



## New England Fishery Management Council

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Daniel Salerno, *Acting Chair* | Cate O'Keefe, PhD, *Executive Director*

## MEETING SUMMARY

### Groundfish Committee Meeting

Webinar

September 3, 2025

The Groundfish Committee (Committee) met on September 3, 2025, via webinar to discuss: 1) Revised Amendment 25 / Atlantic Cod Specifications and Management, 2) Framework Adjustment 72 / Specifications and Management Measures, and 3) Other business, as necessary.

#### ***MEETING ATTENDANCE:***

*Groundfish Committee:* Dan Salerno (Acting Chair), Peter Christopher (Greater Atlantic Regional Fisheries Office (GARFO)), Jim Gilmore (Mid-Atlantic Fishery Management Council (MAFMC)), Melanie Griffin, Jackie Odell, Paul Risi (MAFMC), John Pappalardo, Geoff Smith, Megan Ware, Peter Whelan

*Council staff:* Robin Frede and Julian Garrison

In addition, about 26 other people attended. Among them were:

Attorney Mitch MacDonald (NOAA General Counsel); Liz Sullivan, Mark Grant, Heather Nelson, Spencer Talmage, Laura Smith, and Nicole Morgan (GARFO); Paul Nitschke, Glenn Chamberlain, and Gabrielle Clardy-Pryor (Northeast Fisheries Science Center (NEFSC)); Sefatia Romeo Theken (Commonwealth of Massachusetts Department Fish and Game Deputy Commissioner); Tara Dolan and Kelly Whitmore (Commonwealth of Massachusetts Division of Marine Fisheries); Corrin Flora and Meredith Mendelson (Maine Department of Marine Resources (ME DMR)); Jesse Hornstein (New York State Department of Environmental Conservation); Angelia Miller (Maris Collaborative); Libby Etrie and Gareth Lawson (Conservation Law Foundation); Ben Martens (Maine Coast Fisherman's Association); Vito Giacalone (Northeast Seafood Coalition); Cate O'Keefe (NEFMC Executive Director); Jamie Cournane and Jonathon Peros (NEFMC staff); Brett Weidoff (The Parnin Group); and Rick Bellavance.

*The meeting began at approximately 1:00 p.m.*

#### ***KEY OUTCOMES***

- The Committee recommends to the Council to approve and submit the revised Amendment 25 to GARFO, with the cod-specific measures as previously approved and submitted under Framework 69, including:
  - Incorporating the four revised Atlantic cod stock units of Eastern Gulf of Maine (EGOM) cod, Western Gulf of Maine (WGOM) cod, Georges Bank (GB) cod, and Southern New England (SNE) cod into the Northeast Multispecies Fishery Management Plan (FMP),
  - Status determination criteria for the four new cod stocks,

- Fishing Year (FY) 2026-2027 specifications for EGOM cod, WGOM cod, and SNE cod, and FY2026 specifications for GB cod,
- WGOM cod and SNE cod recreational sub-ACLs,
- WGOM cod ABC apportionment,
- Management uncertainty buffers for the four cod stocks,
- Common pool accountability measures (trimester TAC distributions and closure areas and baseline trip limits) for the four cod stocks,
- SNE cod recreational measures,
- Regulatory process for the Regional Administrator to adjust recreational measure for EGOM cod and GB cod

***AGENDA ITEM #1: MANAGEMENT UPDATE (GARFO STAFF)***

GARFO staff shared they had no update on the status of Framework 69 proposed rule. GARFO is working on finalizing year-end catch accounting. GARFO expects notices for at-sea monitor and electronic monitoring service providers to go out in October.

*Questions on the presentation*

A committee member asked if the Framework 69 proposed rule is at GARFO or NOAA Headquarters. Staff shared that GARFO has prepared the proposed rule and is awaiting clearance and information on next steps.

A committee member asked about the emergency action and whether that will be connected to the Framework 69 rule, and asked if the Council can expect clarity on the process before the September Council meeting. GARFO staff confirmed the emergency action runs through October 28 and can be extended up to 186 after that. Staff explained that the plan is to tie the emergency action and Framework 69 closely together, and GARFO is waiting to hear more information on the path forward. Committee members emphasized the importance of getting Framework 69 into place.

***AGENDA ITEM #2: JOINT GROUND FISH ADVISORY PANEL (GAP) AND RECREATIONAL ADVISORY PANEL (RAP) REPORT***

The GAP Chair and RAP Chair were both unable to attend, and the GAP/RAP report was provided by the Committee Chair.

**GAP Report:**

On the Revised Amendment 25 discussion, the GAP asked several clarification questions about the appendix tables of illustrative cod sector allocation for the Phase 1 bridge approach. It was clarified that these tables are an illustrative approach but there were no decisions the GAP needed to make. The GAP expressed concerns about Amendment 25 being disapproved again and recognized the Council and staff efforts to address the procedural concerns provided in the NOAA decision letter. The GAP reiterated the importance of moving forward with incorporating the revised Atlantic cod stock units into the FMP through Amendment 25, but also reiterated previous concerns about economic impacts of transitioning to four stocks in the short term. On Framework 72, the GAP asked clarifying questions about the information presented in the draft example risk policy matrices, specifically on ex-vessel price and lease price. On the Alternative Gear-Marking Framework, the GAP shared concerns about gear, equipment, and satellite/internet connectivity requirements and costs for both fixed and mobile gear users, and concerns that this technology will be required of all mobile gear vessels. Clarification is needed on what is included in this action, versus what will be needed in future actions. The GAP emphasized the need for more information and public engagement before this action can move forward. Finally, the GAP raised two items under other business – a status update on the request for the Enforcement Committee to look into

mesh size enforcement issues and concerns about the current apportionment used for Georges Bank (GB) haddock as part of the Transboundary Management Guidance Committee (TMGC) process.

### **RAP Report:**

On Revised Amendment 25, the RAP expressed concerns previously raised on economic impacts of the Southern New England (SNE) cod zero possession recreational measures. RAP members noted that based on current Marine Recreational Information Program (MRIP) numbers, cod catches appear to be lower than previous years. On the Alternative Gear-Marking Framework, the RAP also shared concerns about satellite/internet connectivity and costs especially with regards to the large segment of private anglers. They highlighted concerns about drift and anchored fishing as potential gear interactions. The RAP also emphasized the need for further public engagement and information for this action.

### Questions on the presentation

Following up on input the GAP provided on the draft risk policy matrix example for white hake for sector lease price information, a committee member asked whether sector annual reports include information on intra-sector lease trades in addition to inter-sector trades. Mr. Salerno shared that his sector includes inter- and intra-sector lease trades, but most sectors only report inter-sector. Staff noted that at the previous GAP meeting in June, Greg Ardini, Groundfish PDT member and NEFSC economist, gave a presentation seeking feedback on ideas for possible improvements to the Quota Change Model, with intra-sector lease prices highlighted by advisors as a particular area of interest. Mr. Ardini is currently working on compiling intra-sector lease price information to incorporate into the Quota Change Model. A committee member noted the hedonic price model for the lease prices assumes quota moves freely within the fishery, which may not be the case. Committee members echoed the GAP's feedback that lease prices are variable throughout the fishing year or so a single annual average lease price is probably not reflective of this intra-annual variability. Committee members highlighted the timing of implementation of regulations as another factor that impacts lease prices, which emphasizes the importance of getting measured finalized and submitted in a timely manner to be in place by the start of the fishing year.

### ***AGENDA ITEM #3: REVISED AMENDMENT 25 / ATLANTIC COD SPECIFICATIONS AND MANAGEMENT***

Council staff provided an overview of Revised Amendment 25, which would incorporate the revised Atlantic cod stock units of Western Gulf of Maine (WGOM) cod, Eastern Gulf of Maine (EGOM) cod, Georges Bank (GB) cod, and Southern New England (SNE) cod, into the Northeast Multispecies Fishery Management Plan (FMP) and establish necessary management measures (i.e., status determination criteria, distribution of ABCs, and accountability measures). The presentation included a reminder of NOAA's disapproval of Amendment 25 on the basis of a procedural flaw in the process the Council followed from GARFO's guidance, the pathway offered in the GARFO decision letter for the Council to resubmit the action with the necessary management measures from Framework 69, and the Council's vote in June to change priorities, pausing work on several groundfish priorities in order to take up resubmission of Amendment 25. In reinitiating Amendment 25, the Council indicated clearly to focus only on reformatting the cod-specific management measures in Framework 69 and not revisit past decisions, given the short timeline for final action in September indicated by GARFO as necessary to target implementation by May 1, 2026.

Staff outlined the draft alternatives as reorganized between Amendment 25 and Framework 69, noting a few alternatives that require adjustments for fishing year (FY) 2026, draft impacts analysis as repackaged from Framework 69, and reorganized appendices, including an appendix on the Council's development of

the Phase 1 transition plan bridge approach for sector allocation. The Committee/Council intend for the bridge approach as a short-term solution while the Council works toward a longer-term, more permanent approach in Phase 2 of the transition plan. This appendix references Committee tasking for the PDT, supporting PDT analyses, and Committee/Council decision making throughout development of the Council's Phase 1 approach for sector allocation, and includes illustrative examples developed by GARFO staff to demonstrate other considered approaches and how these informed the Council's final selected approach. The illustrative examples provide a mechanism to isolate impacts from the revised cod stock structure from impacts of the 2024 management track assessments, by allowing comparisons in sector cod allocations under different approaches when applied to FY2024 quotas as the "status quo." These comparisons should be considered a snapshot in time and would change if applied to a different "status quo" quota year. GARFO staff walked through these illustrative examples.

### Questions on the presentation

A committee member asked a clarification question about the illustrative cod sector allocation examples and what is represented by the "sum of absolute difference." GARFO staff explained that this is essentially the sum of the change in total cod quota that sectors experience between the two allocation methods and emphasized this is an illustrative example. The committee member understood the Amendment 25 resubmission to mean the Council is not trying to revisit its decisions and that these tables seem to introduce new analyses, and asked how committee members should consider this information. GARFO staff explained that the initial Amendment 25 submission qualified as a Categorical Exclusion, and now as part of resubmitting Amendment 25 the action needs to include both the incorporation of the new cod stock units and the implementation of management measures, thus requiring an Environmental Assessment for Magnuson-Stevens Act and National Environmental Policy Act requirements. These tables are a way of illustrating the information considered in the discussions and decisions amongst the Plan Development Team, Committee, and Council that went into developing Amendment 25. Council staff confirmed these are intended to expand upon previous analyses to further illustrate the decision-making process that went into the Council's development of this approach for Phase 1 of the cod transition plan. The committee member thought it could be helpful to pick one status quo year value given concerns that having more illustrative tables increases the chance for confusion. GARFO staff noted that the illustrative comparisons of different apportionment splits use a single status quo year of 2024, and presented 2022 as an additional status quo example solely to illustrate that these illustrations are snapshots in time and that the choice in quota year for the status quo matters for the comparisons.

A committee member noted in the draft Environmental Assessment that Action 1 alternatives set is missing a preferred alternative. Staff clarified this is a copy error from when Amendment 25 was previously a Categorical Exclusion and will make this correction. The committee member asked on the SNE cod recreational sub-ACL if there is a year specified, given the discussion last year to plan to revisit this after 2025. Staff clarified that the sub-ACL is specified for 2026 and 2027, but the alternative doesn't speak to whether there is an intent or not to revisit in 2027. The Council could revisit in 2027 if it chooses to or could align this with the timing of recalibrated MRIP estimates.

## **1. MOTION: WARE/SMITH**

Recommend to the Council to approve and submit the revised Amendment 25 to GARFO, with the cod-specific measures as previously approved and submitted under Framework 69, including:

- Incorporating the four revised Atlantic cod stock units of Eastern Gulf of Maine (EGOM) cod, Western Gulf of Maine (WGOM) cod, Georges Bank (GB) cod, and Southern New England (SNE) cod into the Northeast Multispecies Fishery Management Plan (FMP),
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*Rationale:* Approving a revised A25 responds to GARFO's May 19th letter disapproving the original A25. Section 304(a)(4) provides Councils the opportunity to revise and resubmit amendments for Secretarial review after addressing the relevant legal requirements. The revised A25 includes the four cod stock unit definitions, reference points, status determination criteria, and management measures, removing the separation between implementation of A25 and FW69. As stated in GARFO's letter, the four cod stocks are the best scientific information available and must be incorporated into the Northeast Multispecies FMP. Approving the revised A25 aligns with the timeframe outlined in GARFO's letter recommending final action at the September Council meeting.

#### **Discussion on the Motion:**

Committee members offered support for the resubmission of Amendment 25. They emphasized that the Council did everything it can to minimize impacts during the cod management transition in this vehicle, recognizing that scientific improvements take time. Committee members expressed concern about potential rejection of the resubmission and noted there may be questions of follow-on impacts. A committee member asked whether there are any other aspects from Framework 69 that should be put into the revised Amendment 25 given the status of Framework 69 which appears to be sitting in limbo. The Chair stated that the Council is responding to the GARFO rejection letter which instructed the Council to repackage Amendment 25 with the cod measures in Framework 69, and that there does not appear to be anything additional that needs to be added besides what A committee member asked about the timeline on changes to update the Quota Change Model, given concerns that many assumptions in the previous version of the model are outdated. Staff explained that Mr. Ardini had outlined steps for improvements to the model at the last GAP / RAP meeting in June, including as first next steps to incorporate intra-sector lease price information and more explicitly state the caveats of the model. These changes to the Quota Change Model are anticipated for Framework 72. Staff clarified that through Council and GARFO staff discussions there will not be updated Quota Change Model runs for revised Amendment 25, as the information needed to update including the Framework 69 quotas are not available. Staff also noted there are qualitative impacts included in the revised Amendment 25 economic impacts analyses describing possible influences of the new cod stock units on fishing effort and lease prices. A committee member encouraged others to read through the fishery performance information in the Human Communities section of the Environmental Assessment.

**MOTION CARRIED 7/0/2**

***AGENDA ITEM #4: FRAMEWORK 72 / SPECIFICATIONS AND MANAGEMENT MEASURES***

Council staff provided an update on the action, including the draft scope, outline of draft alternatives, and draft timeline noting upcoming relevant meetings related to specifications setting. Staff also walked through draft Risk Policy Matrices for two stocks, white hake and ocean pout, as examples to introduce the revised Risk Policy Matrix format to be used this year that reflects the Council’s new Risk Policy concept and risk factors.

*Questions/discussion on the presentation*

The Chair noted that several of the 2025 fall management track assessment reports are now available on the assessment data portal:

A committee member asked if revised Amendment 25 is not approved and the revised cod stock units are still not a part of the FMP, whether that might create complications for GB cod FY2026-2027 specifications in Framework 72. They highlighted concerns over all the moving parts and uncertainty, and the importance of having a shared understanding of the potential issues. Staff explained this would be an issue given this would mean a lack of clarity on stock boundaries for GB cod and whether or not this would match the updated assessment. Staff also noted that without Amendment 25 in place by May 1, 2026, the fishery faces the same issue as last year: that without the revised cod stocks in the FMP there would be no cod specifications, and therefore no fishing. The Chair emphasized the timing issues with these actions and noted previous committee discussion on the potential to add backstop cod measures in Framework 72. However, putting two sets of actions forward could complicate things further as the actions are reviewed by GARFO and the Department of Commerce and would not seem to alleviate the issue. Staff pointed to an additional slide of a table showing which of the various Council actions contains specifications for each groundfish stock, highlighting the complexity of the current situation.

On the draft white hake risk policy matrix, a committee member supported the GAP’s recommendations for modifications and noted the Amendment 25 environmental assessment includes more detailed information, which they felt is important to get a clearer picture of white hake fishery characterization and performance. The Chair explained that the Risk Policy Working Group has been reexamining the risk factors which are likely to be somewhat different in future iterations, but the draft matrices were put together based on known, readily available information. The matrices are intended to be a balance between a concise overview versus a deeper dive. The committee member asked what is meant by “poor fish condition.” The Chair explained the fish condition factor is currently based on survey catch information as the length to weight ratio (e.g., undersized could be indicative of poorer condition). This information is found in the Status of the Ecosystem reports. However, he noted fish condition is a factor that is being re-examined by the Risk Policy Working Group.

A committee member asked where the analysis of the sharing agreement between U.S. and Canada TMGC would be included in the environmental assessment. Staff explained that for FY2025 those analyses are found in Framework 69 and are not provided in revised Amendment 25 as that action does not include U.S./Canada total allowable catches (TACs). The updated U.S./Canada TACs for FY2026 and associated analyses will be included in Framework 72.

***AGENDA ITEM #5: OTHER BUSINESS***

There were no items raised under other business.

*The meeting adjourned at approximately 3:30 p.m.*