



## New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

# MEETING SUMMARY

## Groundfish Committee

Hilton Garden Inn, East Boston, MA and by Webinar  
September 15, 2022

The Groundfish Committee (Committee) met on September 15, 2022 in Boston and by Webinar to discuss: 1) Framework Adjustment 65/Specifications and Management Measures; 2) Amendment 23 Review Metrics; 3) Atlantic Cod Management; 4) Possible Council 2023 Priorities; 5) NOAA's National Saltwater Recreational Fisheries Policy; and 6) Other business, as necessary

**MEETING ATTENDANCE:** Rick Bellavance (Chair), Libby Etrie (Vice Chair), Togue Brawn, Peter Christopher, Melanie Griffin, Megan Ware, John Pappalardo, Mike Pierdinock, Paul Risi, Dan Salerno, Wes Townsend, and Alan Tracy; Dr. Jamie Cournane, Robin Frede, and Angela Forristall (New England Fishery Management Council (NEFMC) staff); Mitch MacDonald (NOAA General Counsel (GC)); Ben Martens (Groundfish Advisory Panel (GAP) chair); Roger Brothers (Gulf of Maine Research Institute (GMRI)); and Russell Dunn (NOAA Fisheries, Office of the Assistant Administrator).

In addition, approximately 27 members of the public attended. Among them were: Mark Grant, Kyle Molton, Liz Sullivan (Greater Atlantic Fisheries Regional Office (GARFO)); Paul Nitschke (Northeast Fisheries Science Center (NEFSC)); Jason Didden (Mid-Atlantic Fishery Management Council (MAFMC) staff); Jackie Odell (GAP vice-chair); Dr. Lisa Kerr (GMRI); Dr. Steve Cadrin (UMass Dartmouth); Tracey Bauer (Atlantic States Marine Fisheries Commission (ASMFC)); Council Chair Eric Reid; Council member Eric Hansen; and Janice Plante (NEFMC staff).

**SUPPORTING DOCUMENTATION:** Discussions were aided by the following documents and presentations: (1) Meeting overview memo from Groundfish Committee Chair and agenda; (2) Presentation, Council Staff; (3a) Framework Adjustment 65 draft alternatives outline; (3b) The Council's Risk Policy Road Map (2016), that includes the Risk Policy Statement and Implementation Plan, see pp. 4-5 and 10-12.; (3ci) 2021 Fall Management Track Stock Assessments and Peer Review of GB cod and GOM cod; (3cii) 2022 TRAC Status Report for EGB cod; (3ciii) Memo from Groundfish PDT to SSC re Rebuilding Strategies for Gulf of Maine cod; (3civ) Memo from Groundfish PDT to SSC re GB cod additional relevant information; (3cv) Memo from Groundfish PDT to SSC re Cod OFLs and ABCs FY2022-FY2024; (3cvi) Risk policy matrix for GOM cod; (3cvii) Risk policy matrix for GB cod; (3di) 2022 Spring Management Track Assessment of SNE/MA winter flounder; (3dii) 2022 Spring Management Track Peer Review of SNE/MA winter flounder; (3diii) Memo from Groundfish PDT to SSC re SNE/MA winter flounder OFLs and ABCs FY2023-FY2025; (3div) Risk policy matrix for SNE/MA winter flounder; (3ei) 2022 TRAC Status Report for GB yellowtail flounder; (3eii) Memo from Groundfish PDT to SSC re GB yellowtail flounder OFLs and ABCs FY2023-FY2024 and memo from Scallop PDT; (3eiii) Risk Policy matrix for GB yellowtail flounder; (4) Council 2022 Priorities; (5a) Groundfish Committee Meeting Summary, Jun. 14, 2022; (5b) Council Meeting, motions, Jun. 28-30, 2022; (5c) Scientific and Statistical Committee (SSC) Report, re GOM cod rebuilding, Aug. 4, 2022

meeting; (5e) Recreational Advisory Panel Meeting Summary, Aug. 31, 2022, draft; (5f) Groundfish Advisory Panel Meeting Summary, Aug. 31, 2022, draft; (6a) NOAA Fisheries National Saltwater Recreational Fisheries Policy, 2015; (6b) Presentation, NOAA Fisheries; (6c) Discussion Guide, NOAA Fisheries; (6d) How to comment to NOAA Fisheries; (7) Presentation: Atlantic cod management strategy evaluation project, Gulf of Maine Research Institute staff; (8) Correspondence; (9a) Presentation: Transboundary Management Guidance Committee; and (9b) 2022 Transboundary Resource Assessment Committee (TRAC) Reports

The meeting began at 9:05 am.

***KEY OUTCOMES:***

- The Committee recommends the Council approve the TMGC’s recommendation of a US/CA TAC for 2023 for Eastern Georges Bank cod of 520 mt.
- The Committee recommends the Council approve the TMGC’s recommendation of a US/CA TAC for 2023 for Georges Bank yellowtail flounder of 200 mt.
- The Committee moves to task the Groundfish Plan Development Team to consider Georges Bank cod recreational catch targets that include the current 75 mt catch target and the methodologies to calculate a recreational catch target explored in Framework Adjustment 63.
- The Committee recommends the Council send a letter to New Jersey and New York communicating concern with recent levels of recreational catch of Georges Bank cod and request consideration of complementary rule making regarding slot limit, possession limit and seasonal restrictions.
- The Committee discussed as possible priorities, in no ranked order:
  - Examining modifications to the universal sector exemptions for redfish.
  - Continue as a multi-year priority work on Acceptable Biological Catch (ABC) control rules to examine Approach #2 – Modify the existing Control Rules and Approach # 3 – Replace the existing Control Rules
  - Evaluate fisheries exceeding 5% total catch for Southern New England/Mid-Atlantic winter flounder
  - Evaluate the uncertainty in Georges Bank cod catch estimates and recommend how to use in recreational management.
  - Develop a mechanism to quantify how many anglers are catching/targeting groundfish.
  - Evaluate the current and potential new Northeast Multispecies management measures to protect Atlantic cod spawning, within the Council’s transition plan to move from 2 units to up to 5 units (multi-year priority)

***AGENDA ITEM #1: MANAGEMENT ACTION UPDATES, LIZ SULLIVAN (GARFO)***

Liz Sullivan (NMFS GARFO) informed the Committee Framework 63 and a rule implementing Gulf of Maine (GOM) cod and haddock recreational measures for the current fishing year have been approved and implemented. The agency also approved Amendment 23 in its entirety and anticipates publishing the final rule in the fall with an effective date prior to the end of the calendar year.

***Questions and Comments on the Presentation:***

A Committee member asked if Amendment 23 will be approved as one full package. Pete Christopher (NMFS GARFO) confirmed it will be and stated the 30-day delay in implementation from final rule publication to effective date may be waived.

A Committee member asked if the agency has provided the Council with any updates on the status of the Southern New England/Mid-Atlantic (SNE/MA) winter flounder stock. Mr. Christopher said the agency is still in the process of developing and signing a memo on this topic to send to the Council, but recommended the Committee hold off on taking any action with respect to revisions to the SNE/MA winter flounder rebuilding plan at this time. Another Committee member noted that the Scientific and Statistical Committee (SSC) discussed how the stock biomass is still low despite the change in stock structure, and the Committee might want to continue work looking at other fisheries catch of SNE/MA winter flounder as a 2023 priority.

***AGENDA ITEM #2: REPORTS, FRANK BLOUNT (RAP CHAIR), BEN MARTENS (GAP CHAIR), AND LIBBY ETRIE (TMGC CHAIR)***

***RAP and GAP:***

Mr. Bellavance (Committee chair) provided the Committee with a summary of the discussions and motions discussed at the August 31<sup>st</sup> RAP meeting. Mr. Martens (GAP Chair) provided the Committee with a summary of the motions from the GAP meeting.

***Questions and Comments on the Presentation:***

One committee member asked if the GAP was intending an examination of modifying the universal sector exemptions for redfish be an addition to 2022 priorities or be considered as a 2023 priority. Council staff explained the GAP was hoping modifications to the redfish exemption would be in place for the 2023 fishing year so this would need to be included in Framework 65. Staff noted this is not something currently being considered in the framework and the Committee will need to discuss adding it. Another Committee member asked if the concerns about water temperature impacting cod rebuilding in the GAP's second motion were grounded in science. Mr. Martens explained he was unsure if there is a direct study that was being referred to but noted the maker of the motion shared anecdotal evidence and is a part of a lot of research projects.

***TMGC:***

Ms. Etrie (TMGC co-chair) provided a summary of the discussions that occurred at the September Transboundary Management Guidance Committee (TMGC) meeting. The TMGC followed the Transboundary Resources Assessment Committee's advice of a 520 mt totally allowable catch (TAC) for Eastern Georges Bank (EGB) cod and 200 mt TAC for Georges Bank (GB) yellowtail flounder for FY2023. The United States and Canadian contingencies were not able to come to agreement on an EGB haddock TAC, with the United States proposing 3,238 mt and the Canadians proposing 4,000 mt. Discussions have been paused until after the bank wide assessment for Georges Bank haddock occurs.

***Questions and Comments on the Presentation:***

One committee member that sits on the TMGC noted the Canadians assured the U.S. delegation that if no agreement is reached on EGB haddock they will still abide by their agreed upon percentage share, which would be 58% of 4,000 mt. A committee member asked if the Council will discuss haddock if there has still not been a decision before the September Council meeting. Council staff explained staff will provide more details at the Council meeting if this takes place but noted there is an October 31<sup>st</sup> deadline to come to an agreement.

**1. MOTION: ETRIE/Pappalardo**

That the Committee recommends the Council approve the TMGC's recommendation of a US/CA TAC for 2023 for Eastern Georges Bank cod of 520 mt.

**Public Comment:**

- Jackie Odell (Northeast Seafood Coalition) thanked the U.S. TMGC members and noted appreciation for the TMGC selecting 520mt for EGB cod to allow for more fishing opportunities bank wide.

**MOTION #1 CARRIED 11-0-0.**

**2. MOTION: ETRIE/SALERNO**

That the Committee recommends the Council approve the TMGC's recommendation of a US/CA TAC for 2023 for Georges Bank yellowtail flounder of 200 mt.

**MOTION #2 CARRIED BY CONSENSUS AND WITHOUT OBJECTION.**

***AGENDA ITEM #3: FRAMEWORK ADJUSTMENT 65/SPECIFICATIONS AND MANAGEMENT MEASURES, DR. COURNANE (NEFMC)***

Council staff shared a timeline of groundfish actions by quarter for 2022. Staff shared the goals, objectives, scope, and range of alternatives of Framework 65 (FW65) and a timeline for the action.

Staff shared the Groundfish Plan Development Team's (PDT) analysis of different Gulf of Maine cod rebuilding projections under a low mortality (M=0.2) and high mortality (M-ramp) model and with different recruitment assumptions. Staff explained the Council received a letter from GARFO that GOM cod was making inadequate progress on rebuilding and the Council must implement a new rebuilding plan by August 2023. Projections under low natural mortality do result in rebuilding in ten years, but projections under high natural mortality or low natural mortality and low recruitment do not. Council staff shared a preliminary summary of the SSC's feedback, noting the SSC agreed with the PDT's recommendation of using the current Acceptable Biological Catch (ABC) of 551mt through FY2024.

Staff provided updated survey indices, catch performance, landings and discards, utilization, and economic information for Georges Bank cod, Southern New England/Mid-Atlantic (SNE/MA) winter flounder, and Georges Bank yellowtail flounder. Staff explained how the GB cod recreational catch target is set and reviewed the different alternatives considered by the Council last year which explored different lengths of closed seasons and fish sizes. Staff noted SNE/MA winter flounder is no longer considered overfished and is rebuilt, but this determination is a direct result of changes made to the recruitment stanza going into the projections. Council staff's preliminary summary of the SSC's ABC recommendations for these stocks were shared. Staff also shared the Risk Policy Matrices for these stocks and the GAP's feedback on the matrices.

Staff noted the PDT is exploring ways to refine the groundfish ABC control rules and noted approaches to modify or replace the existing control rules could be added to the 2023 priorities. Staff also shared the GAP's motion recommending the Groundfish Committee recommends to the Council to examine modifications to the universal sector exemption for redfish be in place for fishing year 2023. Staff noted when the exemption was established in FW61, it included the establishment of a review process that would take place after a stock assessment is conducted. Redfish is scheduled to be assessed in 2023.

**Questions and Comments on the Presentation:**

A committee member asked what would happen if the Council does not establish a revised rebuilding plan for GOM cod by the deadline. Attorney MacDonald (NMFS GARFO) explained if a rebuilding plan

is not in place the agency would follow its own set of statutes to establish one, but it would not be in place immediately after the Council deadline passed. The committee member then asked if the rebuilding projections could be updated with current calendar year catch estimates instead of assuming catch is the annual catch limit (ACL). Staff responded this update could be completed if the PDT is able to get the catch estimates and noted it would be interesting to see the impact since catch is likely below the ACL. Staff explained to a committee member the GOM cod research track peer review is scheduled for 2023 and the plan is to move that assessment with any additional data from the terminal year directly into a management track assessment to set catch advice for the next three years.

One committee member asked if, in the future, rebuilding projections that do not rebuild the stock in ten years could be run out to see when rebuilding occurs. Paul Nitschke (NEFSC) noted some projections for GOM cod asymptote below the rebuilt spawning stock biomass (SSB). Council staff noted that the PDT is uncomfortable with developing a rebuilding plan that goes beyond ten years since this is typically reserved for fish with special biological considerations like longer generation times. The committee member noted it seems bizarre that the GARFO letter on inadequate rebuilding calls out low recruitment, but that the rebuilding projections use average recruitment. A different committee member noted high water temperature keeps coming up as an ecological factor negatively impacting rebuilding.

A committee member asked if the slides depicting Annual Catch Entitlement (ACE) lease prices were just inter-sector lease values or inter- and intra-sector values. They noted SNE/MA winter flounder shown to be leasing at \$0.00 but is trading for \$0.20 within their sector. Staff noted the graphs are only showing inter-sector lease values. The committee member asked which values (inter- or intra-) would be included in the Risk Policy matrices. Staff explained only inter-sector ACE lease values would be included based on the model available. The committee member noted it might be valuable to show the lower internal lease prices.

A committee member asked what the accountability measure (AM) is for the small-mesh fishery if they exceed their GB yellowtail flounder sub-ACL and noted it appears to have occurred in 2021. Staff noted the AM will be in place even if the total ACL is not exceeded, and it requires the fishery to use a gear type approved by the Regional Administrator that reduces the catch of flatfish. Another committee member noted there has been high discards of yellowtail flounder in the scallop fishery. Pete Christopher (GARFO) noted preliminary estimates indicate around 200% of the scallop sub-ACL has been caught.

One committee member asked if the Committee should provide more guidance about how to apply ABC control rules in situations like what has occurred for SNE/MA winter flounder (the stock has been declared rebuilt, but biomass is still low). Staff explained the SSC report will provide guidance on this issue when it becomes available.

A committee member asked when preliminary estimates of recreational catch data will be available. Council staff noted some estimates will likely be available in mid-October. Wave 3 data is currently available, but the percent standard errors (PSEs) are very high. They will likely come down as Wave 4 data is added.

A committee member referenced a letter submitted by the Stellwagen Bank Charter Association in 2021 and an update in the recent correspondence dated September 12, 2002 and summarized the letter's contents. The recreational community has observed large numbers of cod of various sizes in Massachusetts State waters to Stellwagen Bank to east of Cape Cod and further east to south east of Nantucket Shoals. Individuals targeting bait for bluefin tuna and mackerel are also catching cod. The committee member noted they suspect due to climatic shift of cod and other species that these cod are not being captured by the trawl surveys because the cod and other species are arriving sooner, leaving later

and found at locations not historically found in the past. The committee member expressed hope that observations by the recreational community could be incorporated into stock assessments in the future.

Public Comments and Questions on the Presentation:

- Jackie Odell (Northeast Seafood Coalition) asked how the Council calculated 75 mt as the recreational catch target for last year. Staff explained the Council looked at the range of catch target options provided and back calculated that 75 mt would be a 54% reduction from the previous year to set the value.
- Joe Orlando (Gloucester Fisherman, Sector II) stated Georges Bank cod was leasing for around 15 cents/pound last year, but this year it is so high it has pushed the lease price of FOM cod from one dollar/pound last year to three dollars/pound this year. He also noted that fuel is up to six dollars/gallon. Mr. Orlando explained these factors may all result in him needing to shut down operations before the end of the fishing year, and these prices are mostly impacting the small-boat fleet. Staff noted that the SSC received a letter from sector managers outlining the high lease prices for cod and other high costs to go fishing.
- Allison Lorenc (Conservation Law Foundation) reiterated a committee member's concern on incorporating average recruitment into rebuilding projections for GOM cod.
- Megan Lapp (SeaFreeze Ltd.) asked where the estimates of SNE/MA winter flounder catch in the squid fishery for 2020 came from since there was an observer waiver from March 2020 to March 2021 because of the COVID-19 pandemic. Ms. Lapp noted the estimates are very high, but that there was less fishing going on than in 2019. Liz Sullivan (GARFO) explained FY2019 and FY2020 discard rates were combined to calculate the other sub-component catch of SNE/MA winter flounder in FY2020, and that if there were fewer trips this would have been reflected in the estimate.

**3. MOTION: CHRISTOPHER/PAPPALARDO**

That the Committee task the PDT with developing spawning protections for winter and spring Gulf of Maine cod spawners to promote rebuilding of the Gulf of Maine cod stock.

**Rationale on the Motion:** GARFO discussed measures that the Council might consider that would help Gulf of Maine cod rebuild. We considered several different ways, including spawning protections, that we could think that could help rebuilding in some way. We considered: Ways to protect larger fish through gear and possession limits; limiting fishing in single stock areas; a prohibition on retention; application of broad gear restrictions; and administrative measures such as modification to uncertainty buffers and carryover. With operational challenges for fleets and administrative challenges, including enforceability, we suggest that revisions to spawning protections for the stock is the solution with the most potential to promote rebuilding. Stronger and more meaningful spawning protections that reduce or remove the impact of all fishing activity would help ensure that fishing mortality targets and thresholds are successful by promoting recruitment in the stock.

**Discussion on the Motion:**

A committee member asked if spawning protections would apply to all gear types and both the commercial and recreational fisheries. The maker of the motion noted some of the current cod protection areas still allow for some types of activity and provided, as an example, midwater trawling which can disrupt cod spawning activity. They noted this should be thought of as full-scale protection, and the motion is intentionally broad to allow for discussions by the PDT and Council. They explained this would not be a marine protected area (MPA) and noted the PDT could look at the condition of spawning cod, their presence in different areas, and spawning congregations.

There was discussion among Council members if winter and spring spawners refers to the new stock structure. The maker of the motion explained the motion is considering the current stock structure, but appropriate and effective spawning protections put into place under the current stock structure would still benefit cod under a new stock structure. The spawning protection areas would likely be in statistical areas 511, 512, 513, and/or 514.

Committee members discussed if this would involve adjusting the current cod protection areas, and if areas were discovered to no longer be beneficial if they could be removed. The maker stated this could be a possible finding by the PDT, but they might also decide to replace them with more appropriate spawning closure areas. They noted they do not expect the closures to be year-round but focused on times and areas when cod spawning is expected. They also explained the closures would only impact federally permitted commercial or recreational vessels. A committee member expressed concerns that if the recreational community is shut out of an area, there would be no fishing activity taking place to monitor if the spawning protections are helping.

Committee members discussed how the analysis to inform these spawning closure areas would differ from the analysis done for Framework 53, which considered an analysis done by the Closed Area Technical Team (CATT). Staff explained the rolling closures analyzed in Framework 53 were intended to reduce cod mortality and noted Amendment 14 implemented additional habitat protection closures intended to have multiple benefits. Staff stated during the development of Framework 53 the Council believed the stock would rebuild and there was a provision that allows for the rolling closures to be reviewed and potentially removed once the biomass reaches 50% of the target biomass. The stock has not reached that threshold yet.

A committee member asked if it would be feasible to have an analysis to inform spawning closures completed by the December Council meeting. Staff explained analysis completed for Framework 53 took a lot of time and there were still some items that needed clarification after final action. They noted this could potentially result in a delay in Framework 65.

There was a discussion among committee members about what information would be used to inform new closure areas. One asked if this would be based on the spawning data from the Massachusetts Department of Marine Fisheries Industry-Based Survey (IBS). Melanie Griffin (MA DMF) noted the most recent spawning data from the IBS would be 2019 data. The committee member noted maturity information is not collected by the recreational or commercial fishery, and there are not federal survey stations in the areas being considered. Multiple committee members noted they could not support the motion because it was overly broad and did not seem to be supported by the best scientific information available. The maker of the motion reiterated it was meant to be broad to allow for PDT analysis and Council discussion.

**Public Comment:**

- Joe Orlando (Gloucester Fisherman, Sector II) noted the motion seemed premature considering the current discussions regarding cod stock structure. He also noted there are already closures in place that protect cod spawning. The maker of the motion noted there are closures in place, but recruitment numbers indicate they are not providing benefits to spawners.
- Jackie Odell (Northeast Seafood Coalition) stated the Framework 53 closures, Whaleback closure, and habitat amendment closures all have multiple purposes, with one of them being spawning protection. Ms. Odell said the motion could be interpreted as specifically instructing the Council look at closures in place and analyze if they are effective. She noted there needs to be monitoring of time-area closures and they cannot be put into place and then never evaluated for efficacy. She referenced a letter sent by the Northeast Seafood Coalition in April discussing how high levels of monitoring could allow for dynamic spawning protection closures. She also expressed frustration about this analysis being added to Framework 65 this late in the year.

- Al Cottone (Gloucester Fisherman) noted the industry is giving the agency real-time information through VMS, eVTRs, and electronic monitoring and noted time-area closures seem like an out-of-date solution for a modernized industry. He stated closures will force the industry into areas where they will have to fish more dirty.
- George Lapointe (Blue Harvest Fisheries) agreed with the sentiments expressed by others and urged committee members to vote no.
- Allison Lorenc (Conservation Law Foundation) expressed support for the motion and appreciated that it was broad. She believed it is premature to be worrying about a delay in the framework at this time. She also noted that the final rule for Framework 53 included GOM cod spawning protection as a stated goal of the rolling closures.
- Joe Orlando (Gloucester Fisherman, Sector II) stated the GOM cod stock is healthy and being caught in large numbers by the lobster fishermen.

**MOTION #3 FAILED 1-8-2.**

**4. MOTION: WARE/ETRIE**

Move to task the Groundfish Plan Development Team to consider Georges Bank cod recreational catch targets that include the current 75 mt catch target and the methodologies to calculate a recreational catch target explored in Framework Adjustment 63.

**Rationale:** A catch target must be set. Last year the PDT presented some options with informative analysis, and this would update those options and the status quo.

**Discussion on the Motion:**

The maker of the motion clarified for an advisor that this would be tasking the PDT to do a similar analysis to what was conducted last year but to update the terminal year of the analysis and update the ABC to the FY2023 ABC. Staff explained the data comes out of the most recent stock assessment and the CY2021 recreational data might not be available yet. Staff noted that if there is no action taken to establish a recreational catch target, the catch-target will be set based on the subcomponent analysis which typically averages the most recent three years of catch.

**Public Comment:**

- Jackie Odell (Northeast Seafood Coalition) asked if the PDT would be considering the 2023 recommended ABC in the analysis. Council staff noted this is correct.

**MOTION #4 CARRIED BY CONSENSUS AND WITHOUT OBJECTION.**

**5. MOTION: GRIFFIN/ETRIE**

Move the Committee recommend the Council send a letter to New Jersey and New York communicating concern with recent levels of recreational catch of Georges Bank cod and request consideration of complementary rule making regarding slot limit, possession limit and seasonal restrictions.

**Rationale on the Motion:** There is a disconnect between some state's recreational measures and the federal recreational measures.

**Discussion on the Motion:**

Council staff noted the Council sent a letter to the Mid-Atlantic Fishery Management Council notifying them of the recreational changes made this year, and this would be a more direct ask to the states to ask them to consider developing parallel measures. Staff also noted these states should also be informed the Council will be considering a new catch target and updated measures in January.

A committee member stated states that do not have parallel measures should be notified they are out of compliance. Attorney MacDonald (NOAA GC) explained state laws must not undermine federal fishery management plans (FMPs) for fisheries that occur predominantly in federal waters and are governed by a federal FMP. He noted if a state was found to be undermining the FMP it is possible the state laws could be preempted until their laws are corrected but noted that this would be a long process.

#### **MOTION #5 CARRIED BY CONSENSUS AND WITHOUT OBJECTION.**

##### ***AGENDA ITEM #4: AMENDMENT 23 REVIEW METRICS, MS. FREDE (NEFMC)***

Council staff shared the previous Groundfish Committee and Council input on possible review metrics and indicators to include in a review of the groundfish monitoring plan implemented by Amendment 23 (A23). The PDT will be developing a living discussion document of these possible metrics and indicators which will be reviewed by a sub-panel of the SSC in 2023.

##### ***Questions and Comments on the Presentation:***

A committee member asked if the sector managers will be consulted with on the metrics since they might be able to ground truth the findings. Staff agreed this would be valuable for the PDT to do.

##### ***AGENDA ITEM #5: ATLANTIC COD MANAGEMENT, DR. COURNANE (NEFMC) AND ROGER BROTHERS (GMRI)***

Roger Brothers (GMRI) presented preliminary work by GMRI and partners in developing a management strategy evaluation (MSE) to test the performance of alternative management unit scenarios that better align management with the assumed biological population boundaries of Atlantic Cod. Mr. Brothers showed how the populations dynamics model developed by GMRI can be used to calculate the true SSB for each population and proposed management units.

##### ***Questions and Comments on the Presentation:***

A committee member asked for clarification on the RAP's motion that if a recreational allocation of GB cod is made it should use new MRIP data for the recreational fishery and that state waters catch should factor into the allocation. They asked if the RAP intended this to include the state water commercial component. Staff explained that would fall under the state component for GB cod and commercial and recreational would be separate. They noted state waters recreational catch without a federal permit is separate from state waters recreational catch with a federal permit and there is catch accounting of state waters commercial and state waters recreational catch.

A committee member asked what the timeline for the project is. Mr. Brothers explained they are working in parallel with the research track process because a lot of the model specifications will inform the MSE simulations. He noted they hope to begin testing in the next six months. A committee member asked if environmental variables like water temperature changes will be included in the simulations since environmental changes may result in distribution shifts. Mr. Brothers noted if the research track includes environmental covariates in the assessment specifications they would consider them. Dr. Lisa Kerr (GMRI) noted the initial phase is focusing on the spatial questions, but they do have the capacity to incorporate climate change impacts on natural mortality and recruitment.

A committee member asked if there are clear goals and objectives for the MSE. Mr. Brothers noted one of his goals in presenting to the Committee was to get feedback on goals and performance outcomes to consider and what kinds of results will be most beneficial. Another committee member expressed they are struggling with how to use this information to think through management implications like financial disruptions and changes to the permit market and noted this may be because there is a lack of clear goals and objectives. Dr. Kerr noted a strategy should be developed about how to incorporate feedback as different management options are considered. She noted they could sketch out more details of the different scenarios and get input on them. At this time, there is no economic analysis planned beyond the impacts on yield.

A committee member asked if the different scenarios assume there is a reallocation of commercial quota. They noted a reallocation could be linked to what statistical area catch is coming from. Dr. Kerr explained they are planning to model the recreational and commercial fleet and it would be helpful to continue to get feedback on what details should be incorporated when they do so. Another committee member expressed concern that moving from two to four management units will increase uncertainty in estimations of recreational catch. The committee member noted you could try to simulate for different recreational fishing types (party boat, six-packs, private anglers, shoreside anglers). Dr. Kerr said this will fall to the Atlantic Cod working group to discuss, and the different management units will have different amounts of uncertainty in them. She also noted the simulation model will try to emulate how good or bad data quality is.

A committee member asked for an example of what would be a biological distinction among the five stocks. Dr. Steve Cadrin (UMass Dartmouth) explained Georges Bank recruits are spawned by spawners on Georges Bank, but recruits on Georges Bank are not produced by spawners in Southern New England. The different populations also have different growth rates and maturity. He noted a lot of management is trying to conserve spawning stock to ensure future recruitment. When stock assessments are developed, they assume a closed population with average growth and maturity so if the distinct populations are lumped together there are mixed signals in the assessment.

#### ***AGENDA ITEM #6: POSSIBLE COUNCIL 2023 PRIORITIES, DR. COURNEANE (NEFMC)***

Council staff shared the list of 2022 Council Priorities and additions recommended by the GAP and RAP.

#### ***Questions and Comments on the Presentation:***

The committee discussed adding as potential priorities, in no ranked order:

- Examining modifications to the universal sector exemptions for redfish.
- Continue as a multi-year priority work on Acceptable Biological Catch (ABC) control rules to examine Approach #2 – Modify the existing Control Rules and Approach # 3 – Replace the existing Control Rules
- Evaluate fisheries exceeding 5% total catch for Southern New England/Mid-Atlantic winter flounder
- Evaluate the uncertainty in Georges Bank cod catch estimates and recommend how to use in recreational management.
- Develop a mechanism to quantify how many anglers are catching/targeting groundfish.
- Evaluate the current and potential new Northeast Multispecies management measures to protect Atlantic cod spawning, within the Council’s transition plan to move from 2 units to up to 5 units (multi-year priority)

One committee member asked if there is capacity for additional priorities since there are some priorities that have been on the list for multiple years. Mr. Bellavance explained this is an opportunity for the Committee to compile a list of anything they are interested in and staff-time will be considered later.

A committee member proposed a priority looking at water temperature impacts on GB and GOM cod spawning and distribution. Another noted that the Atlantic Cod Research Track Assessment has an ecosystem component that may capture this. Staff noted a consideration of changes to the ABC control rule could consider a control rule for stocks sensitive to changing environmental conditions.

Committee members noted there may be a need for priorities addressing findings from the upcoming stock assessments, but they were not prepared to offer those at the meeting.

Jason Didden (MAFMC) asked if the priority evaluating fisheries exceeding 5% of the total catch for SNE/MA winter flounder would be tied to a management action or white paper analysis. A committee member noted the priorities may need to be cleaned up at the Council meeting, but they anticipate getting a notice that SNE/MA winter flounder is no longer in need of a revised rebuilding plan. They did not want to lose momentum on the work being done looking at catch in other fisheries so added the priority as a placeholder.

***AGENDA ITEM #7: NOAA'S NATIONAL SALTWATER RECREATIONAL FISHERIES POLICY, RUSS DUNN (NOAA FISHERIES)***

Russ Dunn (NOAA Fisheries) presented on the 2015 National Saltwater Recreational Fisheries Policy goals and guiding principles. He shared six specific discussion questions NOAA Fisheries is hoping to get input on as the agency begins to update the policy. Mr. Dunn explained Committee members could provide input now or through the online comment portal<sup>1</sup>. The deadline for comments is December 31, 2022.

***Questions and Comments on the Presentation:***

One committee member noted the 2015 policy took a lot of work to put together, and changes since then include climate and stock shifts, wind energy development, and aquaculture. They noted they have a redlined draft of the Policy they can share to help in the development of a comment letter.

A committee member asked if there is an opportunity to review and refine monitoring of the recreational fishery, and asked if there was an incentive based program that could be developed to get better estimates. Mr. Dunn noted the policy is a national policy and there will be a review of what actions might be most appropriate for this policy or regional implementation plans. Staff noted the National Academy conducted a review of MRIP data recently and Mr. Dunn stated they could share that report, but the agency response is not yet available.

Another committee member supported the inclusion of scientific-based research conducted by the recreational community for use in stock assessments to understand climactic shifts. Mr. Dunn noted he can help to connect individuals with agency staff doing climate research. He also noted the Inflation Reduction Act allocated funds to NOAA and included a provision identifying a need to improve the surveys of fish stocks and marine mammals.

The Groundfish Committee meeting adjourned at approximately 4:40 p.m.

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<sup>1</sup> <https://www.fisheries.noaa.gov/feature-story/noaa-fisheries-invites-comments-update-recreational-fisheries-policy>