



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: January 14, 2016
TO: Scientific and Statistical Committee (SSC)
FROM: Tom Nies, Executive Director
SUBJECT: **Terms of Reference – Overfishing levels (OFLs) and acceptable biological catches (ABCs) recommendations for witch flounder stocks**

Terms of Reference

1. Characterize the range of risks and benefits of setting a 2016 ABC for witch flounder that is between the ABC calculated at 75% of F_{MSY} and the OFL. This discussion should, to the extent possible, identify the biological, economic, social impacts of the ABC.
2. Based on the analyses in TOR 1, consider identifying an ABC for witch flounder that is not bound by 75% of F_{MSY} . Provide a clear rationale that identifies the risks and benefits of such an ABC.
3. If an ABC that exceeds 75% of F_{MSY} is identified as considered by TOR 2, recommend any necessary adjustments to the OFLs and ABCs for FY 2017 and 2018.

Background

The 2015 Groundfish Operational Assessment Update included an assessment of witch flounder. The assessment uses a split in the survey time series to reduce retrospective error, and for the first time the terminal year estimates of biomass and fishing mortality were also adjusted to address retrospective error. These adjusted values are used for the stock's status determination. The stock was determined to be overfished (22% of SSB_{MSY}) and overfishing was occurring (246% of F_{MSY}) in 2014, resulting in no change in stock status compared to the previous assessment. .

The SSC reviewed the assessment at its October 2015 meeting and recommended the OFL and ABC for the period 2016-2018 (Table 1). The OFL was based on F_{MSY} applied to the estimate of 2016 biomass. The ABC was based on 75% F_{MSY} applied to the estimate of 2016 biomass, rather than $F_{rebuild}$, because the stock cannot rebuild by the end of the rebuilding period in 2017 even if $F=0$. The ABC would be held constant for three years. The resulting ABC is about 2/3 of recent calendar year catches. The Council gave preliminary approval to this ABC so that development of Framework Adjustment 55 could continue.

Table 1 – SSC recommendations for witch flounder OFL and ABC, October 2015

	2016		2017		2018	
	OFL	ABC	OFL	ABC	OFL	ABC
Witch Flounder	513	394	925	394	974	394

Under the current groundfish plan, if a sector exceeds its Annual Catch Entitlement (ACE) for a stock it is essentially prohibited from fishing in that stock area for the rest of the year¹. Witch flounder is widely distributed throughout the Gulf of Maine, Georges Bank, and Southern New England. Witch flounder is managed as a unit stock – that is, there are no geographic stock boundaries – so exceeding its ACE for witch flounder could prohibit all fishing by that sector for the remainder of the year. The regulations for common pool vessels are similar.

Because the preliminary ABC is substantially less than recent fishery catches of witch flounder, the Council is considering whether an ABC that exceeds the default control rule provides benefits that justify the increased risks. The Council asks the SSC to describe those risks and benefits, and suggest an ABC that will prevent overfishing as defined by the most recent assessment without limiting the ABC to the default control rule. The Council is not considering additional management measures for any fishery, including measures that would limit how a sector uses its ACE of witch flounder. No assumptions should be made on how the ABC will be caught (i.e. targeted or incidental catches).

Information

- 1.1 Memo from the PDT to SSC re 2016 ABC for Witch Flounder (January 13, 2016)
- 1.2 Presentation: 2016 ABC for Witch Flounder (Paul Nitschke, NEFSC and Jamie Courane, PhD, PDT Chair)
- 1.3 Northeast Fisheries Science Center. 2015. Operational Assessment of 20 Northeast Groundfish Stocks, Updated Through 2014. US Dept. Commerce, Northeast Fish Sci. Center Ref Doc. 15-24; 251 p. doi: Coming Soon. Available at: <http://www.nefsc.noaa.gov/publications/crd/crd1524/> and for witch flounder http://www.nefsc.noaa.gov/publications/crd/crd1524/Individual%20Stocks/Witch_flounder.pdf
- 1.4 2015 Groundfish Assessment Stock Assessment Support Information (SASINF), located here: http://www.nefsc.noaa.gov/saw/sasi/sasi_report_options.php (Assessment Year = 2015, Species Name = Witch flounder, Stock Area = UNIT, Information Type = Select All)
- 1.5 2015 Groundfish Assessment Oversight Panel Meeting Summary, September 13, 2015, located here: http://www.nefsc.noaa.gov/groundfish/operational-assessments-2015/docs/AOP%20Minutes%20%20July%2027%202015_final_v2.pdf
- 1.6 2015 Groundfish Assessment – Witch Flounder Presentation, September 14-18, 2015, available at: http://www.nefsc.noaa.gov/groundfish/operational-assessments-2015/Presentations/2015_WIT_UNIT_presentation_v1.pdf
- 1.7 Northeast Fisheries Science Center. 2012. Assessment or Data Updates of 13 Northeast Groundfish Stocks through 2010. US Dept. Commerce, Northeast Fish Sci. Cent Ref Doc. 12-06; 789 p. Available from: National Marine Fisheries Service, 166 Water Street, Woods

¹ The regulations do allow a sector to continue fishing if it can demonstrate that it can do so without catching the stock that threatens the closure. To date, no sector has used this regulatory provision. See 50 CFR 648.87 (b)(2)(xiv).

Hole, MA 02543-1026. Available at: <http://www.nefsc.noaa.gov/publications/crd/crd1206/> and for witch flounder

<http://www.nefsc.noaa.gov/publications/crd/crd1206/witchflounder.pdf>

- 1.8 Northeast Fisheries Science Center. 2008. Assessment of 19 Northeast Groundfish Stocks through 2007: Report of the 3rd Groundfish Assessment Review Meeting (GARM III), Northeast Fisheries Science Center, Woods Hole, Massachusetts, August 4-8, 2008. US Dept. Commerce, NOAA Fisheries, Northeast Fish Sci. Cent Ref Doc. 08-15; 884 p + xvii. Available at <http://www.nefsc.noaa.gov/publications/crd/crd0815/> and for witch flounder <http://www.nefsc.noaa.gov/publications/crd/crd0815/pdfs/garm3g.pdf>
- 1.9 Murphy T, Kitts A, Demarest C, Walden J. 2015. 2013 Final report on the performance of the northeast multispecies (groundfish) fishery (May 2013 – April 2014). US Dept. Commerce, Northeast Fish Sci. Center Ref. Doc. 15-02; 106 p. use this link: http://www.nefsc.noaa.gov/read/socialSCI/pdf/groundfish_report_fy2013.pdf
- 1.10 Memo from PDT to SSC re Groundfish OFLs/ABCs (October 9, 2015). Available at: http://s3.amazonaws.com/nefmc.org/3.5_151009-GF-PDT-memo-to-SSC-re-FY2016-FY2018-Groundfish-ABCs_FINAL.pdf
- 1.11 Sustainable Harvest Sector Witch Flounder Background Information
- 1.12 Northeast Seafood Coalition Witch Flounder Background Information