeding the identified accumulation limit. For holdings in excess, the holder could not contribute the excess PSC to a specific sector or to the common pool. PSC holdings in excess of the cap (which are not grandfathered) would have the associated ACE annually redistributed to the rest of the groundfish fishery in the manner described in Framework 45. The PSC associated with all permits would remain unchanged. Thus, when a permit is sold, the full allocation is retained with it.

Rationale: This option would not force the divestiture of permits when holdings exceed the accumulation limit. This would enable the acquisition of additional permits. For a permit that would put the holder in excess of a stock cap, the PSC for stocks not exceeding the cap could still be contributed to a sector or the common pool. When a permit is sold, the seller and buyer can benefit from full amount of PSC originally assigned to it.

Option B. May hold permits, but must divest excess PSC. Subsequent to the implementation of this action, a permit holder may purchase a permit with PSC that would result in exceeding the identified accumulation limit. However, the PSC holdings in excess of the cap (which are not grandfathered) would be permanently split off that permit and PSC would be redistributed to the rest of the groundfish fishery in the manner described in

Framework 45. It would not be used by the purchaser and would no longer be attached to that permit when it is sold.

Rationale: This option would allow permit holders to increase the PSC on stocks up to the accumulation limit by acquiring additional permits. This would enable the acquisition of additional permits. This option would not force the divestiture of an entire permit when holdings exceed the accumulation limit for certain stocks. For a permit that would put the holder in excess of a stock cap the PSC for stocks not exceeding the cap could still be contributed to a sector or the common pool. When the permit is sold, the seller and buyer can benefit from the partial PSC that is retained with it.

Table 3 - Options for the disposition of future holdings in excess of what is allowed

	Option A	Option B
May permits with excess PSC be retained?	Yes	Yes
May the excess PSC be retained?	Yes	No
May the excess PSC be used?	No	n/a

6.1.2.3 Alternative 2: Limit holdings of stock-specific PSC at the maximum held as of the control date

For any single fishing year, individuals, permit banks, and other entities shall be assigned no more than the maximum stock-specific PSC that was held by an individual or permit bank as of the control date for Amendment 18 (April 7, 2011), rounded up to the nearest whole number (Table 4).

Rationale: Alternative 2 would establish an accumulation limit for the multispecies fishery that constrains the holdings of stocks in the multispecies complex. This alternative was developed based on the January 2014 Council motion to develop stock-specific PSC caps and uses the control date established by NMFS as requested by the Council. In the *Federal Register* notice, NMFS indicated that those individuals or entities holding permits/MRIs prior to the control date may be limited to their permit/MRI holdings as of the control date (NOAA 2011; 2012).

Table 4 - Potential accumulation limits under Alternative 2

Stock	PSC Limit	Stock	PSC Limit
GB cod	10	Witch flounder	9
GOM cod	8	GB winter flounder	23
GB haddock	15	GOM winter flounder	7
GOM haddock	7	Redfish	10
GB yellowtail flounder	14	White hake	8
SNE/MA yellowtail flounder	5	Pollock	6
CC/GOM yellowtail flounder	8	SNE/MA winter flounder	13
Plaice	9		

Note: Data represent the maximum PSC held by an individual or permit bank as of April 7, 2011, rounded up to the next whole number. This data have been prepared by the Groundfish Plan Development Team. The data are likely within 1% of the true values.

6.1.2.4 Alternative 3: Limit holdings of stock-specific PSC to the same level for each stock in the fishery

For any single fishing year, individuals, permit banks, and other entities shall be assigned no more than 15.5 of the PSC for a single allocated stock. *The Council may select Option A in conjunction with Alternative 3.*

Rationale: Alternative 3 would establish an accumulation limit for the multispecies fishery that constrains the holdings of stocks in the multispecies complex. This alternative was developed based on the January 2014 Council motion to develop stock-specific PSC caps and an analysis provided by Compass Lexecon. Alternative 3 is consistent with the recommendations of Compass Lexecon, which concluded that a PSC cap of about 15 would be sufficient to ensure low concentration regardless of the competitive fringe (Mitchell & Peterson 2013: 53). Here, excessive shares is defined as in the Compass Lexecon report, ña share of access rights that would allow a permit owner [holder] or sector to influence to its advantage the prices of the fisheryôs output or the prices paid for leased Annual Catch Entitlementsò (Mitchell & Peterson 2013: i).

> **Option A:** Individuals, permit banks, and other entities who have PSC holdings for a stock at 15.5 may acquire PSC for other stocks up to 15.5. Any PSC acquired that exceeds 15.5 would be split off a permit and redistributed to the fleet in the manner described in Framework Adjustment 45.

Rationale: Option A would allow some flexibility to those permit holders with holdings at an accumulation limit for a stock to acquire additional permits.

6.1.2.5 Alternative 4: Limit holdings of stock-specific PSC by stock type

For any single fishing year, individuals, permit banks, and other entities shall be assigned no more than the following PSC. *The Council may select Option A or B:*

> **Option A:** Limit the PSC holdings at 15 for the Gulf of Maine, Cape Cod, Southern New England, and Mid-Atlantic stocks, at 20 for the unit stocks, and at 30 for the Georges Bank stocks (Table 5).

Rationale: Option A would establish an accumulation limit for the multispecies fishery that constrains the holdings of all allocated stocks in the multispecies complex. This option was developed based on the January 2014 Council motion to develop stock-specific PSC caps and related comments from the public and the Council that accumulation limits could be lower for stocks held by a wider distribution of individuals. PSC holdings of GB stocks are generally more concentrated than the GOM, CC, SNE or unit stocks, though there are not necessarily fewer individual persons holding PSC for the GB stocks than the other stocks. Option A is consistent with the recommendations of Compass Lexecon, as it would likely result in maintaining an *unconcentrated* fishery for the GOM/CC/SNE and unit stocks, and preventing no more than *moderate concentration* for the GB stocks (Mitchell & Peterson 2013).

Table 5 - Potential accumulation limits under Alternative 4, Option A

Stock	PSC	Stock	PSC
GB cod	30	Witch flounder	20
GOM cod	15	GB winter flounder	30
GB haddock	30	GOM winter flounder	15
GOM haddock	15	Redfish	20
GB yellowtail flounder	30	White hake	20
SNE/MA yellowtail flounder	15	Pollock	20
CC/GOM yellowtail flounder	15	SNE winter flounder	15
Plaice	20		

Option B: Limit the PSC holdings of GB cod at 30, GOM cod at 15, and pollock at 20.

Rationale: Option B would establish an accumulation limit for the multispecies fishery that constrains the holdings of three stocks in the multispecies complex. This option was developed based on the January 2014 Council motion to develop stock-specific PSC caps. Like Option A, Option B assigns an accumulation limit based on the type of stock (GB, GOM/CC/SNE, unit). However, the holdings of just one stock within each type would be limited. The stocks selected are the ones within each type that, as of FY 2013, had the most number of individuals holding PSC >1. This alternative would not limit ACE leasing.

6.1.2.6 Alternative 5: Limit holdings of stock-specific PSC

For any single fishing year, individuals, permit banks, and other entities shall be assigned no more than the following PSC: 30 of Georges Bank winter flounder and 20 for all other allocated stocks in the fishery.

Rationale: Alternative 5 would establish an accumulation limit for the multispecies fishery that constrains the holdings of selected stocks in the multispecies complex. According to the draft data of PSC holdings, PSC holdings for FY 2014 indicate that this alternative would not force divestiture of current holdings. This alternative was developed by the Groundfish Committee in March 2014.

6.1.2.7 Alternative 6: Limit collective holdings of PSC

(PREFERRED ALTERNATIVE) For any single fishing year, individuals, permit banks, and other entities shall be assigned an average PSC of no more than 15.5 for all the allocated stocks in aggregate.

Rationale: Alternative 6 would establish an accumulation limit for the multispecies fishery that constrains the holdings of stocks in the multispecies complex. The formula for evaluating compliance with the cap would be as follows:

Total PSC held Ò(# of allocated stocks) * 100 * 0.155

Thus, with 15 allocated stocks, as at present, the total PSC across all stocks held by an individual or entity must be Ò232.5 (an average of 15.5 per stock). This would allow an individual or entity to hold PSC for a single stock in excess of 15.5, so long as the total holdings do not exceed 232.5.

6.1.3 Limit the holdings of permits

6.1.3.1 Alternative 1: No action

No action. Do not limit the holdings of Northeast multispecies permits by individuals, permit banks, and other entities.

Rationale: The absence of an accumulation limit would allow the market to determine the concentration of holdings for the fishery. While there is no federal requirement to implement accumulation limits for the fishery, NMFS does need to ensure that the FMP complies with National Standard 4.

6.1.3.2 Alternative 2: Limit the holdings of permits

(PREFERRED ALTERNATIVE) For any single fishing year, no individual, permit bank, or other entity shall hold > 5% of the limited access Northeast multispecies permits. This includes permits issued to vessels and eligibilities in Confirmation of Permit History. If an individual or entity held >5% of the permits on the control date (April 7, 2011), they would be restricted to holding no more than the number of permits they held as of the control date.

Rationale: This alternative would establish an accumulation limit for the multispecies fishery that constrains the number of limited access Northeast Multispecies permits held (to 5%) by any individual or entity. The percentage in this alternative is consistent with the 5% permit cap in the Atlantic Sea Scallop Limited Access Individual Fishing Quota fishery, though that fishery has ~200 permit holders, whereas the groundfish fishery has ~1,500. Since PSC is allocated to the Moratorium Right Identifier (MRI) number associated with each multispecies permit, it is the number of MRIs that would, in fact, be limited. Within the NMFS data system, holdings of MRIs would be simpler to track than permits. With ~1,400 MRIs currently in the fishery, a 5% cap would be equivalent to ~70 MRIs.

6.2 HANDGEAR A PERMIT MEASURES

6.2.1 Establish a Handgear A permit sub-ACL

6.2.1.1 Alternative 1: No action

No action. Holders of Handgear A multispecies permits would continue to have the choice of enrolling in the common pool or a groundfish sector (HA permit holders could form their own sector or join an existing sector) and be subject to current regulations accordingly.

Rationale: Amendment 16 allowed HA permits to be enrolled in sectors, and thus, the ACE associated with these permits could then be leased and harvested using other gear types. Amendment 16 also established that in FY 2012, the common pool would be managed with a trimester sub-ACL versus an annual one for all stocks except SNE/MA winter flounder, windowpane flounder, ocean pout, Atlantic wolffish and Atlantic halibut. Then, Framework 48 exempted handgear from the trimester system for white hake. The discard rate for vessels fishing with HA permits in the common pool is calculated based on observed trips using trawls or gillnets, not handgear.

6.2.1.2 Alternative 2: Establish a Handgear A permit sub-ACL

(PREFERRED ALTERNATIVE) A new groundfish fishery component sub-ACL would be created, which would be distinct from the common pool or sectors. A sub-ACL would be created only for HA permits, allocating the catch history (i.e., PSC) of the enrolled HA permits for Gulf of Maine cod, Georges Bank cod, Gulf of Maine haddock, Georges Bank haddock, and pollock. The catch history qualification years would remain consistent with current PSC calculation methods.

The HA sub-ACL would be managed on an annual basis. Holders of HA permits may elect to enroll in the HA sub-ACL, the common pool, or a sector. The PSC from HA permits would contribute to whichever sub-ACL their permit is enrolled in. Those electing to enroll in the HA sub-ACL would be limited to fishing in a single broad stock area for the fishing year and must declare which stock area they are going to fish in at the beginning of each year. Stocks that would not have a specific HA permit sub-ACL, but are caught (landings and discards) using a HA permit, would be accounted for under the Other Sub-components sub-ACLs. Options for how discards would be treated and for AMs are included below.

Up to 10% of unused HA sub-ACL would be able to be carried forward, provided that the total unused HA sub-ACL combined with sector sub-ACL carried forward for all sectors from the previous fishing year plus the total ACL does not exceed the ABC for the fishing year in which the carryover would be harvested (e.g., from FY 2015 to FY 2016).

This catch, if used in the following year, would not be attributed to the sub-ACL for overage determination unless the total ACL is exceeded in that year. If the total exceeds the ABC, NMFS would adjust the maximum amount of unused carryover (down from 10%) to an amount equal to or less than the ABC of the following fishing year. The distribution in downward adjustment between the sector and HA sub-ACLs would be proportional to the ACLs of these two subcomponents. In a year where there was additional catch due to carryover, if the total ACL is

exceeded and the HA sub-ACL is exceeded, the HA sub-ACL would be required to repay the carried over catch used. Most sectors elect to set aside 10% of their ACE at the beginning of the fishing year to help prevent overages, which if unused, they may carry over in the next fishing year. The HA sub-ACL would not have a set-aside upfront.

Table 6 and Table 7 illustrate what a potential HA sub-ACL might look like in the future for the five stocks under consideration. The table takes the FY 2015 PSC associated with all HA permits and calculates what a sub-ACL would be with the FY 2015 ACLs (NEFMC 2015). As enrollment in the HA sub-ACL would be voluntary, it is unknown how many HA permit holders would choose this new option vs. sectors or the common pool. Because FY 2015 sector enrollment will not be final until after the start of the fishing year, the grouping of HA PSC into common pool and sectors in Table 6 is based on FY 2014 enrollment. ñPotential FY 2015 HA sub-ACLò assumes 100% enrollment of HA permits in the HA sub-ACL. It would be a hypothetical maximum that is likely to be Ò0.73% of the commercial sub-ACL for each of the five stocks, with the lowest being GOM haddock at 2,377 lbs.

Rationale: Alternative 2 would create a new sub-ACL component specifically for a HA permits for five stocks. Amendment 16 established that in FY 2012, the common pool would be managed with a trimester sub-ACL versus an annual one for all stocks except SNE/MA winter flounder, windowpane flounder, ocean pout, Atlantic wolffish and Atlantic halibut. Then, Framework 48 exempted handgear from the trimester system for white hake. In FY 2010 and FY 2011, most of the common pool effort occurred within the first three months of the fishing year. This could be due to a preference for fishing in seasonable weather, but there could also be a ñrace to fishò factor in play. The annual sub-ACLs were not exceeded. Since the implementation of trimesters, the common pool has exceeded its trimester sub-ACLs in a few cases. There are a number of convergent factors that cause managing the common pool quotas by trimesters challenging. For quotas that are as small as those for the common pool trimesters, the current data delivery systems make it difficult to estimate in-season when 90% of the TAC is projected to be reached. The trimester AM is a proactive AM, and it is not necessary to have proactive AMs.

The carryover provision for the HA sub-ACL would be consistent with the carryover provision for sectors adopted through Framework 53, which was revised to be compliant with a 2014 ruling of the U.S. District Court for the District of Columbia. However, the HA permit sub-ACL would not have a 10% set-aside to help prevent overages.

Table 6 - Potential Handgear A sub-ACL based on FY 2015 PSC, by stock

	Commercial Groundfish FY 2015 sub-ACL		Common Pool HA			Sectors HA			Total HA		
			Total FY 2015 HA PSC	Potential FY 2015 HA sub-ACL		Total FY 2015 HA PSC	Potential FY 2015 HA sub-ACL		Total FY 2015 HA PSC	Potential FY 2015 HA sub-ACL	
	(mt)	(lbs)		(mt)	(lbs)		(mt)	(lbs)		**(mt)**	**(lbs)**
GOM cod	207	456,356	0.003759111	0.8	1,715	0.003529933	0.7	1,611	**0.007289044**	**1.5**	**3,326**
GOM haddock	958	2,112,028	0.001043224	1.0	2,203	0.000082075	0.1	173	**0.001125299**	**1.1**	**2,377**
GB cod	1,787	3,939,660	0.001528204	2.7	6,021	0.000168089	0.3	662	**0.001696293**	**3.0**	**6,683**
GB haddock	21,759	47,970,383	0.000148542	3.2	7,126	0.000016405	0.4	787	**0.000164948**	**3.6**	**7,913**
Pollock	13,720	30,247,422	0.000649675	8.9	19,651	0.001458188	20.0	44,106	**0.002107862**	**28.9**	**63,757**

Notes:
These sub-ACLs are based on the FY 2015 ACLs and ABCs. Because FY 2015 sector enrollment will not be final until after the start of the fishing year, the grouping of HA PSC into common pool and sectors is based on FY 2014 enrollment.

Table 7 - Potential FY 2015 HA sub-ACL relative to the FY 2015 groundfish sub-ACL and FY 2014 cumulative discards of sectors and the common pool

	Potential FY 2015 HA sub-ACL (mt)	% of FY 2015 groundfish sub-ACL	% of FY 2014 cumulative discard of sectors and common pool[1]
GOM cod	1.5	0.73	6.5
GOM	1.1	0.11	5.5
GB cod	3.0	0.17	22.5
GB haddock	3.6	0.02	1.3
Pollock	28.9	0.21	34.1

[1]FY 2014 cumulative discards from groundfish Commercial Catch Monitoring Report dated February 19, 2015 available at: http://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/Sectors/Commercial_Summary_2014.html.

Discards

Discards would be accounted for by one of the two options below. *The Council may select Option A or B.*

Rationale: The stocks not assigned to the HA sub-ACL are not commonly targeted by HA fishermen. Recent catch data for HA permits are provided in Section **Error! Reference source not found.**.

Option A: ***(PREFERRED ALTERNATIVE)*** Calculate an annual discard rate based on available data for longline and hook gear. At the beginning of the fishing year, estimated discards would be subtracted from the HA sub-ACL (for GOM cod, GB cod, GOM haddock, GB haddock, and pollock) and the Other Sub-Components sub-ACL (for all other stocks) accordingly.

Rationale: This approach bases the discard rate on data from gear similar to what would be used in the HA sub-ACL. Since there would be no in-season observer trips, the discard rate would be the same for the whole year and set at the beginning of the fishing year. Only landings would be monitored throughout the year.

Option B: Assume all discards from trips fishing within the HA sub-ACL to be *de minimus.* Only landings would count against the sub-ACLs.

Rationale: The discards from a potential HA sub-ACL are likely to be very small, well within the management uncertainty buffer of the commercial fishery. The discards of Gulf of Maine cod by handgear were 0.14% - 1.2% of the total commercial discards between FY 2010-2012. These HA discards were calculated based on discards from trawl and gillnets, and thus, are considered maximums.

In-season accountability measures

An in-season accountability measure (AM) would be established for the HA sub-ACL. To prevent overages in-season, trip limits for each stock with a HA sub-ACL would be set in specifications by the Regional Administrator to prevent overage. *The Council may select Option A or B.*

Rationale: This AM would ensure that there are sufficient measures in place to prevent overages of sub-ACLs. Adopting AMs for the HA sub-ACL also ensures that overages caused by the HA sub-ACL would not negatively impact other components of the fishery. Triggering the Handgear AMs based on an overage of the sub-ACL, regardless of whether the total ACL is exceeded, is consistent with how other fisheries are treated (with the exception of the scallop fishery's AM for GB yellowtail flounder). Having AMs linked to each sub-ACL ensures that each fishery component is held responsible for its catch.

Option A: When 100% of the HA sub-ACL is reached for a stock, the HA sub-ACL for that stock would close and all vessels fishing under the HA sub-ACL would be subject to a zero possession limit for that stock for the remainder of the fishing year.

Rationale: If the sub-ACL is reached for a stock, this approach would allow the HA vessels to continue fishing on other stocks. This approach is different than the current sector and common pool regulations, where if the sub-ACL is reached for a stock, the stock area closes.

Option B: ***(PREFERRED ALTERNATIVE)*** When 90% of the HA sub-ACL is reached for a stock, the HA sub-ACL for that stock would close and all vessels fishing under the HA sub-

ACL would be subject to a zero possession limit for that stock for the remainder of the fishing year.

Rationale: If the sub-ACL is reached for a stock, this approach would allow the HA vessels to continue fishing on other stocks. Given the small level of a potential HA sub-ACL, the difference between determining when 90% vs 100% is reached would be very difficult, and could still result in overages. This approach is different than the current sector and common pool regulations, where if the sub-ACL is reached for a stock, the stock area closes.

Reactive accountability measures

A reactive accountability measure (AM) would be established for the HA sub-ACL. Reactively, an overage in the sub-ACL for a stock would be subtracted from the sub-ACL in the fishing year following notification of the overage. *The Council may select Option A or B.*

Rationale: This AM would ensure that there are sufficient measures in place to prevent overages of sub-ACLs. Because of the timing of availability of data for this sub-ACL, the reactive AM would be implemented in the fishing year following the notification of the overage. Adopting AMs for the HA sub-ACL also ensures that overages caused by the HA sub-ACL would not negatively impact other components of the fishery. Having AMs linked to each sub-ACL ensures that each fishery component is held responsible for its catch.

Option A: ***(PREFERRED ALTERNATIVE)*** Reactive AMs would be triggered if the HA sub-ACL is exceeded.

Rationale: The HA sub-ACL would be accountable for every pound of its overage. Triggering the Handgear AMs based on an overage of the sub-ACL, regardless of whether the total ACL is exceeded, is consistent with the allocated stocks reactive AM trigger for sectors, the common pool, the small-mesh multispecies fishery, and for GB yellowtail flounder and GOM and GB haddock in the herring fishery.

Option B: Reactive AMs would be triggered if the HA sub-ACL and the total ACL are exceeded.

Rationale: Any HA sub-ACL overage would likely be very small relative to the total groundfish ACL. Triggering the Handgear AMs based if both the sub-ACL and total ACL are exceeded, is consistent with the non-allocated stocks reactive AM trigger for sectors, the common pool, and groundfish stocks that are bycatch in the scallop fishery.

6.2.2 Removal of March 1-20 Handgear A closure

6.2.2.1 Alternative 1: No action

No action. Handgear A vessels enrolled in the common pool are required to take a mandatory spawning block out of the fishery and may not fish for, possess, or land regulated multispecies from March 1 ï 20 of each year. Vessels enrolled in sectors are exempt from this closure.

Rationale: Through Amendment 7, all groundfish vessels had to take a 20-day block that they had to call out during the March-May spawning season (NEFMC 1997). Handgear vessels were given March 1-20, because they were not required to use VMS, and NMFS would not be able keep track of when these vessels actually called out. Prohibiting HA vessels from fishing March 1-20 may reduce fishing effort on spawning stocks.

6.2.2.2 Alternative 2: Removal of March 1-20 Handgear A closure

(PREFERRED ALTERNATIVE) The March 1-20 fishing closure would be removed for all Handgear A vessels, regardless of which sub-ACL their permits are enrolled in.

Rationale: Currently, sector vessels are exempt from the 20-day spawning block as part of their operations plans, so this measure would make the regulations for HA vessels fishing in the common pool and under the potential HA sub-ACL (see Section 6.2.1) consistent with how sectors are managed. Alternative 2 would improve flexibility for HA vessels.

6.2.3 Removal of standard fish tote requirement

6.2.3.1 Alternative 1: No action

No action. Vessels fishing with a Handgear A permit are required to have at least one standard tote on board.

Rationale: In 1994, through an Emergency Rule and subsequently in Amendment 5, standard totes were required of all vessels. Over time, this requirement has been removed for vessels fishing with various permits and gear types, but still applies for vessels fishing with a Handgear A multispecies permit.

6.2.3.2 Alternative 2: Removal of the standard fish tote requirement

(PREFERRED ALTERNATIVE) Vessels operating under a HA permit would no longer be required to carry a standard fish tote on board.

Rationale: Currently, the U.S. Coast Guard does not use totes for at-sea enforcement. Since weights measured dockside are the only ones considered official, issuing a possession limit overage violation based solely on weight estimates made at sea would be untenable. The totes serve no practical purpose.

6.2.4 Sector exemption from VMS requirements

6.2.4.1 Alternative 1: No action

No action. All vessels fishing in a groundfish sector, including those with Handgear A permits, are required to use the Vessel Monitoring System (VMS).

Rationale: Through Framework 42, all limited access Days-At-Sea (DAS) groundfish vessels were required to use VMS to fish for groundfish while on a DAS. The Council had voted in Amendment 5 to adopt VMS, but technical issues had arisen upon implementation. The increasing complexity of the FMP made it necessary to impose this requirement on all groundfish vessels so that fishing activity can be monitored (NEFMC 2006). With the implementation of sectors, VMS continued to be required for sector vessels as a way to monitor the fishery. Use of VMS is a sector reporting requirement, thus is not currently eligible for a sector exemption request (NEFMC 2009). VMS is used to monitor closed areas and to tie together all data sources for a trip that are used in catch monitoring.

6.2.4.2 Alternative 2: Sector exemption from VMS requirements

(PREFERRED ALTERNATIVE) A sector may request through its annual operations plans that vessels fishing with handgear in the sector may be exempt from the requirement to use the Vessel

Monitoring System (VMS). Vessels fishing with handgear in a sector must declare trips through the Interactive Voice Response (IVR) system.

Rationale: The catch by HA vessels is typically much smaller than other commercial vessels that fish in sectors. Vessels fishing with handgear in the common pool use the IVR system to declare a trip and then submit a Vessel Trip Report upon completion of a trip. This alternative would allow the approach currently used for handgear vessels in the common pool to apply to those fishing in a sector. There are costs associated with purchasing the VMS hardware, satellite connections, and data transmission. Alternative 2 could be a lower-cost approach and may thus encourage participation in sectors by handgear vessels. This could result in increased diversity in sectors and participation in the catch share program.

6.3 DATA CONFIDENTIALITY

Alternatives in this section would potentially revise the data confidentiality policy for the groundfish fishery.

6.3.1 Alternative 1: No action

(PREFERRED ALTERNATIVE) No action. The price of ACE traded between sectors and the movement of ACE within sectors would remain confidential. Other data on ACE trades between sectors (sectors, date of trade, stocks, amount of ACE) are currently posted to the GARFO ñSector ACE Transfer Summaryò website (http://www.nero.noaa.gov/aps/monitoring/nemultispecies.html). Additional ACE trade data is summarized annually in the groundfish fishery performance report produced by the NEFSC (e.g., Murphy et al. 2015).

Rationale: NMFS has previously determined that ACE price data are not necessary for the administration of the program, and thus, do not warrant an exception from the Magnuson-Stevens Act data confidentiality provisions. Under No Action, there would be little incentive for inaccurate price reporting.

6.3.2 Alternative 2: ACE disposition data would be exempt from the confidentiality requirement

The value associated with the movement of PSC-determined catch allocations (ACE) within and between sectors would be considered non-confidential and made available to the public. Consistent with current data submission timeframes, price data on trades made between sectors would be made available during the fishing year. Price data on the movement of ACE within sectors would be made available after the end of the fishing year.

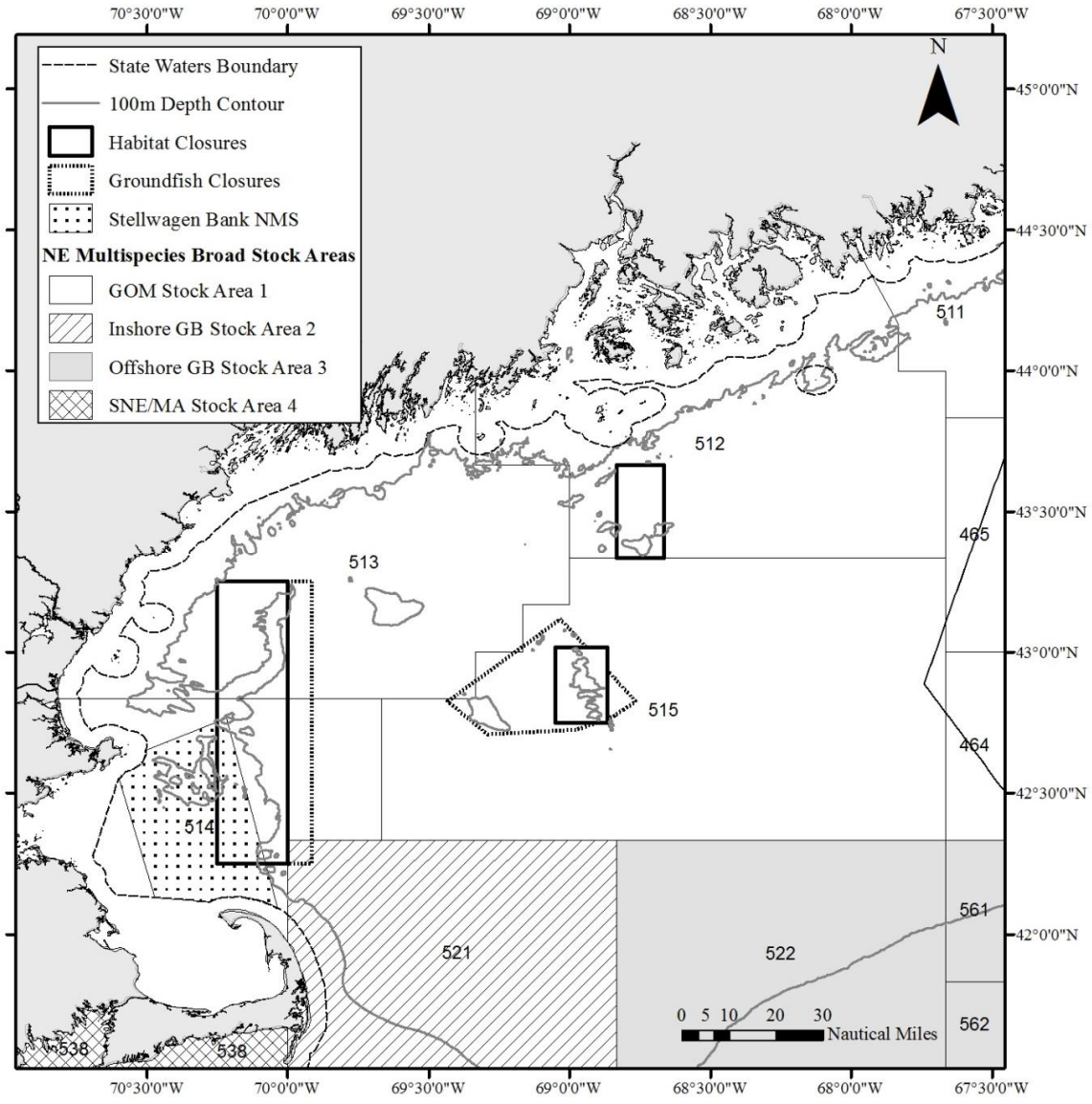
Rationale: This alternative may promote more transparency in how a public resource is used. Having the price data posted could help fishermen evaluate if they are paying a fair market price for ACE, though some trades have several stocks bundled together. It could also help managers understand the effects of the sector program and participation in the fishery.

6.4 INSHORE/OFFSHORE GULF OF MAINE

6.4.1 Inshore/Offshore Gulf of Maine boundary

Management area boundaries are key elements of the ACL distribution system. They may also be applied to other management measures. Alternatives to divide the existing Gulf of Maine broad stock management area (Figure 1) are identified in this section.

Figure 1 - Map showing statistical areas, existing year-round closures, and the Stellwagen Bank National Marine Sanctuary



6.4.1.1 Alternative 1: No action

(PREFERRED ALTERNATIVE) No action. Do not establish a new inshore/offshore boundary line in the Gulf of Maine.

6.4.1.2 Alternative 2: Establish an Inshore/Offshore boundary

Establish a new sub-area boundary (Option A, B, or C below) within the Gulf of Maine Management Area to distinguish between inshore and offshore fishing practices. This boundary

may be adjusted through subsequent framework action and would not apply to vessels with only state-water groundfish permits. *The Council may select Option A, B, or C.*

Rationale: The management sub-areas would allow the application of different ACLs or management measures in separate areas. This could provide more flexibility to the management program, as measures do not have to be applied to the entire area when they may be more appropriate in only one area. Because the boundary options considered do not align with statistical reporting area boundaries, additional catch reporting would be necessary to properly assign catch to the inshore and offshore area. This boundary may be adjusted through subsequent framework action, to provide the flexibility to revise management areas as additional information on stock structure is developed or fishing patterns change.

Option A. Establish an inshore/offshore Gulf of Maine boundary at 70°W longitude (Figure 2).

Rationale: This line is just inside the eastern boundary of the Western Gulf of Maine Closed area. It coincides with the eastern boundary of the Western Gulf of Maine Habitat Closure. The line would place the Stellwagen Bank National Marine Sanctuary entirely within the inshore area, and would not divide the fishery near Provincetown, MA to the degree that Option B would.

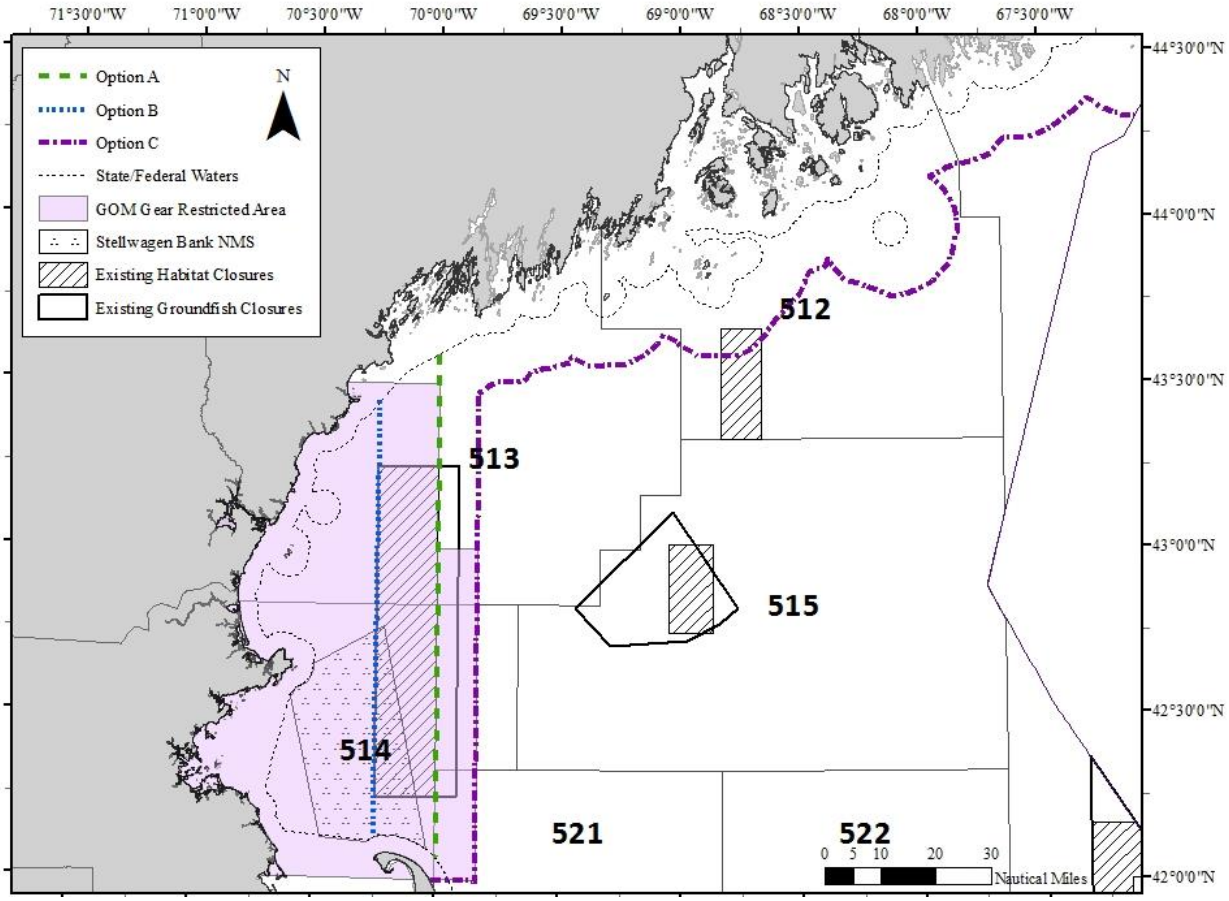
Option B. Establish an inshore/offshore Gulf of Maine boundary at 70°15õW longitude (Figure 2).

Rationale: This line creates a distinction between the day-boat and the trip boat fleets and coincides with the western boundary of the Western Gulf of Maine Habitat Closure, and would place the Western Gulf of Maine Area Closure and the Western Gulf of Maine Habitat Closure entirely within the offshore area. The line would intersect the Stellwagen Bank National Marine Sanctuary. The industry has designated this line as an inshore/offshore declaration line for reporting purposes, by a few sectors in FY 2013, and by all sectors in FY 2014 sector ops plans. The area to the west is considered part of Wilkinson Basin and is important to the pollock fishery.

Option C. Establish an inshore/offshore Gulf of Maine boundary from where 42°N intersects Cape Cod, Massachusetts, runs east to 69°50õW, runs north along 69°50õW to the 12 nm territorial sea line, then follows Maineõs 12 nm territorial sea line northeast to the Hague Line (Figure 2).

Rationale: This line creates a distinction between the day-boat and the trip-boat fleets and coincides with the GOM/GB Inshore Restricted Roller Gear Area, an existing inshore/offshore delineation for the 12ò rockhopper restrictions (implemented through Framework 27 to the Multispecies FMP). This line would place the GOM/GB Inshore Restricted Roller Gear Area, the Western Gulf of Maine Area Closure, the Western Gulf of Maine Habitat Closure, and the Stellwagen Bank National Marine Sanctuary entirely within the inshore area. Unlike Options A and B, this line would not intersect the Maine coast, thus fishing that occurs along the entire Maine coast would be considered inshore. By using the 12 nm territorial sea line, it would use a boundary line that is already used in management (The State of Maine has jurisdiction over the lobster fishery out to 12 nm), rather than create a new line.

Figure 2 - Inshore/offshore Gulf of Maine boundary alternatives



Note: The GB/GOM Inshore Restricted Roller Gear Area would not be impacted by Alternative 2, but is shown for illustrative purposes only.

6.4.2 Inshore/Offshore Gulf of Maine cod sub-ACLs

The Council cannot select Alternative 2 below unless Alternative 2 in Section 6.4.1 is selected.

6.4.2.1 Alternative 1: No action

(PREFERRED ALTERNATIVE) No action. Do not establish a sub-ACL within the commercial ACL for Gulf of Maine cod in the Gulf of Maine management sub-areas (identified in Section 6.4.1.2). No new strata for observer coverage would be created.

Rationale: Creating no new strata would maintain observer coverage requirements and not result in cost increases. The current catch accounting system would continue to be used, and a new more complicated system would not need to be developed.

6.4.2.2 Alternative 2: Establish inshore/offshore commercial GOM cod sub-ACL

Within the commercial ACL for GOM cod, establish a sub-ACL for the inshore and offshore Gulf of Maine management sub-areas, as identified in Section 6.4.1.2. This would change neither the GOM cod ACL setting process nor the ACL distribution between the commercial and recreational fishery. The commercial sub-ACL would be set during each specifications process. This alternative would not change catch attribution methods for federally-permitted vessels fishing in state waters.

This would create two new strata, which may change the observer coverage needed to achieve monitoring requirements and the resolution of catch data. Because the sub-area boundaries do not align with Statistical Reporting Areas, a new catch accounting system would need to be developed, perhaps akin to that used for the Atlantic herring fishery (combining VTRs, VMS reports and dealer reports). Framework 3 to the Herring FMP describes the data auditing process (NEFMC 2014).

The distribution of allocation within the commercial fishery would remain unchanged. The catch history qualification years would remain consistent with current PSC calculation methods. For example, if the GOM cod PSC associated with a permit is 1.0, then the PSC for each sub-ACL would also be 1.0.

For commercial vessels, reporting measures would be established to accurately attribute catch to the inshore and offshore GOM areas. VTRs cannot be used alone, or would need to be modified, to monitor these sub-ACLs. This would create an exception, and thus a complication, to using VTRs to monitor which ACL to charge for a groundfish stock. A catch monitoring approach akin to how the Atlantic herring fishery is monitored may be necessary, where management areas do not align with statistical area boundaries. Herring catch is tracked using data provided by daily VMS reports (herring catch by management area and all fish kept by statistical area) and weekly VTR catch reports, in combination with federal/state dealer data. If VTR and dealer reports do not match a VMS catch report, herring management area is determined using the statistical area, latitude, and longitude provided on the VTR reports. Once all matching is complete, summed dealer data on kept catch by area for a given VTR serial number is used in the weekly herring report, unless VTR kept is >90% of dealer kept, in which case VTR kept is used (assumes missing dealer reports). Framework 3 to the Herring FMP further describes the data auditing process.

Rationale: Creating inshore and offshore GOM cod sub-ACLs would limit catch of this stock to more specific areas within the Gulf of Maine. Limiting the new sub-ACLs to just one stock makes quota setting, allocations, observer coverage, and catch monitoring easier with lower potential for error than if all groundfish stocks were managed with this sub-ACL. This alternative focuses on GOM cod due to substantial public concern about this stock for many years, it is a stock that is caught throughout the Gulf of Maine, and this is one of the groundfish stocks that have PSC held by the greatest number of individuals. However, there would still be complexities, as this creates a new management program for just one stock in the fishery. Alternative 2 would not involve reallocating the fishery.

Determining the GOM cod inshore/offshore split

The Council may select Option A, B, or C.

> **Option A.** During each GOM cod specifications process, the Council would determine the control rule to be used at the time to determine the split between the inshore and offshore sub-ACLs. The control rules could be based on cod distribution, catch, different time periods, etc.

Rationale: This option would provide the Council and NMFS with flexibility to adjust the sub-ACLs in the future based on different parameters.

> **Option B.** The split between the inshore and offshore GOM cod sub-ACLs would be set proportional to the level of commercial catch in each sub-area. Two sub-options for the fishing years used to determine the level of catch are considered. *The Council may select Sub-option A or B.*

Rationale: Establishing the control rule in advance provides a degree of predictability for the specifications process. This option would ensure that the catch in each area is proportional to the historical catch. Fishing years are used in the sub-options, because catch is calculated on a fishing year basis.

Sub-Option A. The last 10 fishing years prior to the year in which the specifications are developed.

Rationale: In the near-term, Sub-option A would capture the variability before and after FY 2010.

Sub-Option B. The last 20 fishing years prior to the year in which the specifications are developed.

Rationale: In the near-term, Sub-option B would capture a longer period of variability than Sub-option A, including that before and after FY 2010.

Option C. The split between the inshore and offshore GOM cod sub-ACLs would be set proportional to the level of GOM cod distribution in each area. Two sub-options for the calendar years used to determine the level of fish distribution are considered. *The Council may select Sub-option A or B.*

Rationale: Establishing the control rule in advance provides a degree of predictability for the specifications process. This option would ensure that the catch in each area is proportional to the distribution of Gulf of Maine cod between each area. Calendar years are used in the sub-options, because stock assessments are performed on a calendar year basis.

Sub-Option A. The last 10 calendar years prior to the year in which the specifications are developed.

Rationale: In the near-term, Sub-option A would capture the variability before and after FY 2010.

Sub-Option B. The last 20 calendar years prior to the year in which the specifications are developed.

Rationale: In the near-term, Sub-option B would capture a longer period of variability than Sub-option A, including that before and after FY 2010.

Commercial catch monitoring

With an observer or monitor. If a commercial trip carries an observer or monitor, the vessel may declare into and fish in both the inshore and offshore areas.

Without an observer or monitor. Commercial vessels would be prohibited from fishing in both the inshore and offshore Gulf of Maine areas on a single trip without an observer (or electronic monitoring technology, should such be approved in the future), which can correctly attribute catch to each area. Vessels could only fish in a single area on a given trip. If the vessel wishes to fish in the inshore area, the vessel must declare and execute its intent to fish in the inshore area exclusively for the trip. Declarations would be made to the sector manager via the Trip Start Hail. Without an observer or monitor, if the vessel declares into more than one Broad Stock Area on the trip (e.g., Georges Bank and Gulf of Maine), the vessel is prohibited from fishing in the inshore GOM Area.

Rationale: This would promote more fine-scale attribution of catch within the Gulf of Maine (to the sub-areas) relative to No Action. Monitoring would be required for fishing in both sub-areas on a given commercial trip, because it would be very difficult to attribute catch to the two sub-areas without monitoring. This provision is designed similar to the Inshore Gulf of Maine Declaration

Plan that has been developed by sectors and is included in the FY 2014 operations plans for all sectors. For monitored trips, this provision would provide flexibility to be able to fish in both sub-areas on a single trip.

6.4.3 GOM/GB Inshore Restricted Roller Gear Area

The Council cannot select Alternative 2 below unless Alternative 2 in Section 6.4.1 is selected.

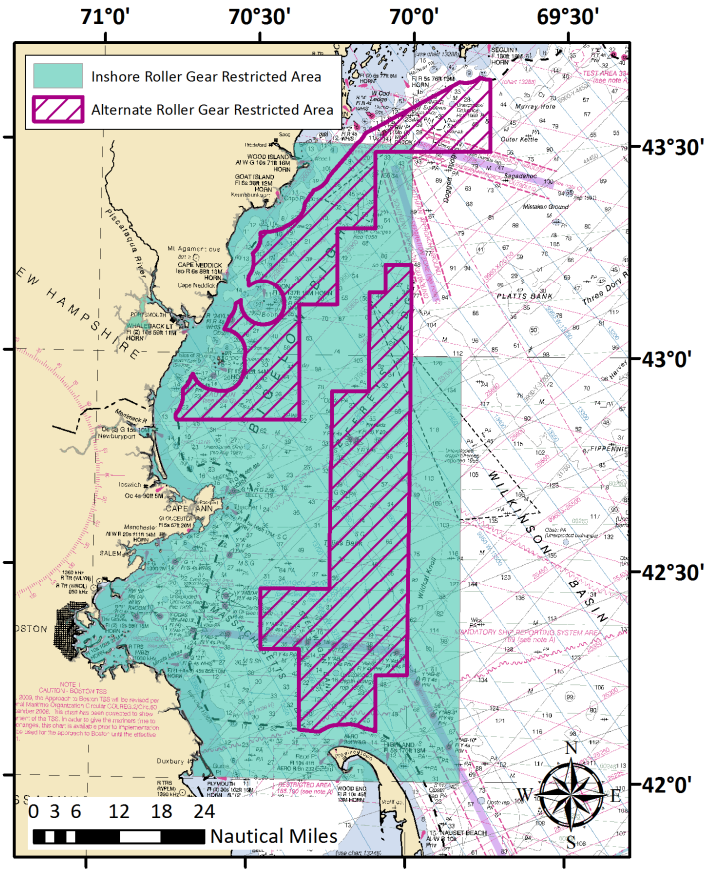
6.4.3.1 Alternative 1: No action

(PREFERRED ALTERNATIVE) No action. Do not revise the current GOM/GB Inshore Restricted Roller Gear Area. In Figure 3, the polygon in aqua is the current trawl roller area (12ò max) for all trawls fishing under a groundfish DAS or sector trip (i.e., not shrimp).

Rationale: This gear restriction was implemented in 1999 primarily to reduce GOM cod mortality, although limiting trawl activity on complex habitat was also discussed as a potential benefit from this action.

Potential no action. The No Action alternative may change pending measures approved and implemented through the Habitat Omnibus Amendment 2. The Habitat action contains alternatives that may revise the GOM/GB Inshore Restricted Roller Gear Area (see Volume III, Section 2.1.3). In April 2015, the Council selected a preferred alternative (Alternative 7) that would apply the 12ò roller gear restriction to all bottom trawl gear. Another alternative would change the restricted area to that identified by the pink polygons in Figure 3. However, this was not a preferred alternative.

Figure 3 - No action alternatives 1 (aqua) and 1A (pink) for the GOM/GB Inshore Restricted Roller Gear Area



Source: Habitat Omnibus Amendment 2 (Volume III, Map 11, p. 69).

6.4.3.2 Alternative 2: Revise GOM/GB Inshore Restricted Roller Gear Area

Revise the GOM/GB Inshore Restricted Roller Gear Area to be consistent with the boundary alternative (and option) selected in Section 6.4.1.2. The commercial allocation, monitoring, and reporting provisions in Section 6.4.2 Alternative 2 would not apply, unless that alternative is selected.

Rationale: By making the GOM/GB Inshore Restricted Roller Gear Area boundary consistent with the inshore/offshore boundary, this option may be easier to administer and enforce relative to either the current or potential No Action alternatives.

6.4.4 Declaration time periods for the commercial fishery

For the following alternatives, there would be no change to the leasing provisions; allowing ACE to be traded would provide a mechanism for ACE to be obtained. *The Council cannot select Alternatives 2, 3, or 4 below unless Alternative 2 in Section 6.4.1 is selected.*

6.4.4.1 Alternative 1: No action

(PREFERRED ALTERNATIVE) No action. Do not specify time periods for which a commercial vessel must declare into or out of one of the Gulf of Maine management sub-areas, as defined in Section 6.4.1.2.

Rationale: This alternative would not create fishing declaration time periods for the commercial fishery. Vessels could continue to choose to fish in either or both areas on the same trip and at any point throughout the year. This alternative would involve less reporting than the other alternatives in this section, though existing reporting requirements would remain unchanged.

6.4.4.2 Alternative 2: Annual declaration

For each fishing year, commercial vessels must declare their intent to fish in either the inshore or the offshore Gulf of Maine management sub-area, as defined in Section 6.4.1.2. Vessels would need to choose whether they would fish for GOM cod entirely within the inshore or offshore GOM area for a given fishing year. Vessels may only fish in the non-declared area on a non-groundfish trip when declared out of the fishery. If a vessel elects to declare into the offshore GOM cod area, the inshore GOM cod ACE associated with its permits could be leased to sectors that have vessels declared into the inshore area. The converse for offshore GOM cod is also true.

Rationale: This alternative would aid in catch attribution to the inshore and offshore areas by creating declaration time periods on an annual basis for the commercial fishery. Vessels may only fish in the non-declared area on a non-groundfish trip, because there is a chance that cod could be caught on a groundfish trip.

6.4.4.3 Alternative 3: Seasonal declaration

For each trimester as defined below, commercial vessels must declare their intent to fish in either the inshore or the offshore Gulf of Maine management sub-area, as defined in Section 6.4.1.2. Vessels would need to choose whether they would fish for GOM cod entirely within the inshore or offshore GOM area for a given season. Vessels may only fish in the non-declared area on a non-groundfish trip when declared out of the fishery. If a vessel elects to declare into the offshore GOM cod area, the inshore GOM cod ACE associated with its permits could be leased to sectors that have vessels declared into the inshore area. The converse for offshore GOM cod is also true.

Trimester 1: May 1 ï August 31

Trimester 2: September 1 ï December 31

Trimester 3: January 1 ï April 30

Rationale: This alternative would aid in catch attribution to the inshore and offshore areas by creating declaration time periods on a trimester basis for the commercial fishery. Vessels may only fish in the non-declared area on a non-groundfish trip, because there is a chance that cod could be caught on a groundfish trip. Seasonal declarations would provide more flexibility than annual declarations for the fleet to choose in which sub-area to fish for groundfish.

6.4.4.4 Alternative 4: Trip declaration

For each trip, vessels would need to choose whether they would fish for GOM cod entirely within the inshore or offshore GOM area for the trip. Vessels may only fish in the non-declared area on a non-groundfish trip when declared out of the fishery. If a vessel elects to declare into the offshore GOM cod area, the inshore GOM cod ACE associated with its permits could be leased to sectors that have vessels declared into the inshore area. The converse for offshore GOM cod is also true.

Rationale: This alternative would aid in catch attribution to the inshore and offshore areas by creating declaration time periods on a trip by trip basis for the commercial fishery. Vessels may only fish in the non-declared area on a non-groundfish trip, because there is a chance that cod could be caught on a groundfish trip. Trip level declarations would provide more flexibility than seasonal or annual for the fleet to choose in which sub-area to fish for groundfish.

6.5 REDFISH EXEMPTION AREA

6.5.1 Alternative 1: No action

No action. There would continue to be no specific redfish exemption area established in the FMP. Sectors may be given exemptions from groundfish regulations. In recent years, sectors have annually requested an exemption from the currently required 6.5ò minimum groundfish mesh to target redfish. Common pool vessels are not allowed to fish with this exemption.

The sector exemption published in the FY 2015-2016 Sector Rule regarding redfish is as follows. Allow commercial vessels fishing in sectors to use a 5.5ò (or larger) codend mesh within the Redfish Exemption Area (Table 8, Figure 4) with the stipulations below. Vessels would be subject to the standard groundfish monitoring coverage levels. When declared into the Redfish Exemption Area, the allocated groundfish kept needs to be 50% redfish, and on observed trips, no more than 5% of all groundfish (including redfish) may be discarded. See the Final Rule for details (NMFS 2015).

Stipulations:

1) Prior to leaving the dock, vessel operators would be required to declare their intent to fish in the Redfish Exemption Area through the Vessel Monitoring System (VMS) by checking the box next to "Redfish Trip";
2) In the first part of the trip, vessel operators could fish with conventional groundfish codends (6.5ò) in the GOM and GB regulated mesh areas, except when towing a separator trawl on GB where the codend may be 6ò;
3) Vessel operators would be allowed to switch to 5.5ò (or larger) codend at the end of the trip after submitting VMS notification;
4) Vessel operators would report catch from the entire trip (incl. redfish and non-redfish portions) through the VMS prior to returning to port; and
5) Vessel operators would submit a separate Vessel Trip Report to report catch for each codend.

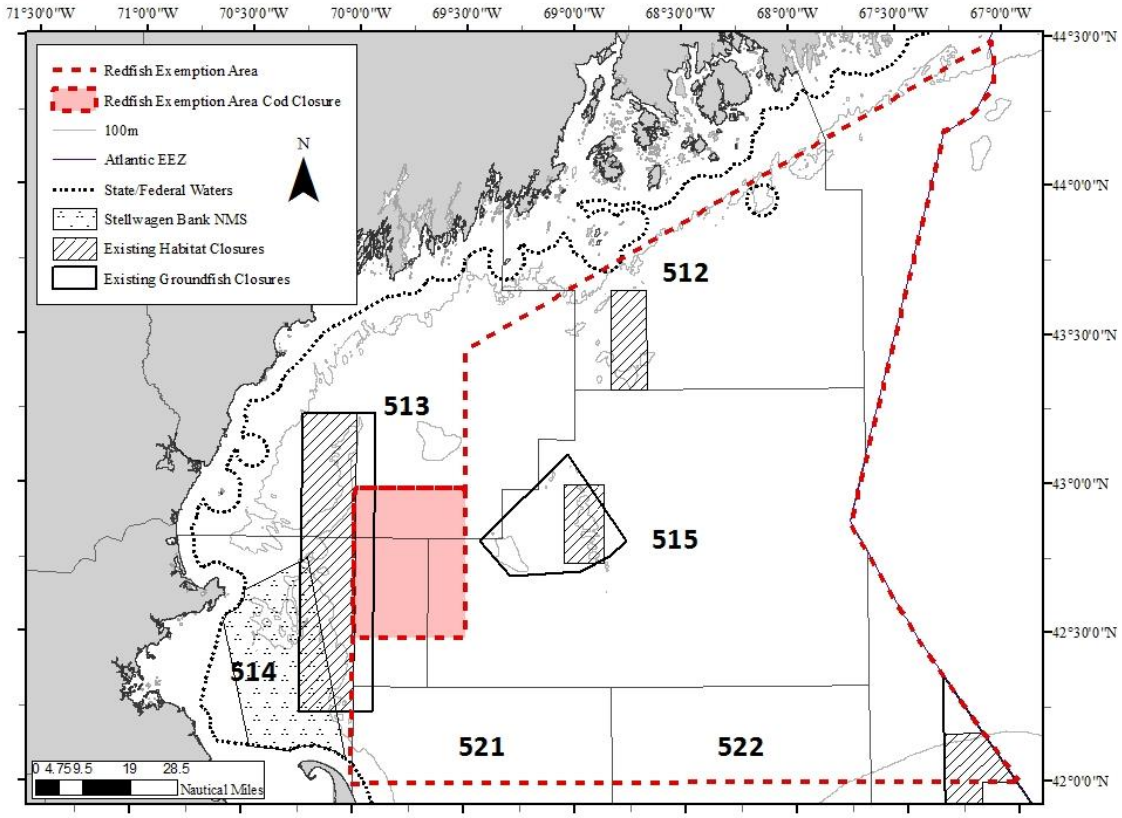
Rationale: The sector exemption approval process allows NMFS to determine annually if requested exemptions are appropriate for groundfish sectors in a given fishing year, and/or if they could potentially be modified in response to a management need or opportunity (e.g., improved catch efficiency). Relative to the sector exemption approved for FY 2014, vessels would not be able to use the exemption in Statistical Reporting Area 131 in February and March, due to the presence of GOM cod and the potential for bycatch of this stock. Also, Area 138 would not be included because there has been very little redfish catch in that area historically.

Table 8 - Coordinates for the sector redfish exemption area approved for FY 2015-2016 and included in Alternative 2

Point	N. Lat.	W. Long.
A	44°27.25'	67°02.75'
B	44°16.25'	67°30.00'
C	44°04.50'	68°00.00'
D	43°52.25'	68°30.00'
E	43°40.25'	69°00.00'
F	43°28.25'	69°30.00'
G	43°00.00'	69°30.00'
H	43°00.00'	70°00.00'
I	42°00.00'	70°00.00'
J	42°00.00'	67°00.63' [a]

[a] The intersection of 42°00' N. latitude and the U.S.-Canada Maritime Boundary. Longitude is approximate.

Figure 4 - Map of the sector redfish exemption area approved for FY 2015-2016 and included in Alternative 2



6.5.2 Alternative 2: Establish a Redfish Exemption Area within the FMP

(PREFERRED ALTERNATIVE) Establish in the fishery management plan that commercial vessels fishing in sectors may use a 5.5ò (or larger) codend mesh within the Redfish Exemption Area (Table 8, Figure 4) with the stipulations below. Approval through the annual (or biennial) sector operations plan approval process would not be necessary. When declared into the Redfish Exemption Area, the allocated groundfish kept needs to be 50% redfish, and on observed trips, no more than 5% of all groundfish (including redfish) may be discarded. Two options for fishery monitoring coverage levels are considered. Sectors may continue to request other exemptions related to redfish.

Stipulations:

1) Prior to leaving the dock, vessel operators could be required to declare their intent to fish in the Redfish Exemption Area through the Vessel Monitoring System (VMS) by checking the box next to "Redfish Trip";
2) In the first part of the trip, vessel operators would fish with conventional groundfish codends (6.5ò) in the GOM and GB regulated mesh areas, except when towing a separator trawl on GB where the codend may be 6ò;
3) Vessel operators would be allowed to switch to 5.5ò (or larger) codends at the end of the trip after submitting VMS notification;
4) Vessel operators would report catch from the entire trip (incl. redfish and non-redfish portions) through the VMS prior to returning to port; and
5) Vessel operators would submit a separate Vessel Trip Report to report catch for each codend.

Differences between Alternative 2 and the proposed FY 2015 and 2016 Sector Rule:

- Alternative 2 would incorporate this exemption into the FMP, so that sectors would no longer need to make annual exemption requests (though they could still do so for other exemptions).
- Alternative 2 would approve this exemption indefinitely, rather than through FY 2016.

Rationale: Alternative 2 would encourage vessels to target redfish, which is currently under-harvested. Sectors would no longer need to request a redfish exemption, reducing administrative burden of the annual exemption request process. The mesh size would allow greater retention of redfish than a standard net. Recent studies of the REDNET project show that vessels can selectively target redfish with minimal bycatch, though this work has not yet been peer-reviewed (Pol & He 2014). The intent is to not supersede or allow fishing under this exemption in any existing or future closed areas within the Redfish Exemption Area boundary.

Commercial catch monitoring - *The Council may select Option A or B.*

(THE COUNCIL HAS NOT YET SELECTED A PREFERRED ALTERNATIVE)

Option A. Fishing under this exemption would not require observers (or electronic monitoring technology, should such be approved in the future) to be on-board, beyond what is required for the commercial groundfish fishery.

Rationale: This option would keep the catch monitoring rate consistent across the fishery and not impact the random-stratified design of the observer program.

Option B. Fishing under this exemption would require observers to be on-board (or electronic monitoring technology, should such be approved in the future) for 100% of the trips.

Rationale: This would fully account for the catch of target and nontarget species on exempted trips.

7.0 WHAT ARE THE IMPACTS OF THE MEASURES UNDER CONSIDERATION IN AMENDMENT 18?

The potential impacts of the alternatives on different aspects of the affected environment are summarized below and in Table 9 to Table 13. The full analysis in the DEIS should be reviewed when considering recommendations for final action.

7.1.1 Environmental Consequences of Proposed Action

Impacts on Target Species. Management measures, in particular modifications implemented through Amendment 16, are expected to yield rebuilt and sustainable groundfish stocks in the future. The *Proposed Action* in Amendment 18 is expected to continue this trend, as no significant adverse impacts on regulated groundfish (target) species are anticipated. The modifications to management measures may have minor impacts (low positive to low negative) on regulated groundfish species, but are not expected to allow catch to exceed the ACLs (i.e., affect total fishing effort).

The accumulation limit measures are administrative in nature, and are expected to not have any impacts on regulated groundfish species, because they would not change total fishing effort or fishing behavior. Creating a HA permit sub-ACL, removing the March 1-20 closure for fishing with a HA permit in the common pool, removing the standard tote requirement, and allowing sectors to request an exemption from VMS for HA vessels would have minimal impact on target species, because HA permit PSC is minimal, less than 0.8% of the total PSC of the commercial groundfish fishery. Establishing a Redfish Exemption Area within the FMP is expected to have minor impacts on target species, since catch is constrained by ACLs, though the direction of impact (positive or negative) is uncertain. The option to require 100% monitoring on trips using the exemption may produce biases in the catch data.

Impacts on Nontarget Species. Management measures, including those implemented through Amendment 16 to the FMP, are expected to continue to control effort, and decrease bycatch and discards. The *Proposed Action* in Amendment 18 is expected to continue this trend, as no significant adverse impacts on target species are anticipated. The modifications in management measures may have minor impacts (low positive to low negative) on nontarget species, but are not expected to allow catch to exceed the ACLs.

The accumulation limit measures are administrative in nature, and are expected to not have any impacts on nontarget species, because they would not change total fishing effort or fishing behavior. Creating a Handgear A (HA) permit sub-ACL, removing the March 1-20 closure for fishing with a HA permit in the common pool, removing the standard tote requirement, and allowing sectors to request an exemption from VMS for HA vessels would have minimal impact on nontarget species, because HA permit PSC is minimal, less than 0.8% of the total PSC of the commercial groundfish fishery. Establishing a Redfish Exemption Area within the FMP is expected to have minor impacts on nontarget species, since catch is constrained by ACLs, though the direction of impact (positive or negative) is uncertain. The option to require 100% monitoring on trips using the exemption may produce biases in the catch data.

Impacts on Physical Environment and Essential Fish Habitat. The *Proposed Action* in Amendment 18 would not have substantial impacts on EFH. The modifications in management measures may have minor impacts (low positive to low negative) on habitat, but changes in total fishing effort are

not expected. The accumulation limit measures are expected to have neutral impacts on EFH, as geographic effort shifts are not expected. Creating a HA permit sub-ACL, removing the March 1-20 closure for fishing with a HA permit in the common pool, removing the standard tote requirement, and allowing sectors to request an exemption from VMS for HA vessels are expected to have no impact on EFH, because hook gear has no impact on EFH. Establishing a Redfish Exemption Area is expected to have positive impacts on habitat, as offshore effort would be encouraged, away from sensitive juvenile habitat.

Impacts on Protected Resources. The *Proposed Action* in Amendment 18 is expected to not have substantial impacts on protected resources. The accumulation limit measures are administrative in nature, and are expected to not have any impacts on protected resources, because they are expected to not change total fishing effort or fishing behavior. Creating a HA permit sub-ACL, removing the March 1-20 closure for fishing with a HA permit in the common pool, removing the standard tote requirement, and allowing sectors to request an exemption from VMS for HA vessels are expected to have no impact on protected resources, because hook gear has minimal interaction with protected resources. Establishing a Redfish Exemption Area is expected to have no impact on protected resources, because trawl gear has minimal interaction with protected resources in this area.

Impacts on Human Communities. The *Proposed Action* in Amendment 18 is expected to impact human communities (positive to negative). Neither the proposed PSC nor permit cap would constrain the current holdings of any individual or entity, thus resulting in no short-term negative economic impact. As no individual is currently approaching either constraint, it is unlikely that the scale efficiency of the groundfish fleet will be compromised, though no definitive statement on this can be made at this time. The proposed combination of an aggregate PSC cap of 15.5 and a 5% permit cap should be sufficient to prevent market power from being exerted. However, these caps are expected to allow consolidation of holdings to substantially increase from the present level. Thus, negative impacts to the size or continuing existence of fishing communities and participation in the fishery may occur. Creating a HA permit sub-ACL, removing the March 1-20 closure for fishing with a HA permit in the common pool, removing the standard tote requirement, and allowing sectors to request an exemption from VMS for HA vessels are expected to have a positive impact on HA permit holders, as it would allow more flexibility, though other stakeholders may consider these measures to be unfair. Establishing a Redfish Exemption Area is expected to have a positive impact on human communities, as it would encourage quota utilization of an under-harvested resource, and associated fishery investments.

7.1.2 Impacts of Alternatives to the Proposed Action

Impacts on Target Species. The non-preferred alternatives may have minor impacts (low positive to low negative) on regulated groundfish (target) species, but are not expected to allow catch to exceed the ACLs. The accumulation limit and data confidentiality measures are administrative in nature, and are expected to not have any impacts on target species, because they would not change total fishing effort or fishing behavior. Continuing the status quo regarding HA permits, would have minimal impact on target species, because HA permit PSC is minimal, less than 0.8% of the total PSC of the commercial groundfish fishery. Establishing an inshore/offshore boundary in the GOM and associated measures would have minor impacts on target species, as total effort

on GOM cod would not change, but there may be detrimental impacts depending on how the sub-ACL specification matches actual cod distribution. Thus, the direction of impact (positive or negative) is uncertain. Not establishing a Redfish Exemption Area within the FMP could have either positive or negative impacts depending on the particulars of the sector exemption in any fishing year.

Impacts on Nontarget Species. The non-preferred alternatives may have minor impacts (low positive to low negative) on nontarget species, but are not expected to allow catch to exceed the ACLs. The accumulation limit and data confidentiality measures are administrative in nature, and are expected to not have any impacts on nontarget species, because they would not change total fishing effort or fishing behavior. Continuing the status quo regarding HA permits would have minimal impact on nontarget species, because HA permit PSC is minimal, less than 0.8% of the total PSC of the commercial groundfish fishery. Establishing an inshore/offshore boundary in the GOM and associated measures would have minor impacts on nontarget species, as total effort on GOM cod would not change, but there may be detrimental impacts depending on how the sub-ACL specification matches actual cod distribution. Thus, the direction of impact (positive or negative) is uncertain. Not establishing a Redfish Exemption Area within the FMP could have either positive or negative impacts depending on the particulars of the sector exemption in any fishing year.

Impacts on Physical Environment and Essential Fish Habitat. The non-preferred alternatives are not expected to have substantial impacts on EFH. The modifications in management measures may have minor impacts (low positive to low negative) on habitat, but changes in total fishing effort are not expected. The accumulation limit measures are expected to have minimal but uncertain impacts on EFH if effort shifts geographically within the region. Continuing the status quo regarding HA permits is expected to have no impact on EFH, because hook gear has no impact on EFH. Allowing the price of ACE lease data to be non-confidential is expected to have neutral impacts on EFH. Establishing an inshore/offshore boundary in the GOM and associated measures would have minor impacts on EFH, as total effort on GOM cod would not change, but there may be detrimental impacts depending on how the sub-ACL specification matches actual cod distribution. Thus, the direction of impact (positive or negative) is uncertain. Not establishing a Redfish Exemption Area within the FMP is expected to have neutral impacts on habitat if this Area continues to be approved through sector operation plans, but negative relative to disallowing the area annually, as offshore effort would not be encouraged.

Impacts on Protected Resources. The non-preferred alternatives are not expected to have substantial impacts on protected resources. The accumulation limit and data confidentiality measures are administrative in nature, and are expected to not have any impacts on protected resources, because they are expected to not change total fishing effort or fishing behavior. Continuing the status quo regarding HA permits is expected to have no impact on protected resources, because hook gear has minimal interaction with protected resources. Establishing an inshore/offshore boundary in the GOM and associated measures would have minor impacts on protected resources, as total effort on GOM cod would not change, but there may be detrimental impacts how effort may shift within the GOM. Thus, the direction of impact (positive or negative) is uncertain. Not establishing a Redfish Exemption Area within the FMP is expected to have no

impact on protected resources, because trawl gear has minimal interaction with protected resources in this area.

Impacts on Human Communities. The non-preferred alternatives are expected to have substantial impacts on human communities (positive to negative). For the accumulation limit measures, some would constrain the current holdings of a few individuals or entities, likely resulting in short-term negative impacts or constraints on scale efficiency, though in the long-term preventing market power in the fishery. No Action would not prevent consolidation in holdings and market power. This could result in negative economic and social impacts to the fishery and to the continued participation of communities. However, all of the action alternatives are expected to allow a substantial amount of consolidation of holdings to occur from present level. Thus, negative impacts to the size or continuing existence of fishing communities and participation in the fishery are expected to not be prevented. Options are considered for any current or future holdings that exceed the limit, but their impacts would be negative for the individuals constrained relative to the proposed option. Continuing the status quo regarding HA permits is expected to have low negative impacts on human communities, as less flexibility would be given to HA permit fishermen. Establishing an inshore/offshore boundary in the GOM and associated measures are expected to have neutral to negative impacts on human communities, as less flexibility would be afforded the fleet. Particularly for smaller vessels with a limited fishing range, the measures would reduce their fishable GOM cod PSC. Not establishing a Redfish Exemption Area in the FMP would have neutral to positive impacts, as sector could still request this exemption annually (Status Quo), though not having this exemption (No Action) would have negative impacts as utilization of quota for an under-harvested resources would not be encouraged.

Table 9 - Potential impact of the accumulation limit alternatives (Section 6.1)

Alternatives/Options (* = Council preferred)		VEC: Target Species	VEC: Nontarget Species	VEC: Physical and EFH	VEC: Protected Resources	VEC: Human Communities
Section 6.1.2. Limit PSC holdings	Alternative 1 (No Action)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	Short-term **neutral**. Potentially **negative** long-term if market power is not prevented.
Section 6.1.2.2. Disposition of current holdings in excess of what is allowed	***Option A (hold permits but not use excess PSC)**	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown. **Neutral** re Option C.	**Neutral.** Total fishing effort unchanged.	**Uncertain** but minor. **Positive** re Option B, **low positive** re Option C for permit holder. **Low negative** re Option B, **neutral** re Option C for fishery. Both permit holder and fishery benefit.
	Option B (divest permits with excess PSC)	Short-term **low positive** while PSC is unused. Long-term **neutral**.	Short-term **low positive** while PSC is unused. Long-term **neutral**.	**Uncertain** but minor. Effort redistribution unknown.	**Neutral.** Total fishing effort unchanged.	**Uncertain** but minor. **Negative** re Options A and C for permit holder & **low positive** for fishery. Permit holder relinquishes entire permit, though fishery benefits.
	Option C (hold permits but divest excess PSC)	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown. **Neutral** re Option A.	**Neutral.** Total fishing effort unchanged.	**Uncertain** but minor. **Low negative** re Option A, **positive** re Option B for permit holder. **Neutral** re Option A & **low negative** re Option C for fishery. Permit holder loses value of excess PSC when sold, though fishery benefits.

Section 6.1.2.2. Acquisition of future holdings	***Option A (hold permits but not use excess PSC)**	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown. **Neutral** re Option B.	**Neutral.** Total fishing effort unchanged.	**Low positive** for permit holder, **neutral** for fishery re Option B. Both permit holder and fishery benefit.
	Option B (hold permits but divest excess PSC)	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown. **Neutral** re Option A.	**Neutral.** Total fishing effort unchanged.	**Low negative** for permit holder, **neutral** for fishery re Option A. Permit holder loses value of excess PSC when sold, though fishery benefits.
Section 6.1.2. cont. Limit PSC holdings	Alternative 2 (to control date maximum)	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown.	**Neutral.** Total fishing effort unchanged.	Short-term **low negative** to **negative** to those constrained, **low positive** to fishery re Alt. 1. Long-term **low negative**, but potentially **high positive**. Would allow consolidation, but prevent market power.
	Alternative 3 (to 15.5 for each stock)	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown.	**Neutral.** Total fishing effort unchanged.	Short-term **low negative** to those constrained, **low positive** to fishery re Alt. 1. Long-term **low negative,** but potentially **high positive**. Would allow consolidation, but prevent market power.

6.1.2. cont.	Alternative 3, Option A (divest excess PSC)	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown.	**Neutral.** Total fishing effort unchanged.	Short-term **uncertain.** Long-term low **negative** to fishery. Could acquire additional permits, but excess would be redistributed.
	Alternative 4, Option A (by stock type, limit for all stocks)	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Neutral** to **uncertain** but minor. Total fishing effort unchanged. Effort redistribution unknown.	**Uncertain** but minor. Effort redistribution unknown.	**Neutral.** Total fishing effort unchanged.	Short-term **neutral** to **low neg.** re Alt. 1. Long-term **low neg.,** but potentially **high pos**. **Pos.** for fishery re Opt. B. Allows consolidation; prevents market power.
	Alternative 4, Option B (by stock type, limit for 3 stocks)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	Short-term **neutral** re Alt. 1. Long-term **low negative** to fishery, but may be **positive**. **Negative** for the fishery re Option A. Would allow consolidation, but prevent market power for only 3 stocks.
	Alternative 5 (to 30 for GB winterflounder, 20 for other stocks)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	Short-term **neutral** to **low negative** re Alt. 1. Long-term **low negative,** but potentially **high positive**. **Positive** for the fishery re Option B. Would allow consolidation, but prevent market power.

6.1.2. cont.	***Alternative 6 (limit collective PSC holdings)**	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	Short-term **neutral.** Long-term **negative** to fishery. Would allow consolidation and not prevent market power.
Section 6.1.3. Limit permit holdings	Alternative 1 (No Action)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	Short-term **neutral**. Long-term potentially **negative**.
	***Alternative 2 (limit permits to 5%)**	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral** re Alt. 1. Would allow consolidation and not prevent market power. Would allow more consolidation than PSC Alts. 2-5.

Table 10 - Potential impact of the Handgear A permit alternatives (Section 6.2)

Alternatives/Options (* = Council preferred)		**VEC: Target Species**	**VEC: Nontarget Species**	**VEC: Physical and EFH**	**VEC: Protected Resources**	**VEC: Human Communities**
Section 6.2.1. Establish HA permit sub-ACL	Alternative 1 (No Action)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Neutral**. *Social:* **Neutral. Low negative** re Alt. 2.
	***Alternative 2 (establish)**	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Neutral** to **low positive**. *Social*: **Low positive.** Increases choices for HA permit holders. Removes PSC for others and may seem to be unfair.

6.2.1. cont.	Alternative 2, *Discards* ***Option A (estimate annual rate and subtract)**	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Neutral.** *Social*: **Negative** for HA fishery re Option B; **positive** for others as it may seem more fair.
	Alternative 2, *Discards* Option B (assume de minimus dis.)	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Neutral.** *Social*: **Positive** for HA fishery re Option A; **negative** for others as it may seem less fair.
	Alternative 2, *In-season AMs* Option A (close fishery when 100% is caught)	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Positive** re Alt. 1 and Option B. *Social*: **Positive** for HA fishery re Option B. Re Alt. 1, **neutral** for HA sector members & **uncertain** for c. pool.
	Alternative 2, *In-season AMs* ***Option B (close fishery when 90% is caught)**	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Negative** re Alt. 1 & Option B. *Social:* **Negative** for HA fishery re Option A, but may better prevent overages. Re Alt. 1, **low negative** for HA sector members & **uncertain** for common pool.
	Alternative 2, *Reactive AMs* ***Option A (trigger if HA sub-ACL is exceeded)**	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Negative** re Option B; **low positive** re Alt. 1. *Social:* **Low negative** re Option B for HA fishery; **positive** for others as it may seem more fair.

6.2.1. cont.	Alternative 2, *Reactive AMs* Option B (if HA sub-ACL & total ACL exceeded)	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Size of HA sub-ACL is very small.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Positive** re Alt. 1 & Option A. *Social:* **Low positive** re Option A for HA fishery; **negative** for others as it may seem less fair.
Section 6.2.2. Remove March 1-20 HA closure	Alternative 1 (No Action)	**Neutral**. **Low positive** re Alt. 2. Spawning protections remain.	**Neutral**. **Low positive** re Alt. 2. Spawning protections remain.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	**Neutral**. **Low negative** re Alt. 2. Common pool HA vessels continue to be unable to fish March 1-20.
	***Alternative 2 (remove)**	**Low negative.** Some target species spawn in March.	**Low negative.** Some nontarget species spawn in March.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Low positive.** *Social:* **Neutral** for current sector vessels, **positive** for common pool.
Section 6.2.3. Remove standard tote requirement	Alternative 1 (No Action)	**Neutral.** Tote not used for enforcement.	**Neutral.** Tote not used for enforcement.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	**Neutral**. **Low negative** re Alt. 2. Would continue a regulation considered unnecessary.
	***Alternative 2 (remove)**	**Neutral.** Fish tote requirement is not enforced.	**Neutral.** Fish tote requirement is not enforced.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. PS interaction with hook gear rare.	*Economic:* **Neutral.** *Social:* **Positive.** Improve deck operations.
Section 6.2.4. Exempt HA permits in sectors from VMS use	Alternative 1 (No Action)	**Neutral**. **Low positive** re Alt. 2. Catch attribution better w/ VMS.	**Neutral**. **Low positive** re Alt. 2. Catch attribution better w/ VMS.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	**Neutral**. **Low negative** re Alternative 2. Sectors may be cost-prohibitive for HA vessels.

6.2.4. cont.	***Alternative 2 (exempt)**	**Low negative.** IVR may be used for catch attribution.	**Low negative.** IVR may be used for catch attribution.	**Neutral.** Hook gear does not generate adverse impacts to EFH.	**Neutral.** No significant risk from hook gear in the area. Protected species interactions with hook gear are rare.	*Economic:* **Neutral** to **low positive**. *Social:* **Positive.** Incentivize participation in sectors.

Table 11 - Potential impact of the data confidentiality alternatives (Section 4.3)

Alternatives (* = Council preferred)		**VEC: Target Species**	**VEC: Nontarget Species**	**VEC: Physical and EFH**	**VEC: Protected Resources**	**VEC: Human Communities**
Section 6.3. Data confidentiality	***Alternative 1 (No Action)**	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral**. Trading unaffected. **Uncertain** but minor to **low negative** re Alt. 2.
	Alternative 2 (value of ACE movement would be non-confidential)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	*Economic:* **Uncertain,** potentially **low-positive.** *Social:* **Low positive.** May help fishery-wide participation in ACE markets & ACE use; may be seen as an overreach of management.

Table 12 - Potential impact of the inshore/offshore Gulf of Maine alternatives (Section 4.4)

Alternatives (* = Council preferred)		**VEC: Target Species**	**VEC: Nontarget Species**	**VEC: Physical and EFH**	**VEC: Protected Resources**	**VEC: Human Communities**
Section 6.4.1. Inshore/ Offshore Boundary	***Alternative 1 (No Action)**	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.

6.4.1. cont.	Alternative 2, Option A (@ 70°W)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	*Economic*: Short-term **neutral;** long-term **uncertain**. *Social*: **Neutral** re Alt. 1, but may be **low negative**.
	Alternative 2, Option B (@ 70°15õW)	**Neutral.** No change to total fishing effort or behavior.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.
	Alternative 2, Option C (@ 69°50õW & ME coast)	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Status quo effort. Inshore area covers more EFH than Option A or B.	**Neutral.** Total fishing effort and behavior unchanged.	*Economic*: Short-term **neutral;** long-term **uncertain**. *Social*: **Neutral** re Alt. 1, but may be **low negative**.
Section 6.4.2. Inshore/ Offshore GOM cod sub-ACLs	***Alternative 1 (No Action)**	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** No change to total fishing effort or behavior.
	Alternative 2, Option A (split set during specs)	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Allocation method to be determined.	**Neutral.** Status quo effort.	**Negative.** Increase reliance on leasing. **Low negative** re Options B & C.
	Alternative 2, Option B, sub-Option A (split based on last 10 years of catch)	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. May be pos. or negative. Perhaps more positive than sub-Option B.	**Neutral.** Status quo effort.	**Negative.** Increase reliance on leasing. **Low positive** re Option A & C & sub-Option B.
	Alternative 2, Option B, sub-Option B (split based on last 20 years of catch)	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative. Perhaps less positive than sub-Option. A.	**Neutral.** Status quo effort.	**Negative.** Increase reliance on leasing. **Low positive** re Option A & C; **negative** re sub-Option A.

6.4.2. cont.	Alternative 2, Option C, sub-Option A (split based on last 10 years of cod distribution)	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative. Perhaps more positive than sub-Option B.	**Neutral.** Status quo effort.	**Negative.** Increase reliance on leasing. **Low positive** re Option A; **low negative** re Option B; **positive** re sub-Option B.
	Alternative 2, Option C, sub-Option B (split based on last 20 years of cod distribution)	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative.	**Uncertain** but minor. Could be positive or negative. Perhaps less positive than sub-Option A.	**Neutral.** Status quo effort.	**Negative.** Increase reliance on leasing. **Low positive** re Option A; **low negative** re B; **low negative** re sub-Option A.
Section 6.4.3. GOM/GB Inshore Restricted Roller Gear Area	***Alternative 1 (No Action)**	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** Total fishing effort and behavior unchanged.	**Neutral.** No impact of roller gear size on protected resources.	**Neutral**. Increase reliance on leasing. Total fishing effort and behavior unchanged.
	Alternative 2 (revise to match inshore/offshore boundary)	**Varies. Negative** re Options A and B. Reduced area. **Positive** re C. Increased area.	**Varies. Negative** re Options A and B. Reduced area. **Positive** re C. Increased area.	**Varies. Negative** re Options A and B. Reduced area. **Positive** re C. Increased area.	**Neutral.** Status quo effort. No impact of roller gear size on protected resources.	<u>*Economic*</u>: Long-term **uncertain.** A ï **Low positive**. B ï **Low positive**. C ï **Low negative.** <u>*Social*</u>: **Mixed. Unclear** if fishery operations would substantially change. A ï **Low positive** for large rockhopper vessels, **low negative** for the fishery. B ï **Positive** for large rockhopper vessels, **negative** for the fishery. C - **Negative** for large rockhopper vessels, **positive** for the fishery.

Section 6.4.4. Declaration Time Periods	***Alternative 1 (No Action)**	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Status quo effort.	Short-term **neutral.** Long-term **low positive.**	**Neutral.** Vessels would not have a time restriction. **Positive** re. Alt 2 - 4.
	Alternative 2 (annual declaration)	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Status quo effort.	Short-term **neutral.** Long-term **low negative.**	**Negative** re Alt. 1, 3 & 4. The most restrictive alternative, impacting larger vessels the most.
	Alternative 3 (seasonal declaration)	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Status quo effort.	Short-term n**eutral.** Long-term **low negative.**	**Negative** re Alt. 1 & Alt 4; **positive** re Alt. 2. Forgo opportunity to fish in other area on a trimester basis.
	Alternative 4 (trip declaration)	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Annual sub-ACLs limit removals.	**Neutral.** Status quo effort.	Short-term **neutral.** Long-term **low negative.**	**Low negative** re Alt. 1; **positive** re Alts. 2 & 3. Fishing location on a trip constrained.

Table 13 - Potential impact of the Redfish Exemption Area alternatives (Section 4.5)

Alternatives (* = Council preferred)		**VEC: Target Species**	**VEC: Nontarget Species**	**VEC: Physical and EFH**	**VEC: Protected Resources**	**VEC: Human Communities**
Section 6.5. Redfish Exemption Area	Alternative 1 (No Action)	**Uncertain** to **Low negative.** Greater retention of sub-legal fish.	**Uncertain** to **Low negative.** Greater retention of sub-legal fish.	**Varies.** Magnitude and direction of impacts more uncertain re Alt 2.	**Neutral.** Trawl gear interaction in Area currently low.	**Neutral** re Alt 2. Sectors could still benefit from annual exemptions.
	***Alternative 2,** *Monitoring* Option A (same obs. cover.)	**Uncertain** but minor. Option A **neutral** re Alt. 1; **pos.** re Opt. B.	**Uncertain** but minor. Option A **neutral** re Alt. 1; **pos.** re Opt. B.	**Positive** re Alt. 1; **neutral** re status quo sector exemption; **negative** re Opt. B.	**Neutral.** Trawl gear interaction in Area currently low.	**Positive** to **neutral** re Alt 1. Opt. A **neut.** re Alt. 1; **low positive** re Opt. B.
	Alternative 2, *Monitoring* Option B (100% observed)	**Uncertain** but minor. Option A **negative** re Alt. 1 and Option B.	**Uncertain** but minor. Option A **negative** re Alt. 1 and Option B.	**Positive** re Alt. 1; **neutral** re status quo sector exemption; p**ositive** re Option A.	**Neutral.** Trawl gear interaction in Area currently low.	**Positive** to **neutral** re Alt 1. Option B **low negative** re Alt. 1 and Option A.

8.0 WHAT QUESTIONS SHOULD PUBLIC COMMENT FOCUS ON?

The following questions have been developed to help focus public comment, though the public is not required to answer any of these questions. They highlight the most important issues the Council seeks input on to make decisions on this action. Providing specific rationale for comments would be helpful.

8.1 ACCUMULATION LIMITS

1. Is there a need to establish accumulation limits in the groundfish fishery? Why or why not?
2. Do you support any of the alternatives for PSC or permit caps in this section? If so, which? Provide rationale.

8.2 HANDGEAR A PERMIT MEASURES

1. Is there a need to establish a new groundfish fishery component sub-ACL, which would be distinct from the common pool or sectors, specific for HA permits? Why or why not?
2. Do you support removing the March 1-20 closure for HA vessels fishing in the common pool?
3. Do you support removing the requirement that HA vessels carry a standard fish tote on board?
4. Do you support allowing sectors to request exemptions from VMS requirements for their members fishing with HA permits?

8.3 DATA CONFIDENTIALITY

1. Do you support changing the confidentiality requirements for ACE disposition data, particularly the value (sale price) associated with the movement of PSC-determined catch allocations (ACE) within and between sectors?

8.4 INSHORE/OFFSHORE GULF OF MAINE

1. Do you support the general concept of establish a new sub-area boundary within the Gulf of Maine Management Area to distinguish between inshore and offshore fishing practices?
2. If so, do you support one of the three boundary options included in this action?
3. Do you support splitting the GOM cod ACL into inshore and offshore components, divided by one of the boundary options identified in this action, creating management sub-areas?
4. Do you support revising the GOM/GB Inshore Restricted Roller Gear Area to align with one of the boundary options identified in this section?
5. Do you support limiting vessels to fishing in either the inshore or offshore area (as defined by the selected boundary option) on an annual, seasonal, or trip basis?

8.5 REDFISH EXEMPTION AREA

1. Should commercial vessels fishing in sectors be allowed to use a 5.5ò (or larger) codend mesh within the Redfish Exemption Area as defined in this action?
2. Should a Redfish Exemption Area be established in the fishery management plan or should this exemption be reviewed through the sector operations plan review process?

8.6 GENERAL

1. Do you support the goals of Amendment 18? If so, do you think that the measures identified in this action will accomplish the goals? Why or why not?
2. Do you have any specific comments or issues about the administrative process of the measures described in this action?
3. What are the most important potential impacts of the alternatives that the Council should consider?

9.0 ACRONYMS

ABC	Acceptable Biological Catch
ACE	Annual Catch Entitlement
ACL	Annual Catch Limit
AM	Accountability Measure
DAS	Days-At-Sea
EIS	Environmental Impact Statement
FMP	Fishery Management Plan
FY	Fishing Year
GARFO	Greater Atlantic Regional Fisheries Office
GB	Georges Bank
GOM	Gulf of Maine
HA	Handgear A
MRI	Moratorium Right Identifier
MSA	Magnuson-Stevens Act
MSFCMA	Magnuson-Stevens Fishery Conservation and Management Reauthorization Act
NEFMC	New England Fishery Management Council
NEFSC	Northeast Fisheries Science Center
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
PSC	Potential Sector Contribution
SNE/MA	Southern New England/Mid-Atlantic Bight
VTR	Vessel Trip Report

10.0 GLOSSARY

Annual Catch Limit (ACL): The limit of each groundfish stock that can be harvested by all vessels during each fishing year.

Annual Catch Entitlement (ACE): The sum of the PSC for each MRI participating in a sector, multiplied by the commercial groundfish fishery ACL each stock for that year. The product of that

multiplication is the ACE for that sector for each stock ð the amount of stock in pounds that the sector is allowed to catch for that fishing year. The ACE of each stock equals the sum of PSC times the ACL.

Buyout: A federal permit buyout is a capacity reduction program wherein all the funds used to buy permits are the result of appropriation or other federal allocation (i.e., fully funded by the federal government). The permits are then retired from the fishery.

Buyback: A federal permit buyback is a specific capacity reduction program outlined in Sections 312(b) and (c) of the MSFCMA wherein industry agrees to a fee system to repay a federally subsidized loan that is used to purchase permits. The permits are then retired from the fishery.

Catch: The sum total of fish killed in a fishery in a given period. Catch is given in either weight or number of fish and may include landings, unreported landings, discards, and incidental deaths.

Discards: Animals returned to sea after being caught; see *bycatch (n.).*

Fishing effort: The amount of time and fishing power used to harvest fish. Fishing power is a function of gear size, boat size and horsepower.

Landings: The portion of the catch that is harvested for personal use or sold.

Limited-access permits: Permits issued to vessels that met certain qualification criteria by a specified date (the "control date").

Market power: The ability to manipulate prices to oneôs advantage based on oneôs share of participation in a market (e.g., by withholding supply from the market).

Moratorium Right Identifier (MRI): A unique identifying number that is attached to a Northeast multispecies permit. Each permit has its own MRI, and a given MRI is attached to only one permit. When NMFS calculates Potential Sector Contribution, it uses the MRI history, because this is the best way to determine how much multispecies groundfish has been associated with that permit over time.

Multispecies: The group of species managed under the Northeast Multispecies Fishery Management Plan. This group includes whiting, red hake and ocean pout plus the regulated species (cod, haddock, pollock, yellowtail flounder, winter flounder, witch flounder, American plaice, windowpane flounder, white hake and redfish).

Potential Sector Contribution (PSC): The proportion of the total landings of a particular groundfish stock (in live pounds) associated with an individual MRI over a particular period. For most stocks managed by the Northeast Multispecies FMP the PSC is based on a MRIôs landings history during fishing years 1996-2006, divided by the landings history of the entire fleet for each stock.

Regulated groundfish species: Cod, haddock, pollock, yellowtail flounder, winter flounder, witch flounder, American plaice, windowpane flounder, white hake and redfish. These species are usually targeted with large-mesh net gear.

Stock: A grouping of fish usually based on genetic relationship, geographic distribution and movement patterns. A region may have more than one stock of a species (for example, Gulf of Maine cod and Georges Bank cod). A species, subspecies, geographical grouping, or other category of fish capable of management as a unit.

Stock area: A group of connected statistical areas that defines the geographic distribution of a particular population of an individual species. For example, the Gulf of Maine (GOM) cod stock

area comprises statistical areas 464, 465, 467, 510, 511, 512, 513, 514, and 515. All catch of cod in any of these stock areas is attributed to the GOM cod stock.

Valued Ecosystem Component (VEC): A resource or environmental feature that is important (not only economically) to a local human population, or has a national or international profile, or if altered from its existing status, will be important for the evaluation of environmental impacts of industrial developments, and the focusing of administrative efforts.

11.0 REFERENCES

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