



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
C.M. "Rip" Cunningham, Jr., *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: June 4, 2013
TO: Groundfish Advisory Panel
FROM: Terry Stockwell, Groundfish Oversight Committee Chairman
SUBJECT: GAP meeting on Monday June 10, 2013

There will be a Groundfish Advisory Panel (GAP) meeting at the Providence Biltmore in Providence, RI on Monday June 10, 2013 at 10:00 AM.

Purpose. The purpose of the meeting is to provide input on development of Amendment 18 (A18) and the Omnibus Essential Fish Habitat Amendment 2 (OA2).

Meeting Materials. Paper copies of the documents listed below will be provided at the meeting. A PDF of each document is posted to www.nefmc.org. Staff will provide copies of any additional meeting materials that are not included in this package. If you have any questions about the documents, please contact Rachel Feeney (rfeeney@nefmc.org; 978-465-0492 ext. 110).

1. Meeting memo (this document)
2. Agenda
3. SSB draft report: "Indicators of Fleet Diversity in the New England Groundfish Fishery"
4. SSB draft report: "Trends in Groundfish Fishery Concentration, 2007-2013"
5. PDT memo re. groundfish permit banks, June 3, 2013
6. Goal and objectives of the Northeast Multispecies FMP
7. Groundfish Committee meeting summary, January 24-15, 2013
8. Groundfish Committee/Advisory Panel meeting summary, March 6, 2013
9. Groundfish Committee meeting summary, April 16-17, 2013
10. Habitat Committee meeting summary, December 4, 2012 (see gear modification sections)
11. Habitat Committee meeting summary, March 19, 2013 (see gear modification sections)
12. Charts showing where non-ground cable trawl gears would be required
13. Correspondence

Subsequent NEFMC Committee Meetings. Please note there are two Council committee meetings on June 11 and 12 at the same location. On June 11, a joint meeting of the Groundfish and Habitat Oversight Committees will identify and recommend Omnibus EFH Amendment 2 draft management alternatives for Council approval. On June 12, the Groundfish Oversight Committee will continue work on Amendment 18, including consideration of GAP recommendations made on June 10. As always, you are invited to attend these meetings, but please note that the Council will only cover your travel expenses related to the GAP meeting.

Amendment 18 to the Northeast Multispecies Fishery Management Plan

Recent activity. On March 6, 2013, the Groundfish Committee, held a joint meeting with the GAP. While no motions were made, there was general interest in moving forward with amendment development. A list of potential data analyses was generated, related to fishery performance, legal considerations, and hypothetical measures, that may inform the development of A18. Some desire was expressed to potentially revise the goals and objectives based on this additional analysis.

The Groundfish Committee met on April 16 and heard from the PDT on the feasibility of the data analysis requested. The Committee also discussed a letter dated April 8 from the Regional Administrator to the Council encouraging that the objectives of A18 be narrowed to focus on accumulation limits, moving fleet diversity measures to a later action (see Correspondence). The Committee made no motions related to A18, and seemed generally interested in holding off on further action until some of the requested data analysis is available. No motions were made relative to A18 at the April 24-26 Council meeting either.

A18 Purpose and Need. A formal purpose and need statement has not yet been drafted for A18, apart from the statement contained in the Notice of Intent (NOI) for the action, outlining why additional measures are being considered (December 21, 2011, *Federal Register* 76, p. 79153):

“Currently, there are no specific controls on the excessive accumulation or control of fishing privileges in the multispecies fishery. There is concern that the low catch limits, in conjunction with expanded sector management, will lead to excessive consolidation and lack of diversity in the groundfish fleet. Likewise, there is concern regarding consolidation and diversity in the groundfish fleet as stocks rebuild and acceptable biological catches (ABCs) increase.”

A18 Goals. As approved by the Council, June 2010.

1. Maintain inshore and offshore fleets;
2. To the extent possible, maintain a diverse groundfish fishery, including different gear types, vessel sizes, geographic locations, and levels of participation;
3. Maintain a balance in the geographic distribution of permits to protect fishing communities and the infrastructure they provide; and
4. Prohibit any person or government entity from acquiring or controlling excessive access to the resource, in order to prevent extraction of disproportionate economic rents from other permit holders.”

A18 Objectives. As approved by the Council, September 2011.

1. “To consider the establishment of accumulation caps for the groundfish fishery; and
2. “To consider issues associated with fleet diversity in the multispecies fishery.”

Request of the GAP. On March 6, Committee members suggested that the GAP meet separately to develop recommendations on the goals and objectives of A18, whether and how to revise them. On June 10, your agenda includes PDT presentations on work to date on the analyses that were requested on March 6, followed by time for the GAP to develop its recommendations.

Questions to consider. The GAP may want to consider developing recommendations on the following questions, based on data available and knowledge of the fishery:

1. *Purpose and Need.* A refined Purpose and Need statement will be needed, which the goals and objectives would address. What are the most important points that such a statement should articulate? Could the aforementioned statement in the NOI serve this purpose? If not, what are key elements to include?
2. *Goals.* As written, do the A18 goals address the purpose and need that the GAP envisions? Are the outcomes of the goals clear and achievable? Why or why not? If not, how could the A18 goals be refined?
3. *Objectives.* As written, do the A18 objectives address the goals that the GAP envisions? Are the outcomes of the objectives clear and achievable? Why or why not? If not, how could the objectives be refined?

To make the most of your meeting time on June 10, if you feel the goals and objectives should be revised, you are encouraged to prepare ideas in advance and either bring language to the meeting or contact Rachel Feeney (by May 7) who will compile ideas and/or motions. Some ideas for revisions have already been raised (see meeting summaries of March 6 and April 16-17).

Note: If there is time after the GAP develops recommendations on the above questions, the GAP could discuss potential measures that could be developed to achieve the goals and objectives that the GAP articulates. However, there will be subsequent GAP meetings as the A18 development process unfolds. Settling on the problem statement, goals, and objectives of the amendment should occur first.

Omnibus Essential Fish Habitat Amendment 2:

Please come prepared to develop GAP recommendations on:

Gear modifications to minimize the adverse effects of fishing on Essential Fish Habitat: A full restriction on mobile-bottom tending gears has been discussed as the primary management measure to reduce the adverse effects of fishing on EFH within identified habitat management areas. However, the Habitat Advisory Panel, Plan Development Team, and Committee have discussed the possibility of limiting trawl gear use in these areas to modified gear types, rather than restricting them completely. Specifically, the Habitat AP developed gear modification options for habitat management areas on and around Georges Shoal and the Great South Channel during October 2012. These options would have capped ground cable length and required that ground cables be raised off the seabed with elevating disks. The Habitat Committee discussed these options in December 2012 and March 2013, and ultimately decided not to pursue these options further. At their April meeting, the full Council requested development of a no-ground cable option for these areas. This request for GAP input is focused on the Council's April 2013 motion: that the Council direct the Habitat Committee to include a no ground cable option for trawl gear as an alternative to closures for habitat management areas on Georges Bank and to include in that option a mechanism to allow a framework adjustment to modify the no ground cable restriction to a modified ground cable restriction. These gear modification options could be implemented via OA2 if approved by the Council.

Request of the GAP: Provide general comments about the impacts (positive and negative) of requiring a no-ground cable trawl within two potential adverse effects habitat management areas in the Great South

Channel and on Georges Shoal. Develop an appropriate bridle length cap or caps (lengths may be specific to each area) to be used on no-ground cable trawl gear.

Issues to consider:

- Habitat benefits would be realized via a reduction in the width of the gear. If tow duration remains the same, the total amount of seabed contacted by the gear would decrease.
- Ground cables are used by fishermen to increase the swept width of a trawl system, herd fish toward the net, and optimize catching efficiency (catch rates). A reduction in ground cable length or their elimination through regulation is likely therefore to reduce catching efficiency. Given a loss in efficiency, fishermen may choose not to fish in the area, or might respond by increasing the number or duration of hauls to offset catch loss. An increase in the number or duration of hauls would reduce some of the hoped-for habitat benefit associated with ground cable regulation.
- Fishermen could conceivably offset the elimination of ground cables by increasing bridle length. However, excessively long upper bridles become too heavy for the net and reduce vertical opening. They are also unwieldy and the anterior portion may drag over the seabed. Therefore, a practical limit to bridle length exists and it is possibly at or around that currently used by fishermen.

Trawl gear data collection program. While discussing potential gear modification options, it became clear to the Habitat Advisory Panel, Plan Development Team, and Committee that data on gear configurations used in the fishery are insufficient to properly develop and analyze gear modification measures.

Request of the GAP: Develop a list of key groundfish gear characteristics to be part of a data collection program, which could be implemented via OA2 if approved by the Council. The information gathered via this data collection program would be used to develop gear modification options to minimize the adverse effects of fishing on EFH in future management actions.

For trawl gear, potentially important elements of a data collection program include:

- Door – make, weighted or not, how much weight
- Ground cables – length, diameter, chain, wire, cookie, or rope
- Sweep – chain, disk, or rockhopper, diameter of biggest part