



New England Fishery Management Council

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John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: August 9, 2021
TO: Scientific and Statistical Committee (SSC)
FROM: Tom Nies, Executive Director
SUBJECT: **Terms of Reference – Specify overfishing levels (OFLs) and develop acceptable biological catch (ABC) recommendations for Georges Bank yellowtail flounder for fishing years 2022 and 2023**

Georges Bank Yellowtail Flounder OFLs and ABCs

Terms of Reference

Considering the Council's Risk Policy Statement, provide an OFL and an ABC recommendation for fishing years 2022 and 2023 that will prevent overfishing and meet the management objective to rebuild the stock, and that are consistent with the Council's ABC control rule for groundfish stocks.

The Council requests that the SSC forward a "Summary of Recommendations" section of the SSC's report by the end of the SSC meeting on August 24 so that it can be considered in developing recommendations for the US/Canada Transboundary Management Guidance Committee meeting.

(See list of documents for the assessment summary and Groundfish Plan Development (PDT) report under Information below).

Background

Georges Bank (GB) yellowtail flounder was recently assessed by the Transboundary Resources Assessment Committee (TRAC) in July 2021. This stock is assessed annually by the TRAC, and the Council needs the SSC to recommend an OFL and ABC for each year to enable it to set annual catch limits for FY2022- FY2023.

ABC recommendations are to be based on the fishing mortality strategies approved by the Council in Amendments 13 and 16 and related management actions. Status determination criteria should be used that are specified in Amendment 16 or subsequent actions. The general control rule for groundfish stocks that has been adopted is:

"These ABC control rules will be used in the absence of better information that may allow a more explicit determination of scientific uncertainty for a stock or stocks. If such information is available - that is, if scientific uncertainty can be characterized in a more accurate fashion -- it can be used by the SSC to determine ABCs, these ABC control rules can be modified in a future Council action (an amendment, framework, or specification package):

- a. ABC should be determined as the catch associated with 75% of FMSY.*
- b. If fishing at 75% of FMSY does not achieve the mandated rebuilding requirements for overfished stocks, ABC should be determined as the catch associated with the fishing mortality that meets rebuilding requirements (Frebuild).*
- c. For stocks that cannot rebuild to BMSY in the specified rebuilding period, even with no fishing, the ABC should be based on incidental bycatch, including a reduction in bycatch rate (i.e., the proportion of the stock caught as bycatch).*
- d. Interim ABCs should be determined for stocks with unknown status according to case-by-case recommendations from the SSC."*

In the 2014 GB yellowtail flounder assessment, the TRAC agreed to no longer use the VPA assessment model, and instead, to use an empirical approach relying on resource survey catches as the basis of catch advice. Because a stock assessment model framework is lacking for this stock, no historical estimates of biomass, fishing mortality rates or recruitment can be calculated, although past estimates from earlier approved models are available. Also, status determination relative to reference points is not possible because reference points cannot be defined and following the assessment, these were considered unknown. However, NOAA Fisheries has determined that GB yellowtail flounder is overfished, and overfishing is occurring. For fishing year 2022, the TRAC proposes using the "limiter approach" to set catch advice.

See information item #6 for SSC ABC and OFL recommendations and discussion for the current fishing year, 2021.

Information

1. The Council's Risk Policy Road Map (2016), that includes the Risk Policy Statement and Implementation Plan, see pp. 4-5 and 10-12
2. Transboundary Resources Assessment Committee (TRAC) Status Report for GB yellowtail flounder for 2021, Draft for PDT and SSC
3. Presentation: Overview of the 2021 TRAC assessment of GB yellowtail flounder (NEFSC staff)
4. Presentation: Groundfish Plan Development Team Report on GB yellowtail flounder (NEFMC staff)
5. Memo from Groundfish PDT to SSC re GB yellowtail flounder OFLs and ABCs, including a memo from the Scallop PDT
6. FY2021-FY2022 SSC ABC and OFL recommendations for GB yellowtail flounder (September 23, 2020, Memo from SSC to Tom Nies)
7. State of the Ecosystem and Current Conditions. NOAA/NEFSC. Available at :
<https://www.fisheries.noaa.gov/new-england-mid-atlantic/ecosystems/state-ecosystem-reports-northeast-us-shelf>