



August 22, 2022

Tom Nies
Executive Director
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Re: Scientific and Statistical Committee discussion on Georges Bank cod ABC 2023-2024

Dear Tom,

The Northeast Seafood Coalition (NSC) is writing to request the Scientific and Statistical Committee (SSC) consider a new 2023-2024 ABC for Georges Bank (GB) cod. Specifically, an ABC that attempts to reduce the significant economic impacts occurring from the present catch advice largely generated by the PlanBSmooth assessment approach, which is scheduled to be replaced by a more robust analytical assessment within the next two years.

Last year, NSC wrote to the Council (see attached letter) requesting GB cod be remanded back to the SSC for reconsideration. NSC was hopeful that the SSC with relevant information available, including 2020 catch information and more complete socio-economic information for the commercial and recreational fisheries, would reconsider the Council's Risk Policy and GB cod ABC previously recommended. NSC was also hopeful the SSC would recall its recommendation in 2017 that alternative approaches be investigated, such as capping the proportional change from year to year, when using the PlanBSmooth approach as the basis to recommend GB cod catch advice.

NSC understands that the SSC is not revisiting the PlanBSmooth assessment approach at this time. However, it is critical to highlight the scientific uncertainty that is now driving the economic harm to the commercial fishery, as indicated by the sector letter submitted to the SSC. The harm to the commercial groundfish sector program is not only caused by the GB cod quota reduction but also through the loss of yield from other allocated groundfish stocks to the commercial sector program. This is occurring now and will continue to occur in the 2023 and 2024 fishing years until such time as the Atlantic cod research track assessment and management update is complete.

The PlanBSmooth assessment approach was adopted in 2015. This approach was developed after the Rho Adjusted 2012 benchmark assessment ASAP model was rejected. The PlanBSmooth was considered *a temporary assessment approach*. It has always been acknowledged that this approach, averaging survey data and using a loess smooth, may not adequately dampen the noise generated by the survey data. It is also known that there can be large changes in the multipliers and if catch is not close to the quota, there could be large changes in the quotas calculated even when the multiplier is close to one. This reality largely led to the SSC recommendation in 2017 to consider alternative approaches that cap the proportional change in catch advice.

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The trawl survey does not catch GB cod consistently throughout the entire GB cod stock area, most likely due to randomly generated tow locations and seasonality of the survey. Thus, the trawl survey data does not reflect the GB cod catch occurring throughout the range from the commercial and recreational fleet. This is seen in the high 2020 catch information released by NOAA fisheries last year, that represents state and recreational catch, after the SSC deliberations.

Further, this assessment approach does not mirror the process followed by the U.S. – Canada Transboundary Resource Assessment Committee (TRAC) for the eastern portion of Georges Bank cod. The TRAC rejected the ASAP model in 2017. Since that time the TRAC has used different approaches to assess this stock and most recently have adopted the DMLtool (data limited) assessment approach as their Plan B “*temporary assessment approach*” in 2021. This inconsistency in approaches has been flagged throughout the U.S. stock assessment process.

It’s critical for SSC members to realize that the ABC adopted through the SSC process is further reduced to reflect the shares negotiated through the U.S. – Canada Sharing Agreement. ***The remaining portion of the ABC left for the U.S. fishery, and groundfish sector sub-ACL in 2022, is significantly less than the amount approved by the SSC.***

Decline in US ABC from FY2021 to FY2022:

Total ABC = 754 mt
Canadian TAC = 411 mt
US ABC 2022= 343mt
US ABC 2021 = 1,308 mt
73.8% decline

The commercial groundfish sector program has been operating with high levels of monitoring and reporting requirements since the inception of the sector program in 2010. On December 14, 2021, the NOAA Fisheries Regional Administrator announced the ASM coverage for the present fishing year would be up to 99% until Amendment 23 measures, an industry funded groundfish monitoring program, is finalized.

There has been a significant reduction in effort in the commercial fishery since the inception of the sector program. The number of commercial vessels actively fishing, most notably in the offshore groundfish fishery, has been greatly reduced due to the instability in the assessments, big swings allowed in catch advice and low quotas being held constant for extended periods. In most cases, quotas that often do not adequately reflect what fishermen are seeing on the water.

Overall, the financial viability of many groundfish fishing businesses, along with their sector entities that depend upon their landings to remain functional, is in jeopardy. Many sectors have already consolidated and some have ceased operations. There is simply not enough fish in the sector program to allow for vessels, under the sector program, to actively fish in the Georges Bank cod stock area safely. Sectors and their active members are anticipating the worst, being shut down mid-season.

As you’ll read from the sector manager letter, lease prices for Georges Bank cod have already skyrocketed this fishing year. While we raised these concerns last year when requesting a remand to the SSC; the severity was not captured in the analysis and models used under Framework 63. Further, the SSC was not presented with any analysis showing the impact to lease prices and the fishery when you

convened last year. These extreme prices are not sustainable in light of average market price and increase in fuel expenses.

There is a high level of accountability in the groundfish sector program *that is unlike any other fishery in this region*. This not only includes monitoring but also weekly, sometimes daily, reporting requirements as well as other yearly sector reporting mandates and thorough data reconciliation process.

In light of the underlying scientific uncertainty with the PlanBSmooth assessment approach, the ongoing Atlantic cod research track work and economic constraints, NSC urges the SSC to reconsider the 2023-2024 ABC to a level that allows the sector program to remain functional. When broken down at the sector and then vessel level, the current sub-ACL for the groundfish sector program is well below any bycatch allocation for an active business fishing throughout the Georges Bank cod stock area and the loss of yield for other groundfish stocks is significant. Furthermore, critical information is being lost through commercial fisheries data that could lead to improvements in the stock assessment over the long-term. *The data being generated from the groundfish sector program is like no other.*

NSC greatly appreciates your attention to this important issue that we strongly believe is process not biomass driven. We urge the SSC to consider a recommendation that is mindful of the stock but attempts to strike a better balance with the needs of the groundfish sector program until such time as the Atlantic cod research track and management update are complete. There is a high level of accountability in the sector program that after twelve years of implementation should be yielding some positive benefits for the remaining active participants not the threat of having to cease fishing, lost opportunities to harvest other allocated stocks, and potential impacts, that could be long-term, to the U.S. market share.

Sincerely,



Jackie Odell
Executive Director

December 3, 2021

Mr. Eric Reid, Chairman
New England Fishery Management Council
Via: Email

Dear Eric,

We are writing to support a remand of the Georges Bank cod (GB cod) Acceptable Biological Catch (ABC) back to the Council's Scientific and Statistical Committee (SSC) for reevaluation.

When the SSC met on October 25, 2021, the SSC did not have all the relevant information available when considering the ABC recommendation for GB cod. SSC members did not have socio-economic information, as outlined in the Council's Risk Policy Road Map, nor did they have final catch information from the 2020 fishing year that offers a different signal for the resource.

On November 19, 2021, a month after the SSC meeting, NOAA Fisheries Regional Office (GARFO) released the final 2020 catch report. This report states that the recreational fishery (combination of federal recreational and state waters) caught 294.4 mt of GB cod in 2020. *This 2020 catch represents roughly 85% of the 343 mt that would be made available to ALL U.S. fisheries in 2022-2024, based upon the recent GB cod assessment report and SSC recommendation. This high 2020 catch is occurring in areas not factored into the PlanBsmooth empirical assessment for GB cod. This is incongruent with the purported status of the resource.*

Continuing to rely upon a "noisy," "data limited" PlanBsmooth assessment which only factors in three years of Georges Bank survey strata/data, with one year missing due to the pandemic, is a serious problem. An SSC recommendation that represents an 80% reduction in the allowable catch for U.S. fisheries using this limited approach without factoring in the signal from the 2020 catch information is wrong.

During the SSC meeting, there was limited to no socio-economic (commercial and recreational) information for the SSC to evaluate the economic risks associated with the highly uncertain assessment and the ABC derived. This is not only counter to the directive offered by the Council's own Risk Policy but it is also inconsistent with how other FMPs provide socio-economic data for SSC consideration and deliberations under a Risk Policy Matrix.

To conclude, we implore the Council to offer a remand to the SSC that factors in all the relevant information available and reconsiders the ABC advice in a manner which does not result in an extended delay of Framework 63.

Specifically, the SSC should evaluate the economic and biological impacts associated with a phased in approach as outlined in the SSC minority report, whose linear decline represents a substantial conservation benefit. This request is consistent with the Council's ABC Control Rule:

Option d.: Interim ABCs should be determined for stocks with unknown status according to case-by-case recommendations from the SSC.

It is also consistent with prior SSC recommendations on GB cod, October 23, 2017 SSC report.

9. Recommend that the “PlanBsmooth” approach be simulation tested to answer questions about the assessment techniques stability and that other control rule options be investigated such as capping the proportional change from year to year when using this approach.

The Council has also supported a phased approach under their comments for National Standard 1 that we view is warranted now under this circumstance.

The commercial and recreational fishery deserve an SSC evaluation that includes all relevant information before being subjected to the economic losses derived from an assessment approach which is rife with uncertainty.

Sincerely,

Jackie Odell, Executive Director
Northeast Seafood Coalition

Maggie Raymond, Executive Director
Associated Fisheries of Maine