

January 22, 2013

Framework Adjustment 50
To the Northeast Multispecies FMP
Draft Management Measures

*This document is under development and will be modified
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Prepared by the
New England Fishery Management Council
In consultation with the
Mid-Atlantic Fishery Management Council
National Marine Fisheries Service

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Three framework adjustments have updated the measures in Amendment 16. The first, published as Framework 44, became effective on May 1, 2010 concurrently with Amendment 16. It adopted the required specifications for regulated northeast multispecies stocks for fishing years 2010-2012, as well as stocks managed by the U.S./Canada Resource Sharing Agreement. It was also used to incorporate the best available information in adjusting effort control measures adopted in Amendment 16. Framework 45 became effective on May 1, 2011. It built upon revisions made to the sector program in Amendment 16 and Framework 44, set specifications required under the U.S./Canada Resource Sharing Agreement, and incorporated an updated stock assessment for pollock. Finally, Framework 46 was implemented in September 14, 2011 and modified the provisions that restrict mid-water trawl catches of haddock.

This framework is primarily intended to.

3.2 Purpose and Need for the Action

Under the Northeast Multispecies FMP the NMFS Regional Administrator, in consultation with the Council, is required to determine the specifications for the groundfish fishery. The best available science is reviewed to determine the status of the resource and fishery. These data, in conjunction with the ABC control rules adopted in Amendment 16, are used to set appropriate specifications for the stocks. Previous actions have established evaluation protocols and rebuilding plans for stocks; these are revised with the updated science. Periodic frameworks are used to adjust strategies in response to the evaluations that adjust rebuilding plans and overfishing.

This framework adds to elements of Amendment 16 to prevent overfishing. Similar modifications to Amendment 16 have been made in recent frameworks. This framework would also modify measures from Amendment 16 regarding the management measures for SNE/MA winter flounder.

These specifications and adjustments to Amendment 16, listed in the following table, are intended to meet the goals and many of the objectives of the Northeast Multispecies FMP, as modified in Amendment 16.

To better demonstrate the link between the purpose and need for this action, the following table summarizes the need for the action and corresponding purposes.

<i>Need for Framework 50</i>	<i>Corresponding Purpose for Framework 50</i>
Set specifications for ACLs in Fishing Years 2013-2015 consistent with best available science, the ABC control rules adopted in Amendment 16 to the Northeast Multispecies FMP, the International Fisheries Agreement Clarification Act, and the most recent relevant law	<ul style="list-style-type: none"> • Measures to adopt ACLs, including relevant sub-ACLs and incidental catch TACs • Measures to adopt TACs for U.S./Canada area
Modify rebuilding program for SNE/MA winter flounder consistent with the status of stocks, the National Standard guidelines, and the requirements of the MSA	<ul style="list-style-type: none"> • Modification of the formal rebuilding program for SNE/MA winter flounder • Modification of accountability measures for SNE/MA winter flounder • Modification of measures that apply to SNE/MA winter flounder

3.3 Brief History of the Northeast Multispecies Management Plan

Groundfish stocks were managed under the M-S Act beginning with the adoption of a groundfish plan for cod, haddock, and yellowtail flounder in 1977. This plan relied on hard quotas (total allowable catches, or TACs), and proved unworkable. The quota system was rejected in 1982 with the adoption of the Interim Groundfish Plan, which relied on minimum fish sizes and codend mesh regulations for the Gulf of Maine and Georges Bank to control fishing mortality. The interim plan was replaced by the Northeast Multispecies FMP in 1986, which established biological targets in terms of maximum spawning potential and continued to rely on gear restrictions and minimum mesh size to control fishing mortality. Amendment 5 was a major revision to the FMP. Adopted in 1994, it implemented reductions in time fished (days-at-sea, or DAS) for some fleet sectors and adopted year-round closures to control mortality. A more detailed discussion of the history of the management plan up to 1994 can be found in Amendment 5 (NEFMC 1994). Amendment 7 (NEFMC 1996), adopted in 1996, expanded the DAS program and accelerated the reduction in DAS first adopted in Amendment 5. After the implementation of Amendment 7, there were a series of amendments and smaller changes (framework adjustments) that are detailed in Amendment 13 (NEFMC 2003). Amendment 13 was developed over a four-year period to meet the M-S Act requirement to adopt rebuilding programs for stocks that are overfished and to end overfishing. Amendment 13 also brought the FMP into compliance with other provisions of the M-S Act. Subsequent to the implementation of Amendment 13, FW 40A provided opportunities to target healthy stocks, FW 40B improved the effectiveness of the effort control program, and FW 41 expanded the vessels eligible to participate in a Special Access Program (SAP) that targets GB haddock. FW 42 included measures to implement the biennial adjustment to the FMP as well as a Georges Bank yellowtail rebuilding strategy, several changes to the Category B (regular) DAS Program and two Special Access Programs, an extension of the DAS leasing program, and introduced the differential DAS system. FW 43 adopted haddock catch caps for the herring fishery and was implemented August 15, 2006. Amendment 16 was adopted in 2009 and provided major changes in the realm of groundfish management. Notably, it greatly expanded the sector program and implemented Annual Catch Limits in compliance with 2006 revisions to the M-S Act. The amendment also included a host of mortality reduction

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measures for “common pool” (i.e. non-sector) vessels and the recreational component of the fishery. Framework 44 was also adopted in 2009, and it set specifications for FY 2010 – 2012 and incorporated the best available information in adjusting effort control measures adopted in Amendment 16. Framework 45 was approved by the Council in 2010 and adopts further modifications to the sector program and fishery specifications; it was implemented May 1, 2011. Framework 46 revised the allocation of haddock to be caught by the herring fishery and was implemented in August 2011. Amendment 17, which authorizes the function of NOAA-sponsored state-operated permit bank, was implemented on April 23, 2012. Framework 47, implemented on May 1, 2012, revised common pool management measures, modified the Ruhle trawl definition and clarified regulations for carter/party and recreational groundfish vessels fishing in groundfish closed areas. Framework 48 is under review and may modify several ACLs and AMs, adjust monitoring measures, and provide opportunities to increase landings of some stocks. A more detailed description of the history of the FMP is included in Amendment 16, and each of these actions can be found on the internet at <http://www.nefmc.org>.

3.4 National Environmental Policy Act (NEPA)

NEPA provides a structure for identifying and evaluating the full spectrum of environmental issues associated with Federal actions, and for considering a reasonable range of alternatives to avoid or minimize adverse environmental impacts.

4.0 Alternatives Under Consideration

4.1 Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

4.1.1 SNE/MA Winter Flounder Rebuilding Strategy

4.1.1.1 Option 1: No Action

If this option would be adopted, the rebuilding strategy for SNE/MA winter flounder would continue to target an ending date of 2014 with a median probability of success. Since the stock is unlikely to rebuild by that date in the absence of all fishing mortality, the management objective would be to reduce fishing mortality to as close to 0 as possible until the stock is rebuilt.

Rationale: This option would attempt to rebuild the SNE/MA winter flounder stock as soon after the original rebuilding period ending date (2014) as possible. Management measures that prohibited retention of SNE/MA winter flounder resulted in fishing mortality of less than 0.10 in CY 2010 and 2011.

4.1.1.2 Option 2: Revised Rebuilding Strategy

This option would adopt a new strategy that would target rebuilding of SNE/MA winter flounder by 2023 with a median probability of success. Short-term catch advice during the rebuilding period may be reduced below the projected rebuilding catch in order to account for uncertainty in stock projections.

The current estimate of the rebuilding fishing mortality is $F=0.175$. This estimate would be revised during the course of the rebuilding program.

Rationale: This option would acknowledge that rebuilding cannot be achieved by 2014 and would restart the rebuilding period timeline as of 2013. Because the stock can rebuild in less than ten years in the absence of all fishing mortality ($T_{min}=2019$), the maximum period is ten years. Adopting this period would rebuild as quickly as possible taking into account the needs of fishing communities. Because stock projections have demonstrated a tendency to predict more rapid stock growth than is realized, short term catch advice may reduce catches from the rebuilding fishing mortality rate in order to account for the uncertainty in projections. If the stock increases more rapidly than originally projected, the rebuilding rate will be recalculated and could lead to increases in catch.

4.1.2 Annual Catch Limit Specifications

4.1.2.1 Option 1: No Action

If the No Action option is selected, the specifications for FY 2013-FY 2014 would remain as adopted by FW 47. For many stocks there would not be any specifications for these years. The FY 2013- FY 2014 ABCs would be as specified in Table 1.

If this option is selected, there would be no specific allocations made for the US/CA Resource Sharing Understanding quotas for FY 2013. These quotas are specified annually.

If this option is selected, there would be no specific allocations to the scallop fishery. While these allocations are typically made for a multi-year period, none have been specified beyond FY 2012.

Rationale:

**Table 1 – No Action/Option 1 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY 2012 (metric tons, live weight).
Values are rounded to the nearest metric ton.**

(1) Grayed out values may be adjusted as a result of future recommendations of the TMGC. Values shown for GB haddock and cod are preliminary estimates subject to change.

Stock	Year	OFL	U.S. ABC	State Waters Sub- compo nent	Other Sub- Components	Scallops	Groundfish Sub-ACL	Comm Groundfis h Sub-ACL	Rec Groundfis h Sub-ACL	Prelim- inary Sectors Sub- ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
GB Cod ⁽¹⁾	2013												
	2014												
	2015												
GOM Cod	2013												
	2014												
	2015												
GB Haddock ⁽¹⁾	2013												
	2014												
	2015												
GOM Haddock	2013												
	2014												
	2015												
GB Yellowtail Flounder ⁽¹⁾	2013												
	2014												
	2015												
SNE/MA Yellowtail Flounder	2013												
	2014												
	2015												

Alternatives Under Consideration

Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub-ACL	Total ACL
CC/GOM Yellowtail Flounder	2013												
	2014												
	2015												
Plaice	2013												
	2014												
	2015												
Witch Flounder	2013												
	2014												
	2015												
GB Winter Flounder	2013	4,819	3,750	0	188	0	3,384		0	3,361	23	0	3,572
	2014	4,626	3,598	0	180	0	3,247		0	3,225	22	0	3,427
	2015												
GOM Winter Flounder	2013	1,458	1,078	272	54	0	715		0	679	36	0	1,040
	2014	1,458	1,078	272	54	0	715		0	679	36	0	1,040
	2015												
SNE/MA Winter Flounder	2013	2,637	697	195	139	0	337		0	0	337	0	672
	2014	3,471	912	255	182	0	441		0	0	441	0	879
	2015												
Redfish	2013	12,036	9,224	92	369	0	8,325		0	8,285	40	0	8,786
	2014												
	2015												

Alternatives Under Consideration

Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

Stock	Year	OFL	U.S. ABC	State Waters Sub- compo nent	Other Sub- Component s	Scallops	Groundfish Sub-ACL	Comm Groundfis h Sub-ACL	Rec Groundfis h Sub-ACL	Prelim- inary Sectors Sub- ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
White Hake	2013												
	2014												
	2015												
Pollock	2012	19,887	15,400	754	1,370	0	12,612		0	12,518	94	0	14,736
	2013	20,060	15,600	756	1,380	0	12,791		0	12,695	95	0	14,927
	2014	20,554	16,000	760	1,400	0	13,148		0	13,050	98	0	15,308
N. Window- pane Flounder	2013												
	2014												
	2015												
S. Window- pane Flounder	2013												
	2014												
	2015												
Ocean Pout	2013												
	2014												
	2015												
Atlantic Halibut	2013												
	2014												
	2015												
Atlantic Wolffish	2013												
	2014												
	2015												

Table 2 – Option 1 preliminary incidental catch TACs for Special Management Programs (metric tons, live weight). These values may change as a result of changes in sector membership.

Stock	Cat B (regular) DAS Program			CAI Hook Gear Haddock SAP			EUS/CA Haddock SAP		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
GB cod									
GOM cod									
GB Yellowtail									
CC/GOM yellowtail									
SNE/MA Yellowtail									
Plaice									
Witch Flounder									
White Hake									
SNE/MA Winter Flounder									
GB Winter Flounder									
Pollock									

Table 3 – Proposed CAI Hook Gear Haddock SAP TACs, FY 2013-2014

Year	Exploitable Biomass (thousand mt)	WGB Exploitable Biomass	B(year)/B2004	TAC (mt, live weight)
2013- 2014				

4.1.2.2 Option 2: Revised Annual Catch Limit Specifications

If Option 2 is selected, the specifications for FY 2013 through FY 2015 would be as specified in Table 8.

The specifications in Table 8 reflect two other decisions that influence the values in the table. The first is the specification of quotas for EGB cod, EGB haddock, and GB yellowtail flounder for the U.S./Canada Resource Sharing area. The second is the identification of sub-ACLs for the scallop fishery for three stocks: GB yellowtail flounder, SNE/MA yellowtail flounder, and SNE/MAB windowpane flounder.

Benchmark assessments are being completed for GB cod and GOM cod. Because the results of these assessments will not be available until January 2013, the Council is considering a range of ABCs for these two stocks for FY 2013. Table 8 reflects the range and shows a high and low value. When the assessment is completed, the Council's SSC will recommend ABCs for these two stocks, the Council will select an ABC, and NMFS will implement the ABC for FY 2013 through procedures consistent with the APA.

U.S./Canada TACs

This alternative would specify TACs for the U.S./Canada Management Area for FY 2013 as indicated in Table 4 below. These TACs would be in effect for the entire fishing year, unless NMFS determines that FY 2012 catch of GB cod, haddock, or yellowtail flounder from the U.S./Canada Management Area exceeded the pertinent 2012 TAC. If the TAC in a particular fishing year is exceeded, the Understanding and the regulations require that the TAC for the subsequent fishing year is reduced by the amount of the overage. In order to minimize any disruption to the fishing industry, NMFS would attempt to make any necessary TAC adjustment in the first quarter of the fishing year.

Two alternatives are being considered for GB yellowtail flounder. The TMGC recommended a 500 mt total quota for 2013. The Council asked to see an analysis of an 1150 mt quota as well. This second value is based on an SSC decision that this could be a backstop ABC if measures are adopted to allow only a bycatch fishery. The preferred alternative is the 1150 mt value.

A comparison of the proposed FY 2012 U.S. TACs and the FY 2011 U.S. TACs is shown in **Table 5**. Changes to the U.S. TACs reflect changes to the percentage shares, stock status, and the TMGC recommendations.

Table 4 - Proposed FY 2013 U.S./Canada TACs (mt) and Country Shares

TAC	Eastern GB Cod	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared TAC	600 mt	10,400 mt	500/ 1150 mt preferred

TAC	Eastern GB Cod	Eastern GB Haddock	GB Yellowtail Flounder
U.S. TAC	96 mt	3,952 mt	215 / 495 preferred
Canada TAC	504 mt	6,448 mt	285/ 656 preferred

Table 5 - Comparison of the Proposed FY 2012 U.S. TACs and the FY 2012 U.S. TACs (mt)

Stock	U.S. TAC		Percent Change
	FY 2013	FY 2012	
Eastern GB cod	96 mt	162 mt	-41%
Eastern GB haddock	3,952 mt	6,880	-43%
GB yellowtail	215 mt	564 mt	-62%
	495 mt		-12%

Scallop Fishery Sub-ACLs

This option would specify scallop fishery sub-ACLs for GB yellowtail flounder, SNE/MA yellowtail flounder, and possibly SNE/MAB windowpane flounder. Changes to the administration of those sub-ACLs are being considered in Framework 48, which has not yet been approved. For this reason, the tables below reflect all the options that may result from the Framework 48 decision, and identify the Preferred Alternatives.

Sub-ACLs for the two yellowtail flounder stocks were adopted in Amendment 16. FW 48 considers three alternatives for specifying how the sub-ACL for GB yellowtail flounder is calculated (see section **Error! Reference source not found.**). The possible values based on the alternatives are shown below. The selected scallop fishery management alternative that will be probably be implemented is Alternatives 2. For those alternatives that are based on the expected scallop fishery catch of yellowtail flounder, the amount that would be allocated depends on both the scallop management alternative selected and the overall GB yellowtail flounder ABC. These values are shown in Table 6. The values shown are for the sub-ABC, which is then reduced for management uncertainty.

For SNE/MA yellowtail flounder, the Council selected an allocation for the scallop fishery in FW 48. For reference, the expected catches for the various scallop management alternatives are shown in Table 7. In FY 2010 – FY 2012, the sub-ACL for this stock was based on 90 percent of the estimated scallop fishery catch, but the Council is not bound by this decision. The preferred alternative would allocate the scallop fishery 90 percent of the high estimate in Table 7. In addition, this sub-ACL would be managed in a manner similar to the GB yellowtail flounder sub-Framework Adjustment 50

ACL in order to prevent the loss of available yield of this stock. NMFS would evaluate catches of SNE/MA yellowtail flounder by the scallop fishery by January 15 of the fishing year. Should the estimate indicate that the scallop fishery will catch less than 90 percent of the entire sub-ACL, NMFS will reduce the scallop fishery sub-ACL to the amount expected to be caught and increase the groundfish sub-ACL by up to the difference between the original estimate and the revised estimate. The increase in the groundfish sub-ACL will be distributed to sectors and the common pool. If the amount of yellowtail flounder projected to be caught by the scallop fishery exceeds the scallop fishery sub-ACL, there will not be any changes to the sub-ACL.

For SNE/MA windowpane flounder FW 48 may establish a scallop fishery sub-ACL (see section **Error! Reference source not found.**). If this sub-ACL is adopted, the scallop fishery would be allocated 36 percent of the ABC. These values are shown in Table 8.

Rationale: This measure would adopt new specifications for groundfish stocks that are consistent with the most recent assessment information. For most stocks, only one alternative to No Action is shown. This is because these catches represent the best scientific information, as determined by the Council's Science and Statistical Committee, and the M-S Act requires that catches not be set higher than these levels.

The U.S. and Canada coordinate management of three stocks that overlap the boundary between the two countries on Georges Bank. Agreement on the amount to be caught is reached each year by the Transboundary Management Guidance Committee (TMGC). This measure would adopt the recommendations of the TMGC. It makes sure that catches are consistent with the most recent assessments of those stocks.

The specification of sub-ACLs for the scallop fishery will help ensure that bycatches of GB and SNE/MA yellowtail flounder, and SNE/MA windowpane flounder, are controlled and do not lead to overfishing.

Table 6 – Estimated scallop fishery catch of GB yellowtail flounder, 90 percent of that estimate, and 8 and 16 percent of the GB yellowtail flounder ABC. Italicized values exceed the U.S. share under an ABC of 500 mt; greyed out values exceed the U.S. share with an ABC of 1,150 mt. Note scallop sub-ABCs are reduced to account for management uncertainty. Fixed percentages shown for U.S. share of 215 mt and 495 mt.

	Scallop FW 24 Management Alternative									
	No Action		Alt1		Alt2		Alt3		Alt4	
	2013	2014	2013	2014	2013	2014	2013	2014	2013	2014
<i>Expected scallop fishery catch of GB yellowtail flounder</i>										
LOW	62.4	96.5	46.9	42.6	40.7	65.9	43.4	56.2	26.4	38.1
MEDIUM	132.0	186.0	106.6	123.0	85.3	127.0	90.0	108.0	55.1	71.0
HIGH	237.8	325.2	194.3	234.4	152.8	220.1	161.4	186.7	97.4	121.5
<i>Scallop Sub-ABC at 90 percent of expected scallop fishery catch of GB yellowtail flounder</i>										
LOW	56.2	86.9	42.2	38.4	36.7	59.3	39.1	50.6	23.8	34.3
MEDIUM	118.8	167.4	95.9	110.7	76.8	114.3	81.0	97.2	49.6	63.9
HIGH	214.1	292.7	174.9	211.0	137.5	198.1	145.2	168.0	87.6	109.4
<i>Scallop Sub-ABC at a Fixed Percentage Allocation of GB YTF ABC</i>										
8 percent	17.2/39.6									
16 percent	34.4/79.2									

Table 7 – Estimated scallop fishery catch of SNE/MA yellowtail flounder and scallop fishery sub-ABC. Note these sub-ABCs are reduced to account for management uncertainty. Alternative 2 is the Preferred Alternative in Scallop Framework 24.

	Scallop FW 24 Management Alternative														
	No Action			Alt 1			Alt 2			Alt 3			Alt 4		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
	<i>Estimated scallop fishery catches of SNE/MA yellowtail flounder</i>														
Low	59.4	61.2	67.5	55.8	64.8	63	59.4	64.8	63	55.8	64.8	63.9	59.4	65.7	63
Medium	66	68	75	62	72	70	66	72	70	62	72	71	66	73	70
High	72.6	74.8	82.5	68.2	79.2	77	72.6	79.2	77	68.2	79.2	78.1	72.6	80.3	77
	<i>Scallop Sub-ABC at 90 percent of estimated catches shown above</i>														
Low	53.5	55.1	60.8	50.2	58.3	56.7	53.5	58.3	56.7	50.2	58.3	57.5	53.5	59.1	56.7
Medium	59.4	61.2	67.5	55.8	64.8	63.0	59.4	64.8	63.0	55.8	64.8	63.9	59.4	65.7	63.0
High	65.3	67.3	74.3	61.4	71.3	69.3	65.3	71.3	69.3	61.4	71.3	70.3	65.3	72.3	69.3

Table 8 – Option 2 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY 2013 – FY 2015 (metric tons, live weight). Values are rounded to the nearest metric ton. Sector shares based on 2012 PSCs. UPDATED 11/01/2012.

- (1) Grayed out values will be adjusted as a result of future recommendations of the TMGC.
 (2) Assumes scallop sub-ABC of 40 percent at both ABC values; small-mesh sub-ABC of 4 percent
 (3) Assumes scallop sub-ABC is 40 pct for both ABC values; no small mesh sub-ACL.
 (4) Small-mesh fishery sub-ACL of 4 percent

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
GB Cod ⁽¹⁾	2013	TBD	696	7	28	0	628		0	617	11	0	663
	2013	TBD	3,496	35	140	0	3,155		0	3,099	56	0	3,330
	2014	TBD											
GOM Cod	2013	TBD	825	55	27	0		442	259	433	8	0	782
	2013	TBD	1,635	108	54	0		875.3	512	858.7	16.6	0	1,550
	2014	TBD											
GB Haddock ⁽¹⁾	2013	46,185	29,335	293	1,173	0	26,196		0	26,124	72	273	27,936
	2014	46,268	35,699	357	1,428	0	31,879		0	31,792	87	332	33,996
	2015	56,293	43,606	436	1,744	0	38,940		0	38,833	107	406	41,526
GOM Haddock	2013	371	290	4	6	0		187	74	186	1	3	274
	2014	440	341	5	7	0		220	87	218	2	3	323
	2015	561	435	6	9	0		280	111	279	2	4	412
GB Yellowtail Flounder ⁽²⁾	2013	Unk.	495	0	9.9	192.1	259.3		0	256.3	3.0	20 ⁽⁴⁾	481.0
	2013	Unk.	215	0	4.3	83.4	112.6		0.0	111.3	1.3	8.6 ⁽⁴⁾	208.9
GB Yellowtail Flounder ⁽³⁾	2013	Unk.	495	0	9.9	192.1	278.5		0	275.3	3.2	0.0	480.4
	2013	Unk.	215	0	4.3	83.4	121.0		0.0	119.6	1.4	0.0	208.7
SNE/MA Yellowtail Flounder	2013	1,021	700	7	28	61	570		0	455	115	0	665
	2014	1,042	700	7	28	66	564		0	450	114	0	665
	2015	1,056	700	7	28	64	566		0	452	114	0	665

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Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub-ACL	Total ACL
CC/GOM Yellowtail Flounder	2013	713	548	33	11	0	479		0	467	12	0	523
	2014	936	548	33	11	0	479		0	467	12	0	523
	2015	1,194	548	33	11	0	479		0	467	12	0	523
Plaice	2013	2,035	1,557	31	31	0	1,420		0	1,396	24	0	1,482
	2014	1,981	1,515	30	30	0	1,382		0	1,359	23	0	1,442
	2015	2,021	1,544	31	31	0	1,408		0	1,385	24	0	1,470
Witch Flounder	2013	1,196	783	23	117	0	610		0	601	9	0	751
	2014	1,512	783	23	117	0	610		0	601	9	0	751
	2015	1,846	783	23	117	0	610		0	601	9	0	751
GB Winter Flounder	2013	4,819	3,750	0	113	0	3,528		0	3,508	21	0	3,641
	2014	4,626	3,598	0	108	0	3,385		0	3,366	20	0	3,493
	2015												
GOM Winter Flounder	2013	1,458	1,078	272	54	0	714.7		0	690.3	24.4	0	1,040
	2014	1,458	1,078	272	54	0	714.7		0	690.3	24.4	0	1,040
	2015												
SNE/MA Winter Flounder Revised Rebuilding Plan (1)	2013	TBD	2,000	280	200	0	1,414		0	0	1,414	0	1,894
	2014	TBD	2,000	280	200	0	1,414		0	0	1,414	0	1,894
	2015	TBD	2,000	280	200	0	1,414		0	0	1,414	0	1,894
SNE/MA Winter Flounder Revised Rebuilding Plan (2)	2013	2,732	1,676	235	168	0	1,185		0	0	1,185	0	1,587
	2014	3,372	1,676	235	168	0	1,185		0	0	1,185	0	1,587
	2015	4,439	1,676	235	168	0	1,185		0	0	1,185	0	1,587
Redfish	2013	15,468	10,995	110	220	0	10,132		0	10,091	41	0	10,462
	2014	16,130	11,465	115	229	0	10,565		0	10,522	43	0	10,909
	2015	16,845	11,974	120	239	0	11,034		0	10,989	45	0	11,393

Alternatives Under Consideration
Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

Alternatives Under Consideration
Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub-ACL	Total ACL
White Hake	2013	5,306	3,638	36	73	0	3,352		0	3,326	27	0	3,462
	2014												
	2015												
Pollock	2013	20,060	15,600	936	1,092	0	12,893		0	12,810	84	0	14,921
	2014	20,554	16,000	960	1,120	0	13,224		0	13,138	86	0	15,304
	2015												
N. Window-pane Flounder	2013	202	151	2	44	0	98		0	0	98	0	144
	2014	202	151	2	44	0	98		0	0	98	0	144
	2015	202	151	2	44	0	98		0	0	98	0	144
S. Window-pane Flounder	2013	730	548	55	384	0	102		0	0	102	0	540
	2014	730	548	55	384	0	102		0	0	102	0	540
	2015	730	548	55	384	0	102		0	0	102	0	540
S. Window-pane Flounder Scallop Sub-ACL	2013	730	548	55	186	183	102		0	0	102	0	527
	2014	730	548	55	186	183	102		0	0	102	0	527
	2015	730	548	55	186	183	102		0	0	102	0	527
Ocean Pout	2013	313	235	2	21	0	197		0	0	197	0	220
	2014	313	235	2	21	0	197		0	0	197	0	220
	2015	313	235	2	21	0	197		0	0	197	0	220
Atlantic Halibut	2013	164	99	40	5	0	52		0	0	52	0	96
	2014	180	109	44	5	0	57		0	0	57	0	106
	2015	198	119	48	6	0	62		0	0	62	0	116
Atlantic Wolffish	2013	94	70	1	3	0	62		0	0	62	0	65
	2014	94	70	1	3	0	62		0	0	62	0	65
	2015	94	70	1	3	0	62		0	0	62	0	65

Table 9 – Option 2 preliminary incidental catch TACs for Special Management Programs (metric tons, live weight). These values may change as a result of changes in sector membership. GB witenr flounder is no longer a stock of concern and has been deleted.

Stock	Cat B (regular) DAS Program			CAI Hook Gear Haddock SAP			EUS/CA Haddock SAP		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
GB cod	0.0/0.6			0.0/0.2			0.0/0.4		
GOM cod	0.1/0.4								
GB Yellowtail	0.0						0.0		
CC/GOM yellowtail	0.1	0.1	0.1						
SNE/MA Yellowtail	1.1	1.1	1.1						
Plaice	1.2	1.2	1.2						
Witch Flounder	0.5	0.5	0.5						
White Hake	0.5								
SNE/MA Winter Flounder	3.4	4.4							

Table 10 – Proposed CAI Hook Gear Haddock SAP TACs, FY 2010- 2012

Year	Exploitable Biomass (thousand mt)	WGB Exploitable Biomass	B(year)/B2004	TAC (mt, live weight)
2013	133,391	46,687	1.709	1,932
2014	136,753	47,864	1.752	1,980
2015	169,027	59,159	2.166	2,448

4.2 Commercial and Recreational Fishery Measures

4.2.1 SNE/MA Winter Flounder Landing Restrictions

4.2.1.1 Option 1: No Action

Landing of SNE/MA winter flounder would continue to be prohibited to commercial and recreational groundfish fishing vessels.

Rationale: The prohibition on retention was adopted by Amendment 16 to discourage fishing on this stock so that fishing mortality could be reduced as close to 0 as possible. Fishing mortality has been reduced to below F_{MSY} as a result. This measure would continue the prohibition in order to rebuild this stock as quickly as possible.

4.2.1.2 Option 2: Landing of SNE/MA Winter Flounder Permitted

This option would allow the landing of SNE/MA winter flounder by commercial and recreational groundfish fishing vessels. Sectors would receive an allocation of this stock, and sector vessels would be required to land all legal-sized SNE/MA winter flounder. Common-pool vessels would be allowed to land legal-sized fish, subject to any trip limits or other in-season restrictions that may be adopted.

Rationale: This measure would allow landings of SNE/MA winter flounder in order to promote achieving OY, and would help mitigate low ACLs of other stocks. It would also allow collection of biological samples from landed fish.

4.2.2 Commercial Fishery Accountability Measures

4.2.2.1 Option 1: No Action

If this option is adopted, AMs for this fishery would remain as adopted by Amendment 16 and subsequent framework actions. The AM system that has been adopted is designed to reduce the probability of overfishing by adjusting management measures if a groundfish fishery ACL is exceeded. For sector vessels, the AM for most stocks is the requirement that sectors stop fishing in a stock area when an ACE is caught, and there is a pound-for-pound penalty in the following year if the ACE is exceeded. Common pool vessels are subject to a TAC system that closes specific areas if a quota is exceeded. There are exceptions to these general statements that are described below.

The AMs for SNE/MA winter flounder would not be changed if this option is adopted. The current AM prohibits possession, but a change may result from FW 48 that would implement gear restrictions for groundfish fishing trips in certain areas if the ACL is exceeded. Either of these measures would remain in place if this option is adopted.

4.2.2.2 Option 2: Revised AM for SNE/MA Winter Flounder

This option would modify the AMs for SNE/MA winter flounder for sector and common pool groundfish fishing vessels. This measure would replace the area-based AM for SNE/MA winter flounder that was proposed in FW 48 for sector vessels.

The stock would be allocated to sectors based on the PSC of each permit in the sector. Sector vessels would be required to land legal-size SNE/MA winter flounder, and catches (landings and discards) would be charged against the sector's ACE. Sectors would be required to ensure that catches remain below the allocated ACE.

For common pool vessels, the amount of this stock available to the common pool could be caught by common pool vessels. Common pool vessels would be subject to the area-based AM that was the Preferred Alternative in FW 48. Because this stock would be allocated and groundfish fishing vessels would be allowed to land it, the common pool AM would be triggered if the common pool exceeds the amount that is allocated to it by more than the management uncertainty buffer.

Should an overage of the overall ACL result from fishing activity by other components of the fishery that do not have a specified sub-ACL and AMs, the overage will be distributed among the components of the fishery that do have a sub-ACL and the sub-ACLs in the following year will be reduced as necessary to account for the overage.

The groundfish fishery AM for SNE/MA winter flounder that would be implemented by FW 48 if the total ACL (as opposed to the groundfish sub-ACL) is projected to be exceeded by an amount that exceeds the management uncertainty buffer. Should a sub-ACL be allocated to other fisheries and AMs developed for those fisheries, the AMs for either (or both) fisheries will be implemented only if the total ACL for the stock is exceeded. If only one fishery exceeds its sub-ACL the AM will be implemented only for that fishery. Note that for both stocks, a specific area-based measure becomes effective only if catches exceed the ACL by more than the allowance for management uncertainty. In effect, the area-based measures are effective if the ABC is exceeded.

If the AM is implemented trawl vessels would be required to use approved selective trawl gear that reduces the catch of demersal species. Approved gears include the separator trawl, Ruhle trawl, mini-Ruhle trawl, rope trawl, and other gear authorized by the Council in a management action or approved for use consistent with the process defined in 50 CFR 648.85 (b)(6). There would be no restrictions on longline or gillnet gear.

Areas: The applicable areas where gear restrictions would apply are shown in Figure 1. The areas are designed to account for an AM overage of up to 20 percent. The areas would be implemented for ACL overages that exceed the management uncertainty buffer. Should an overage exceed 20 percent of the

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ACL by more than the uncertainty buffer, the AM will be implemented and then this measure will be reviewed in a future action.

Block 1:

41-10N 071-40W

East to Block Island Coastline at 41-10N

East along Block Island Coastline to 41-10N

41-10N 071-20W

41-00N 071-20W

41-00N 071-40W

Block 2:

41-20N 070-30W

41-20N 070-20W

41-00N 070-20W

41-00N 070-30W

Block 3

41-20N 069-20W

41-20N 069-10W

41-10N 069-10W

41-10N 069-20W

Block 4:

41-20N 069-20W

Closed Area I Boundary at 41-20N

Closed Area I Boundary at 069-00W

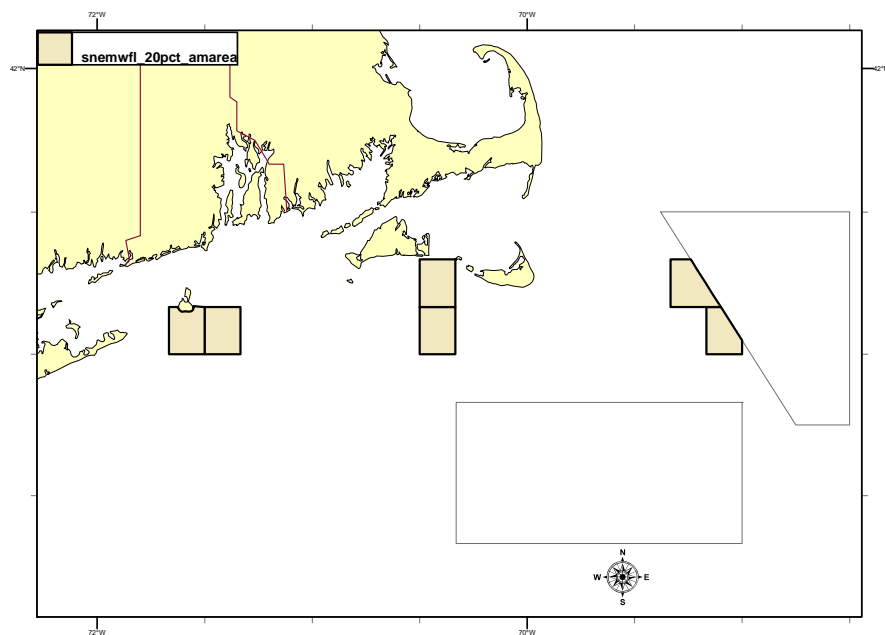
41-00N 069-00W

41-00N 069-10W

41-10N 069-10W

41-10N 069-20W

Figure 1 –SNE/MA winter flounder AM area preferred alternative from FW 48



Rationale: This measure adopts AMs that are more appropriate for a stock that can be landed by sectors and common pool vessels.

5.0 Alternatives Considered and Rejected

TBD

6.0 Affected Environment – Being Updated Using Sector AE

The Valued Ecosystem Components (VECs) affected by the Preferred Alternatives include the physical environment, Essential Fish Habitat (EFH), target species, non-target species/bycatch, protected resources, and human communities, which are described below.

6.1 Physical Environment/Habitat/EFH

The Northeast U.S. Shelf Ecosystem (**Figure 2**) includes the area from the Gulf of Maine south to Cape Hatteras, North Carolina. It extends from the coast seaward to the edge of the continental shelf and offshore to the Gulf Stream (Sherman et al. 1996). The continental slope includes the area seaward of the shelf, out to a depth of 6,562 feet (ft) [2,000 meters (m)]. Four distinct sub-regions comprise the NMFS Northeast Region: the Gulf of Maine, Georges Bank, the southern New England/Mid-Atlantic region, and the continental slope. Sectors primarily fish in the inshore and offshore waters of the Gulf of Maine, Georges Bank, and the southern New England/Mid-Atlantic areas. Therefore, the description of the physical and biological environment focuses on these sub-regions. Information in this section was extracted from Stevenson et al. (2004).

Figure 2 - Northeast U.S Shelf Ecosystem

6.1.1 Gulf of Maine

The Gulf of Maine is bounded on the east by Browns Bank, on the north by the Nova Scotia (Scotian) Shelf, on the west by the New England states, and on the south by Cape Cod and Georges Bank (**Figure 3**). The Gulf of Maine is a boreal environment characterized by relatively cold waters and deep basins, with a patchwork of various sediment types. There are 21 distinct basins separated by ridges, banks, and swells. Depths in the basins exceed 820 ft (250 m), with a maximum depth of 1,148 ft (350 m) in Georges Basin, just north of Georges Bank. High points within the Gulf of Maine include irregular ridges, such as Cashes Ledge, which peaks at 30 ft (9 m) below the surface.

Figure 3 - Gulf of Maine