



## 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:** November 25, 2015  
**TO:** Council  
**FROM:** Tom Nies  
**SUBJECT:** Remand of an ABC to the Scientific and Statistical Committee

At its November 18<sup>th</sup> meeting, the Groundfish Committee passed the following motion:

*The Groundfish Committee recommends to the Council a preliminary ABC for witch flounder of 394 mt (with associated ACL and sub-ACLs) described in Table 10, Option 2 (Revised ACLs in Draft FW55 Alternatives, November 10, 2015). The Committee further recommends that the Council request that the SSC reconsider the ABC taking into consideration the incidental, non-target catch of witch flounder under the current prevailing operating conditions of the fishery.*

*The motion carried 11/0/0.*

Council members seeking to remand ABC recommendations back to the SSC should be aware that the Council has a policy in place for remanding recommendations back to the SSC and should be prepared to explain which of the four criteria that justify a remand are met.

***Council Remands to the SSC*** *The Council may remand back to its Scientific and Statistical Committee the SSC's recommendations based on the following criteria: (a) failure of the committee to follow the terms of reference provided to it by the Council; (b) an error, in fact or omission, in the materials provided to the committee; (c) an error in fact in the calculations, if any, undertaken by the Committee in developing an ABC recommendation; and (d) failure of the committee to follow its standard operating procedures.*

See the Council's policy (pp. 18 of the Operations Handbook located here [http://s3.amazonaws.com/nefmc.org/finpmf5.2015\\_Operations-Handbook.pdf](http://s3.amazonaws.com/nefmc.org/finpmf5.2015_Operations-Handbook.pdf))

Please let me know if you have any questions.