



New England Fishery Management Council

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

MEMORANDUM

DATE: September 23, 2026
TO: Scientific and Statistical Committee (SSC)
FROM: Cate O'Keefe, Executive Director
SUBJECT: Terms of Reference and information for October 7 SSC meeting regarding overfishing limits (OFL) and acceptable biological catches (ABC) for Atlantic sea scallop for fishing years (FY) 2027 and 2028 (default) and for the following Northeast multispecies for FY 2027-2031: Northern and Southern windowpane flounder and witch flounder

RISK POLICY IMPLEMENTATION

The Risk Policy process combines the Council's policy preferences with data to determine a level of risk tolerance (high, intermediate, low). The [Risk Policy](#) systematically accounts for factors that influence risk tolerance in Council decision making, and is an avenue to directly consider climate, ecosystem, and socioeconomic impacts, along with biological considerations. The Risk Policy also considers stability in decision making, including economic, resource, and management stability, as well as stability for harvesters with an aim to minimize abrupt shifts in catch limits. The Council's policy preferences were determined using a weighting exercise in June 2026, and the Scallop and Groundfish Plan Development Teams (PDT) recently completed scoring of each factor in preparation for this meeting. For Atlantic sea scallop and the Northeast multispecies stocks, the SSC will receive output that will include the 2026 Risk Policy Matrix, Z-score, risk tiers, and an associated recommended probability of meeting management objectives. This information can be accessed at the [Risk Policy Application](#) and in the Risk Policy Report for each stock. The Risk Policy does not integrate directly with ABC control rules at this time, and output should be considered as additional information to support decision making.

ATLANTIC SEA SCALLOP

Terms of Reference

- A. Consider information provided by the Scallop PDT on survey data and methods to develop fishing mortality reference points and targets based on the 2025 research track stock assessment, recommendations of the SSC made in October 2025, and updated data and modelling. Provide the Council with a recommendation as to whether these methods remain appropriate for this year's application.
- B. Review assumptions used in the Scallop Area Management Simulation (SAMS) model to project biomass, including natural mortality assumptions. Provide the Council with a recommendation as to whether these methods are appropriate.

- C. Recommend OFLs and ABCs for Atlantic sea scallop for FY 2027 and FY 2028 (default) that will prevent overfishing, are consistent with the Council's Scallop ABC control rule, and consider the Council's Risk Policy.

Scallop OFL and ABC control rule

The OFL for Atlantic sea scallop is specified as the level of catch and associated fishing mortality rate (F) that, above which, overfishing is occurring. The Council's ABC control rule for Atlantic sea scallop sets ABC at a level that has a 75% probability of remaining below the fishing mortality rate (F) associated with OFL (i.e., a 25% probability of exceeding OFL).

2025 scallop assessment

The research track assessment for Atlantic sea scallop was peer reviewed in April 2025. The assessment updated biological reference points for the scallop resource (Mid-Atlantic and Georges Bank combined), and the F rate associated with OFL decreased from $F=0.61$ to $F=0.49$. The ABC control rule F rate with a 25% chance of exceeding OFL was $F=0.36$. Assessment results indicated that, as of 2023, Atlantic sea scallops were not overfished and overfishing was not occurring.

Specification setting

The SSC last recommended specifications for Atlantic sea scallops on October 8, 2025, for FY 2026 and FY 2027 (default). The SSC had noted uncertainties about setting OFL and ABC at the stock-wide scale, given differences in region-specific reference points, recruitment trends, and natural mortality.

The Council expects to take final action at its December 2026 meeting. Specifications are expected to be implemented by April 1, 2027.

NORTHEAST MULTISPECIES

Terms of Reference

- A. Consider the results of the Northeast Fisheries Science Center's (NEFSC) 2025 data updates for Northern and Southern windowpane flounder, the 2026 data update for witch flounder, and information provided by the Council's Groundfish Plan Development Team.
- B. Recommend OFLs and ABCs for these three stocks for FY 2027 – 2031 that will prevent overfishing, be consistent with the Council's groundfish ABC control rule and rebuilding plans, and consider the Council's Risk Policy.

Groundfish ABC control rule

The ABC control rule for the Northeast multispecies fishery management plan 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 F_{MSY} .
- B. If fishing at 75% of F_{MSY} 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 ($F_{rebuild}$).
- C. For stocks that cannot rebuild to B_{MSY} 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.

Groundfish data updates

Northern (Gulf of Maine/Georges Bank) windowpane flounder. In 2025, the NEFSC conducted a data update for this stock, including updates to the survey biomass indices and fishery catch data through 2024. The PDT also obtained updated survey indices through 2025. This was a data update from the prior management track assessment in 2023 that used an empirical survey area-swept assessment to conclude that, as of 2022, the overfished and overfishing status were unknown. The stock is in a rebuilding plan with an end date of 2029.

Southern (Southern New England/Mid-Atlantic Bight) windowpane flounder. In 2025, the NEFSC conducted a data update for this stock, including updates to the survey biomass indices and fishery catch data through 2024. The PDT also obtained updated survey indices through 2025. This was a data update from the prior management track assessment in 2023 that used the An-Index-Method (AIM) model to conclude that, as of 2022, the stock was not overfished and overfishing was not occurring. The stock has been considered rebuilt as of 2012.

Witch flounder. In 2026, the NEFSC conducted a data update for this stock, including updates to the survey biomass indices and fishery catch data through 2025. This was a data update from the prior management track assessment in 2024 that used an empirical swept-area assessment to conclude that, as of 2023, the stock was overfished and overfishing was unknown. The stock is in a rebuilding plan with an end date of 2043.

Specification setting

The SSC last recommended specifications for northern and southern windowpane flounder on October 27, 2023, for FY 2024-2026 and for witch flounder on October 9, 2024, for FY 2025-2027. The Council expects to take final action at its December 2026 meeting. Specifications are expected to be implemented on May 1, 2027.

INFORMATION

Atlantic Sea Scallops

1. Scallop Plan Development Team
 - a. Presentation by Council staff
 - b. Presentation by Dr. Dvora Hart, NEFSC
 - c. Scallop PDT memo to SSC re FY 2027-2028 OFLs and ABCs for Atlantic sea scallop, September 30, 2026
 - d. 2026 Risk Policy Report for scallops
2. Scallop fishery information
 - a. *Scallop Fishery Management Plan Framework Adjustment 40*, Human Communities (Section 5.4, p. 22-33), [February 4, 2026](#)
 - b. Advisory Panel discussion of fishery performance, AP meeting summary, [June 2, 2026](#) (p. 2-3)
 - c. GARFO [Fishery Performance Report](#) – Scallop landings, grades, and other data, August 19, 2026
3. Previous SSC recommendations
 - a. Meeting materials, [August 19, 2025](#)
 - b. SSC report (reference points), [August 31, 2025](#)
 - c. Meeting materials, [October 8, 2025](#)
 - d. SSC report, [October 28, 2025](#)
4. Hart, D.R. 2013. [Quantifying the tradeoff between precaution and yield in fishery reference points](#). *ICES Journal of Marine Science*, 70: 591-603.

Northeast Multispecies

1. NEFSC Data Update Reports
 - a. *2025 Data Update: Georges Bank/Gulf of Maine Stock of Windowpane Flounder, *Scophthalmus aquosus**, August 27, 2025
 - b. *2025 Data Update: Southern New England/Mid-Atlantic Bight Stock of Windowpane Flounder, *Scophthalmus aquosus**, August 27, 2025
 - c. *2026 Data Update: Unit Stock of Witch Flounder, *Glyptocephalus cynoglossus**, July 23, 2026
2. Groundfish Plan Development Team
 - a. Presentation by Council staff
 - b. Groundfish PDT memo to SSC re FY 2027 – 2031 OFLs and ABCs for Northeast multispecies stocks, September 30, 2026
 - c. 2026 Risk Policy Report for northern windowpane flounder

- d. 2026 Risk Policy Report for southern windowpane flounder
 - e. 2026 Risk Policy Report for witch flounder
- 3. Groundfish fishery information
 - a. *FY 2024 Northeast Multispecies Fishery Year-end Catch Report*, [March 20, 2026](#)
 - b. [Northeast Multispecies SAFE Report](#), including the most recent descriptions of the social and economic status of the fishery Framework Adjustment 72, Affected Environment Human Communities (Section 4.4, p. 38-58)
- 4. Previous SSC recommendations for northern and southern windowpane flounder
 - a. Meeting materials, [October 27, 2023](#)
 - b. SSC report, [November 13, 2023](#)
- 5. Previous SSC recommendations for witch flounder
 - a. Meeting materials, [October 9, 2024](#)
 - b. SSC report, [November 13, 2024](#)

Other Documents

- 1. [Risk Policy Statement and Concept](#), August 11, 2026
- 2. [Risk Policy Application](#)
- 3. Memo from Executive Director to SSC re minority reports, [September 2, 2026](#)
- 4. NOAA/NEFSC [State of the Ecosystem Reports](#) for the Northeast U.S. Shelf
- 5. The NEFSC [Stock Assessment Support Information](#) portal includes reports, presentations, and supporting materials for all NEFSC stock assessments. Use the drop-down menus to access information.
- 6. Presentation on Other Business topics
- 7. Correspondence (if any)