Revised following Committee Meeting 12/01/17 DRAFT

4.0 DRAFT ALTERNATIVES UNDER CONSIDERATION

4.1 Updates to Annual Catch Limits

4.1.1 Annual Catch Limits

4.1.1.1 Option 1: No Action

No Action. There would be no changes to the specifications for FY 2018 – FY 2019 (Table 2). Default specifications would be in effect from May 1, 2018, to July 31, 2018, and would equal 35% of the FY 2017 catch limits, which would only be necessary for EGB cod and EGB haddock and would use FY2017 catch limits as a basis for also adjusting GB cod and GB haddock for expected Canadian catches. All other stocks have FY2018 specifications. Default specifications would be in place for most stocks from May 1, 2019 to July 31, 2019. Witch flounder has FY2019 specifications for the full year already in place following FW56. There would be no FY2018 quotas specified for the transboundary Georges Bank stocks (i.e. GB cod, GB haddock, GB yellowtail flounder), which are managed through the US/CA Resource Sharing Understanding. These quotas are specified annually.

Rationale: The No Action alternative uses overfishing limits (OFLs)/acceptable biological catches (ABCs)/annual catch limits (ACLs) adopted in FW56. These values are based on the 2015 and 2016 assessments, and not the most recent 2017 assessments.

Table 2 - No Action/Option 1 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY2018-FY2019 (metric tons, live weight), adjusted for 2017 sector rosters as in the final rule for FW56, published August 7, 2017. Values are rounded to the nearest metric ton. Default specifications for FY 2019 are shown in italics and gray, and remain in place through July 31, 2019, as published in the final rule to FW 55, May 2, 2016 with the exception of GB haddock which was recalculated in FW56 due to an error in the FW55 final rule, unadjusted for final FY2017 sector rosters.

Stock	Year	OFL	US ABC	State Waters Sub-Component	Other sub-components	Scallops	Groundfish Sub-ACL	Comm. Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Ground-fish	MWT or Small mesh Sub-ACL	Total ACL
GB Cod	2018	1,665	1,249	37	162		997	997		978	18		1,197
	2019		*583*				*465*			*455*	*10*		*437*
GOM Cod	2018	667	500	27	10		437	280	157	271	9		473
	2019		*233*				*204*			*127*	*4*		*175*
GB Haddock	2018	358,077	77,898	779	779		71,413	71,413		70,916	497	1,087	74,058
	2019		*27,264*				*25,124*			*24,959*	*165*	*253*	*25,923*
GOM Haddock	2018	6,218	4,815	35	35		4,436	3,204	1,231	3,169	35	45	4,550
	2019		*2,176*				*1,552*			*1,107*	*14*	*16*	*1,685*
GB Yellowtail Flounder	2018		354		4	55	278	278		274	4	7	243
SNE/MA Yellowtail Flounder	2018		267	5	29	37	185	185		149	36		256
	2019						*66*			*52*	*14*		*93*
CC/GOM Yellowtail Flounder	2018	900	427	43	26		341	341		326	15		409
	2019		*315*				*119*			*113*	*5*		*149*
American Plaice	2018	1,840	1,404	28	28		1,280	1,280		1,257	24		1,337
	2019		*644*				*448*			*439*	*9*		*491*
Witch Flounder	2018		878	35	70		734	734		718	16		839
	2019		878	35	70		734	734		718	16		839
GB Winter Flounder	2018	1,459	702		63		620	615		615	5		683
	2019		*511*				*233*			*231*	*2*		*264*
GOM Winter Flounder	2018	1,080	810	122	16		639	639		607	32		776
	2019		*378*				*224*			*212*	*12*		*284*

Stock	Year	OFL	US ABC	State Waters Sub-Component	Other sub-components	Scallops	Groundfish Sub-ACL	Comm. Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Ground-fish	MWT or Small mesh Sub-ACL	Total ACL
SNE/MA Winter Flounder	2018	1,587	780	70	94		585	585		515	70		749
	2019		*555*				*205*			*180*	*25*		*273*
Redfish	2018	15,260	11,501	115	230		10,598	10,598		10,540	58		10,943
	2019		*5,341*				*3,709*			*3,688*	*21*		*4,025*
White Hake	2018	4,733	3,560	36	72		3,299	3,299		3,273	26		3,406
	2019		*1,657*				*1,168*			*1,160*	*8*		*1,268*
Pollock	2018	34,745	21,312	1,279	1,279		17,817	17,817		17,704	113		20,374
	2019		*12,161*				*6,236*			*6,196*	*39*		*7,459*
GOM/GB Windowpane Flounder	2018	243	182	2	4	36	129	129			129		170
	2019		*85*				*64*				*64*		*64*
SNE/MA Windowpane Flounder	2018	833	623	37	249	209	104	104			104		599
	2019		*292*				*218*				*218*		*218*
Ocean Pout	2018	220	165	2	23		130	130			130		155
	2019		*77*				*58*				*58*		*58*
Atlantic Halibut	2018	210	124	25	4		91	91			91		119
	2019		*74*				*55*				*55*		*55*
Atlantic Wolffish	2018	110	82	1	3		72	72			72		77
	2019		*39*				*29*				*29*		*29*

4.1.1.2 Option 2: Revised Annual Catch Limit Specifications

Under Option 2, the annual specification for FY2018 – FY2020 for all groundfish stocks and FY2018 – FY2019 for GB yellowtail flounder, would be as specified as in Table 5[1]. Option 2 includes adjustments to the state waters and other sub-component values from those specified in FW55 and FW56 under the No Action (see Appendix II for additional information on the PDT's sub-component analysis). Table 6 provides the Closed Area I Hook Gear Haddock SAP.

U.S./Canada Total Allowable Catches

This alternative would specify total allowable catches (TACs) for the U.S./Canada Management Area for FY 2018 as indicated in Table 3. If NMFS determines that FY 2017 catch of GB cod, haddock, or yellowtail flounder from the U.S./Canada Management Area exceeded the respective 2017 TAC, the U.S./Canada Resource Sharing Understanding and the regulations require that the 2018 TAC be reduced by the amount of the overage. Any overage reduction would be applied to the components of the fishery that caused the overage of the U.S. TAC in 2017. 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.

In addition, under Option 2, a 2019 target TAC of 40,000 mt for EGB haddock is identified to be used as an upper bound with determining 2019 catch advice (Table 5). This number is expected to be reviewed in 2018 by the Transboundary Management Guidance Committee (TMGC).

A comparison of the proposed FY 2018 U.S. TACs and the FY 2017 U.S. TACs is shown in Table 4. Changes to the U.S. TACs reflect changes to the percentage shares, stock status, and the TMGC's recommendations.

Table 3 - Proposed FY2018 U.S./Canada TACs (mt).

	Eastern GB Cod	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared TAC	951	40,000	300
U.S. TAC	257	15,600	213
Canada TAC	694	24,400	87

[1] A range of Atlantic halibut specifications for FY2018-FY2020 is provided for the purpose of analysis in this action. The SSC will convene in December after the Council meeting to discuss Atlantic halibut OFL and ABC recommendations for FY2018-FY2020.

Table 4 - Comparison of the Proposed FY 2018 U.S. TACs and the FY 2017 U.S. TACs (mt).

Stock	U.S. TAC		Percent Change ((FY2018-FY2017) /FY2017)*100
	FY 2018	**FY 2017**	
Eastern GB cod	257	146	*+76.0%*
Eastern GB haddock	15,600	29,500	*-47.1%*
GB yellowtail flounder	213	207	*+2.9%*

Table 5 - Option 2 Revised Northeast Multispecies OFLs, ABC, ACLs, and other ACL sub-components for FY2018-FY2020 (metric tons, live weight), based on final sector rosters for 2017. Values are rounded to the nearest metric ton. Stocks which are underlined would be subject to adjustments in 2019 and 2020 based on US/CA quotas. PDT's recommendations included for adjustments to state waters and other sub-components for most stocks and Canadian catches. Groundfish Committee's state sub-component recommendations included for GOM cod, GOM winter flounder, and Atlantic halibut.

Stock	Year	OFL	US ABC	State-Waters Sub-Component	Other sub-components	Scallops	Groundfish Sub-ACL	Comm. Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Ground-fish Sub-ACL	MWT or Small mesh Sub-ACL	Total ACL
GB Cod	2018	3,047	1,591	16	143		1,360	1,360		1,335	25		1,519
	2019	3,047	2,285	23	206		1,954	1,954		1,918	36		2,182
	2020	3,047	2,285	23	206		1,954	1,954		1,918	36		2,182
GOM Cod	2018	938	703	47	9		610	390	220	377	13		666
	2019	938	703	47	9		610	390	220	377	13		666
	2020	938	703	47	9		610	390	220	377	13		666
GB Haddock	2018	94,274	48,714	487	487		44,659	44,659		44,348	311	680	46,312
	2019	99,757	48,714	487	487		44,659	44,659		44,348	311	680	46,312
	2020	100,825	73,114	731	731		67,027	67,027		66,560	467	1,020	69,509
GOM Haddock	2018	16,954	13,131	95	95		12,097	8,738	3,358	8,643	95	122	12,409
	2019	16,038	12,490	91	91		11,506	8,312	3,194	8,222	90	116	11,803
	2020	13,020	10,186	74	74		9,384	6,779	2,605	6,705	74	95	9,626
GB Yellowtail Flounder	2018		213			33	169	169		167	3	4	206
	2019		300			47	239	239		235	4	6	291
	2020												
SNE/MA Yellowtail Flounder	2018	90	68	2	17	5	42	42		34	8		66
	2019	90	68	2	17	16	31	31		25	6		66
	2020	90	68	2	17	16	31	31		25	6		66
CC/GOM Yellowtail Flounder	2018	662	511	51	41		398	398		381	18		490
	2019	736	511	51	41		398	398		381	18		490
	2020	848	511	51	41		398	398		381	18		490

Stock	Year	OFL	US ABC	State-Waters Sub-Component	Other sub-components	Scallops	Groundfish Sub-ACL	Comm. Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Ground-fish Sub-ACL	MWT or Small mesh Sub-ACL	Total ACL
American Plaice	2018	2,260	1,732	35	35		1,580	1,580		1,550	29		1,649
	2019	2,099	1,609	32	32		1,467	1,467		1,440	27		1,532
	2020	1,945	1,492	30	30		1,361	1,361		1,335	25		1,420
Witch Flounder	2018		993	40	60		849	849		830	19		948
	2019		993	40	60		849	849		830	19		948
	2020		993	40	60		849	849		830	19		948
GB Winter Flounder	2018	1,083	810		57		731	731		725	6		787
	2019	1,182	810		57		731	731		725	6		787
	2020	1,756	810		57		731	731		725	6		787
GOM Winter Flounder	2018	596	447	67	4		357	357		339	18		428
	2019	596	447	67	4		357	357		339	18		428
	2020	596	447	67	4		357	357		339	18		428
SNE/MA Winter Flounder	2018	1,228	727	73	109		518	518		456	62		700
	2019	1,228	727	73	109		518	518		456	62		700
	2020	1,228	727	73	109		518	518		456	62		700
Redfish	2018	15,451	11,552	116	116		10,755	10,755		10,696	59		10,986
	2019	15,640	11,785	118	118		10,972	10,972		10,911	60		11,208
	2020	15,852	11,942	119	119		11,118	11,118		11,057	61		11,357
White Hake	2018	3,885	2,938	29	29		2,735	2,735		2,713	22		2,794
	2019	3,898	2,938	29	29		2,735	2,735		2,713	22		2,794
	2020	3,916	2,938	29	29		2,735	2,735		2,713	22		2,794
Pollock	2018	51,680	40,172	402	402		37,400	37,400		37,163	237		38,204
	2019	53,940	40,172	402	402		37,400	37,400		37,163	237		38,204
	2020	57,240	40,172	402	402		37,400	37,400		37,163	237		38,204

Stock	Year	OFL	US ABC	State-Waters Sub-Component	Other sub-components	Scallops	Groundfish Sub-ACL	Comm. Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Ground-fish Sub-ACL	MWT or Small mesh Sub-ACL	Total ACL
GOM/GB	2018	122	92	2	3	18	63	63			63		86
Windowpane	2019	122	92	2	3	18	63	63			63		86
Flounder	2020	122	92	2	3	18	63	63			63		86
SNE/MA	2018	631	473	28	218	158	53	53			53		457
Windowpane	2019	631	473	28	218	158	53	53			53		457
Flounder	2020	631	473	28	218	158	53	53			53		457
Ocean Pout	2018	169	127	3	23		94	94			94		120
	2019	169	127	3	23		94	94			94		120
	2020	169	127	3	23		94	94			94		120
Atlantic Halibut (A)	2018	210	125	25	3		93	93			93		120
	2019												
	2020												
Atlantic Halibut (B) (2018-2020)	Low		100	20	2		74	74			74		96
	Mid		225	45	2		169	169			169		216
	High		500	50	2		426	426			426		478
Atlantic	2018	120	90	1	1		82	82			82		84
Wolffish	2019	120	90	1	1		82	82			82		84
	2020	120	90	1	1		82	82			82		84

A – Adjusted 2018 ABC
B – Range for the purpose of analysis, as constant quotas

Table 6- CAI Hook Gear Haddock SAP TACs (FY2018 - FY2020).

Year	Exploitable Biomass (thousand mt)	Western Georges Bank Exploitable Biomass	B(year)/B(2004)	TAC (mt, live weight)
2018	173,406	60,692	2.222	2,511
2019	238,522	83,483	3.057	3,454
2020	253,621	88,767	3.250	3,673

4.1.1.2.1 Sub-Option 1: Updates to Common Pool Vessel Accountability Measures - Target (Trimester) Total Allowable Catch (TAC)

4.1.1.2.1.1 Option 1: No Action

No action. There would be no revisions to the Common Pool Vessel Trimester Total Allowable Catch (TAC) apportionments. Trimester TAC apportionments would not change from those determined in Amendment 16.

Amendment 16 adopted a "hard" TAC backstop for common pool vessels in the commercial groundfish fishery as the AM to ensure that overfishing does not occur. For each stock, the total annual TAC is apportioned to trimesters. Each trimester is four months in duration. The trimesters are divided as follows:

1st trimester: May 1-August 31
2nd trimester: September 1-December 31
3rd trimester: January 1-April 30

The target TACs, or percentages of total TAC allocated to each trimester, as determined in Amendment 16 are shown in Table 7. The initial distribution was developed by the Council after considering the influence of regulatory changes on recent landings patterns. Amendment 16 specified that subsequent calculations, which may be adjusted on a biennial basis, will use the most recent five-year periods available when the calculations are performed. For other stocks, the distribution of landings has been heavily influenced by management measures and the distribution shown in the table represented a preferred distribution of landings.

SNE/MA winter flounder is the only allocated stock not managed under the trimester TAC system. This stock was later allocated in Framework Adjustment 50, and the common pool receives a sub-ACL.

Table 7 - No action: Final apportionment of common pool TAC to trimesters.

Stock	Trimester 1	Trimester 2	Trimester 3
GB Cod	25%	37%	38%
GOM Cod	27%	36%	37%
GB Haddock	27%	33%	40%
GOM Haddock	27%	26%	47%
GB Yellowtail	19%	30%	52%
SNE/MA Yellowtail	21%	37%	42%
CC/GOM Yellowtail	35%	35%	30%
American Plaice	24%	36%	40%
Witch Flounder	27%	31%	42%
GB Winter	8%	24%	69%
GOM Winter	37%	38%	25%
Redfish	25%	31%	44%
White Hake	38%	31%	31%
Pollock	28%	35%	37%

4.1.1.2.1.2 Option 2: Revised Common Pool Vessel Trimester Total Allowable Catch (TAC) Apportionments

Updated Common Pool Trimester Catch by Percentage

This option is the strict output resulting from the process outlined in Amendment 16, which specified that subsequent calculations will use the most recent five-year periods of data available when the calculations are performed (Table 8).

The Council recommended limiting the revisions to those stocks that have experienced early closure in trimester 1 or 2 since implementation of A16. The stocks that meet the Council's criteria are: Georges Bank cod, Gulf of Maine (GOM) cod, Southern New England/Mid-Atlantic yellowtail flounder, Cape Cod/GOM yellowtail flounder, American plaice, and witch flounder.

Table 8 - Common pool trimester catch by percentage (average) for FY 2012 – FY 2016.

Stock	Trimester 1	Trimester 2	Trimester 3
GB Cod	28%	34%	38%
GOM Cod	49%	33%	18%
SNE/MA Yellowtail	21%	28%	51%
CC/GOM Yellowtail	57%	26%	17%
American Plaice	74%	8%	18%
Witch Flounder	55%	20%	25%

4.1.1.2.2 Sub-Option 2: Atlantic Sea Scallop Fishery Sub-ACL for Southern New England/Mid-Atlantic Yellowtail Flounder

As part of the specification setting process, the Council considers a scallop fishery sub-ACL for SNE/MA yellowtail flounder. Sub-option 2 would continue to specify scallop fishery sub-ACLs for SNE/MA yellowtail founder based on the scallop fishery's projected catch (as opposed to a fixed percentage). A sub-ACL for SNE/MA yellowtail flounder for the scallop fishery was adopted through Amendment 16, and the Council selected an allocation for the scallop fishery though FW 44, FW 50, and FW 55. Since FY 2011, the sub-ACL has been based on 90 percent of the estimated scallop fishery catch, though the Council is not bound by its earlier decisions. Table 9 describes projected SNE/MA yellowtail catch in the scallop fishery, under the status quo projection run in the Draft Scallop FW 29[2]. This will be updated following the Council's final action on Scallop FW 29.

Table 9- Summary of projected SNE/MA yellowtail flounder bycatch estimates (mt) from Draft Scallop Framework 29.

SNE/MA YT – FY 2018 - FY 2020 Total ABC of 68 mt	
FY	Projections from Draft Scallop FW 29, status quo (resulting sub-ACLs)
2018	5.96 mt (90% = 5 mt)
2019	17.35 mt (90% = 16 mt)
2020	17.95 mt (90% = 16 mt)

In addition, there are existing provisions in the regulations that manage this sub-ACL in a manner that prevents the loss of available yield of this stock. NMFS currently evaluates catches of SNE/MA yellowtail flounder by the scallop fishery by January 15 of the fishing year. If the catch estimate indicates 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 to 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 change to the sub-ACL.

Sub-Option 2 would set the SNE/MA yellowtail flounder ABC and sub-ACL at 90% of the scallop fishery's estimated catch for FY 2018 – FY 2020. A comparison of the scallop fishery projected catch estimates, and resulting sub-ACLs are shown in Table 9.

Rationale: Specifying a sub-ACL at 90% of projected catch would incentivize the scallop fishery to reduce catches of SNE/MA yellowtail flounder. An allocation of 90% of estimated catch is consistent with the Council's approach in recent years.

[2] Scallop PDT memo to Groundfish PDT re Scallop fishery bycatch projections for FY2018 (November 20, 2017)

4.2 Fishery Program Administration

4.2.1 Authority for Common Pool Trimester Total Allowable Catch (TAC) Apportionment Changes

4.2.1.1 Option 1: No Action

No action would maintain that changes to common pool trimester TAC apportionments continue to occur through Council action.

4.2.1.2 Option 2: Broaden Regional Administrator Authority to Modify Common Pool Trimester TACs and/or AM Closures

Under Option 2, the Regional Administrator would have broader authority to modify common pool trimester TACs or AM closures, under certain conditions. The scope for this authority would include adjusting trimester TAC apportionments for stocks that have experienced early closures (e.g., trimester 1 or 2 closures), to be completed prior to the beginning of the fishing year, using the process outlined in Amendment 16 (described in Section 4.1.1.2.1.2).

Rationale: This approach would allow greater flexibility for the Regional Administrator in adapting TACs and AM closures without requiring Council action, under certain conditions.

4.3 Commercial and Recreational Fishery Measures

4.3.1 Accountability Measures

4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries

4.3.1.1.1 Option 1: No Action

Atlantic Halibut Management- Federal

No Action would maintain the existing management measures currently in place for Atlantic halibut.

Minimum Fish Size
The minimum size for Atlantic halibut is 41 inches (104.1 cm.), total length for all groundfish vessels (commercial, recreational - private, party, and charter). The minimum size matches the median length at maturity for female halibut in the Gulf of Maine. A18 explained that the increase in minimum size would slightly increase opportunities for additional halibut to spawn prior to capture.

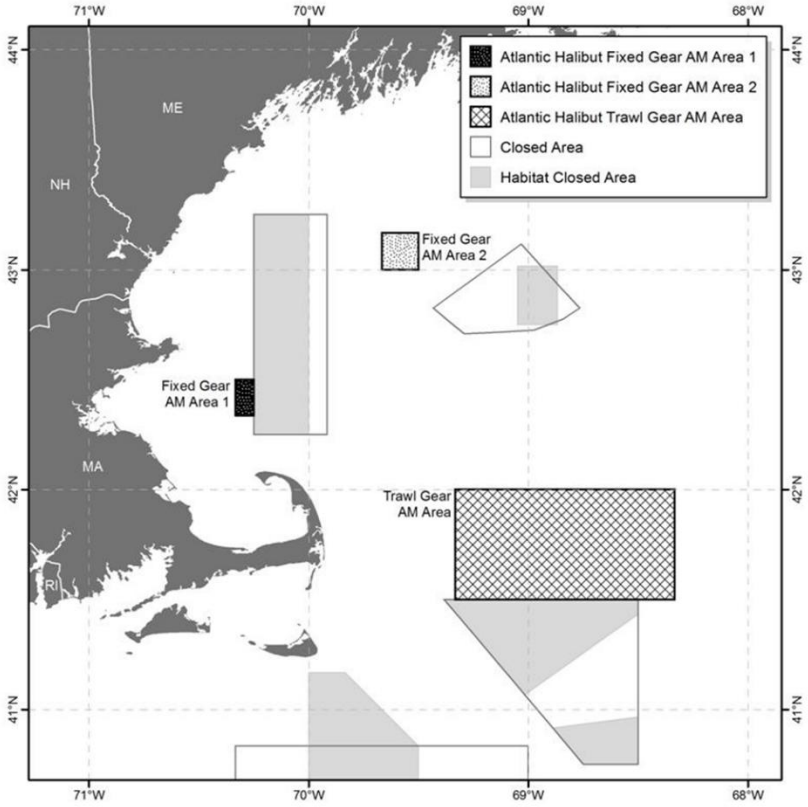
Possession Limit
Commercial vessels with a Northeast multispecies permit are permitted to land one legal sized Atlantic halibut per trip. Recreational vessels are permitted to land one legal sized Atlantic halibut per trip.

Reactive Accountability Measures
The federal groundfish fishery (sectors and common pool vessels) are the components of the fishery held accountable for an overage of the catch limits. The accountability measures (AMs) for Atlantic halibut do not apply to state only permitted vessels and other subcomponents of the Atlantic halibut fishery.

As modified by Framework Adjustment (FW) 47 and 48, the AMs for Atlantic halibut are triggered when there is an overage in the overall annual catch limit (ACL) that is greater than the uncertainty buffer in any fishing year (i.e., exceeding the acceptable biological catch, ABC). If the AM is triggered, vessels possessing a Northeast multispecies permit or vessels operating under a Category C or D limited access monkfish permit would not be allowed to retain Atlantic halibut. In addition, gear restricted areas would be triggered. Trawl vessels possessing a northeast multispecies permit must use selective gear approved by the Regional Administrator (e.g., haddock separator trawl, Ruhle trawl, rope separator trawl) that reduces catch of flounders in the Atlantic Halibut Trawl Gear AM Area (Figure 1). Gillnet and longline vessels possessing a Northeast multispecies permit may not fish within the Atlantic Halibut Fixed Gear AM Areas (Figure 1).

The AMs would be in place for a full fishing year, starting on May 1. The AM for an Atlantic halibut catch overage could apply in the next fishing year following an overage, or in the second fishing year following an overage depending on the availability of information. For example, If NMFS made a determination that an overage occurred in FY 2017 before the FY 2018 began, then the AM could apply in FY 2018. However, if NMFS made the determination that an overage occurred during the FY2017, and reliable information was not available until after FY 2018 began, then the AM would apply to in FY 2019. If updated catch information becomes available subsequent to the implementation of an AM that indicates that an ACL was not exceeded, the AM will be rescinded. The AMs were designed to correct for an overage of up to 20 percent. FW 48 explains that the Council would review the AMs in a future action if an overage greater than 20% occurred.

Figure 1 – Map of Atlantic Halibut Accountability Measures Areas



4.3.1.1.2 Option 2: Revised Atlantic Halibut Accountability Measures for Federal Fisheries

4.3.1.1.2.1 Sub-Option 2A: Reactive AM of No Possession Would Apply to All Federal Permit Holders

Under Sub-Option 2A, the current reactive AM of no possession of Atlantic halibut would be extended to all federal permit holders. The reactive no possession would now impact Federally-permitted scallop vessels, lobster vessels, party/charter vessels, and others under several FMPs, in addition to groundfish permit holders who are currently affected by the reactive AM. If the AM is triggered and state waters sub-component catch contributes significantly to the overage, then the AM will limit catch by vessels whose only Federal permit is a lobster permit, which would otherwise contribute to this catch. Other provisions of the AM would remain unchanged.

Rationale: Extending no possession restrictions under the existing reactive AM would reduce targeting of Atlantic halibut by permit holders not currently subject to the AM.

4.3.1.1.2.2 Sub-Option 2B: Modified Gear Restricted Areas

Under Sub-Option 2B, the current Atlantic halibut AM gear restricted areas would be modified as shown in (Figure 2) for vessels possessing a northeast multispecies permit. The modifications are described below for the Fixed Gear AM Areas and the Trawl Gear AM Area. All or some of the modifications can be selected.

Fixed Gear AM Areas

- Exempt longline gear from the Fixed Gear AM areas (Fixed Gear AM Area 1 and Fixed Gear AM Area 2);
- Allow gillnet gear in Fixed Gear AM Area 2 seasonally from November to February;
- Remove Fixed Gear AM Area 1.

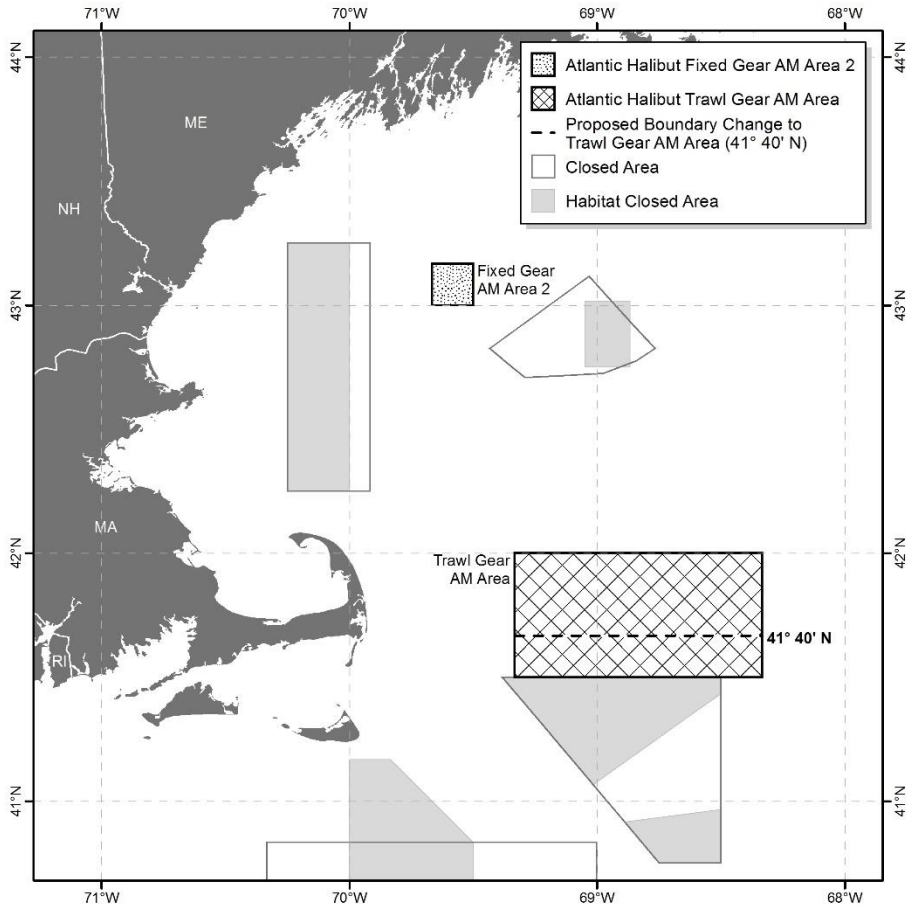
Trawl Gear AM Area

- Allow standard trawl gear in the Trawl Gear AM Area in the area between 41 degrees 40 minutes and 42 degrees seasonally from April 1 through July 31.

All other provisions of the gear restricted areas would remain unchanged.

Rationale: Based on an updated evaluation of the existing AM areas, modifying the AM areas would allow groundfish trawl vessels and groundfish fixed gear vessels additional flexibility while continuing to reduce impacts on Atlantic halibut. These modifications would likely have minimal impacts on the Atlantic halibut stock due to the low encounter rates and catch rates in the seasons and areas included, and would preserve fishing opportunities for vessels targeting other species.

Figure 2 - Proposed modifications to Atlantic halibut AM areas.



4.3.1.2 Southern Windowpane Flounder Accountability Measures for Large-Mesh Non-Groundfish Fisheries

The AM was originally established in Framework Adjustment (FW) 47 to the Multispecies (Groundfish) Fishery Management Plan. The southern windowpane AM areas apply to all groundfish trawl vessels (sector and common pool). The AM areas also apply to non-groundfish trawl vessels fishing with a codend mesh size of 5 inches (12.7 cm) or greater, which includes vessels that target summer flounder, scup, and skates. In 2015, the Council developed FW 52 to reduce the economic impacts of the windowpane flounder AMs for the groundfish fishery. At the time, the AMs were triggered only for the groundfish fishery. The Council intentionally limited the scope of FW 52 to the groundfish fishery to ensure the action could be completed, and final measures implemented, in time for the start of the 2015 fishing year. The provisions in FW 52 do not currently apply to large-mesh non-groundfish fisheries.

4.3.1.2.1 Option 1: No Action

No action would maintain the southern windowpane accountability measures for large-mesh non-groundfish fisheries currently in place.

The AM for southern windowpane for large-mesh non-groundfish fisheries is implemented if the total ACL is exceeded by more than the management uncertainty buffer (currently set at approximately 5%), and if the large-mesh non-groundfish fishery also exceeds its sub-ACL (evaluated using the "other sub-component").

Selective gear: When the AMs are trigger, large-mesh non-groundfish vessels fishing with trawl gear with codend mesh size of 5 inches (12.7 cm) or greater, are required to use selective trawl gear to minimize the catch of flatfish in the AM areas described below.

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). The AM does not apply to longline or gillnet gear, since these gears comprise such a small amount of the total catch of windowpane flounder.

Timing: The AM for non-groundfish vessels is implemented at the start of a fishing year, never in-season, and remains in place for the duration of that fishing year. In-season catch information is not readily available for state or non-groundfish fisheries, so a final ACL determination cannot typically be made until after the fishing year ends. If there is an overage the AM is implemented:

- At the start of Year 2 if, based on reliable data, NMFS determines in-season during Year 1 that the total ACL was exceeded; or
- At the start of Year 3, if final catch estimates after the end of Year 1, indicate that the total ACL was exceeded.

Areas: The size of the gear-restricted areas is based on the amount of the overage. The Small AM Area is implemented if the ACL overage is between the management uncertainty buffer (currently 5%) and up to 20%. The Large AM Area is implemented if the ACL overage is more than 20%. The gear restricted areas are shown in Figure 3; the coordinates are provided in Table 10.

Figure 3 - Map of Southern Windowpane Flounder AM Areas

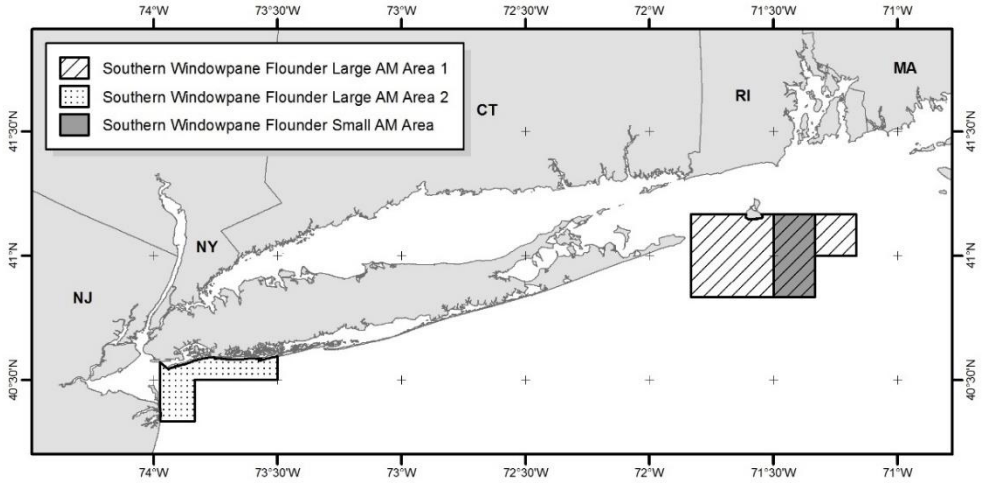


Table 10 - Southern Windowpane Flounder AM Area Coordinates

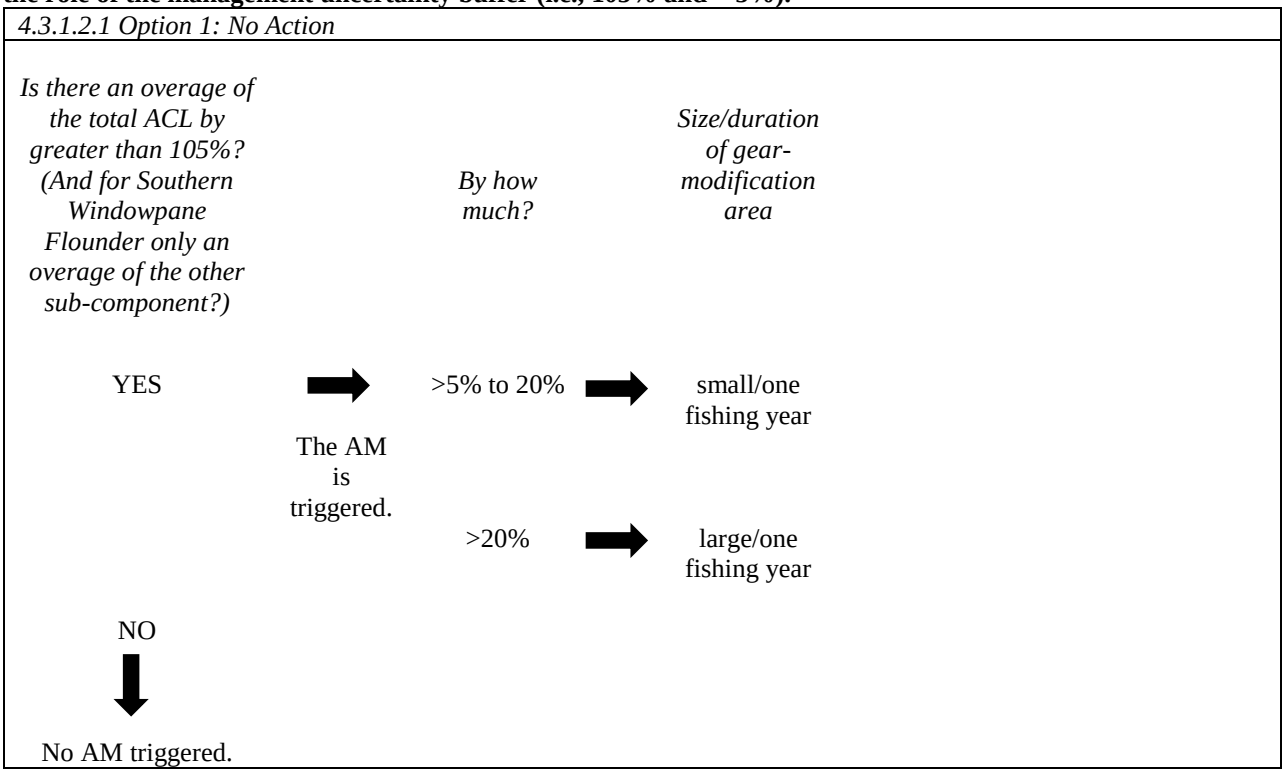
Southern Windowpane Flounder Small AM Area		
Point	*N. Latitude*	*W. Longitude*
1	41°10′	71°30′
2	41°10′	71°20′
3	40°50′	71°20′
4	40°50′	71°30′
1	41°10′	71°30′

Southern Windowpane Flounder Large AM Area 1		
Point	*N. Latitude*	*W. Longitude*
1	41°10’	71°50’
2	41°10’	71°10’
3	41°00’	71°10’
4	41°00’	71°20’
5	40°50’	71°20’
6	40°50’	71°50’
1	41°10’	71°50’

Southern Windowpane Flounder Large AM Area 2		
Point	*N. Latitude*	*W. Longitude*
1	([1])	73°30’
2	40°30’	73°30’
3	40°30’	73°50’
4	40°20’	73°50’
5	40°20’	([2])
6	([3])	73°58.5’
7	([4])	73°58.5’
8	40°32.6’ ([5])	73°56.4’ ([5])
1	([1])	73°30’

([1]) The southern-most coastline of Long Island, NY at 73°30′ W. longitude.
([2]) The eastern-most coastline of NJ at 40°20′ N. latitude, then northward along the NJ coastline to Point 6.
([3]) The northern-most coastline of NJ at 73°58.5′ W. longitude.
([4]) The southern-most coastline of Long Island, NY at 73°58.5′ W. longitude.
([5]) The approximate location of the southwest corner of the Rockaway Peninsula, Queens, NY, then eastward along the southern-most coastline of Long Island, NY (excluding South Oyster Bay), back to Point 1.

Figure 4 - Flow Chart of Option 1: No Action. Note that 5% is used for illustrative purposes to demonstrate the role of the management uncertainty buffer (i.e., 105% and > 5%).



4.3.1.2.2 Option 2: Revised Southern Windowpane Flounder Accountability Measures for Large-Mesh Non-Groundfish Fisheries

Sub-Options 2A and 2B can be selected.

4.3.1.2.2.1 Sub-Option 2A: Extension of FW 52 Provisions to Large-Mesh Non-Groundfish Trawl Fisheries

Sub-option 2A would extend the provisions in FW 52 afforded to the groundfish fishery to the large-mesh non-groundfish fisheries. Two provisions were established through FW52.

Area-Based Accountability Measure for Windowpane Flounder - Modified AM trigger that incorporates stock status and biomass

When the Large AM Area has been triggered NMFS would determine whether the following criteria are met: 1) the stock is rebuilt and 2) the biomass criterion (defined as the 3-year centered average of the 3 most recent surveys multiplied by 75%F_{MSY} of the most recent assessment) is greater than the fishing year catch. If NMFS determines that these criteria are met only the Small AM Area would be implemented.

This alternative would not change the timing of AM implementation, requirement for the total ACL (and relevant sub-ACL) to be exceeded to trigger the AM, the selective gear required for trawl gear, the areas identified for the Large and Small Areas (Figure 3; Table 10), the overage percentages associated with the different sized AM areas or the current management uncertainty buffer of 5% as identified under the No Action alternative.

The AM would be implemented at the start of a fishing year (not in season), and would remain in place for the duration of that fishing year. In-season catch information is not readily available for state or non-groundfish fisheries, so a final ACL determination cannot typically be made until after the fishing year ends. If there is an overage the AM is implemented:

- At the start of Year 2 if, based on reliable data, NMFS determined in-season during Year 1 that the total ACL was exceeded; or
- At the start of Year 3, if final catch estimates after the end of Year 1, indicate that the total ACL was exceeded.

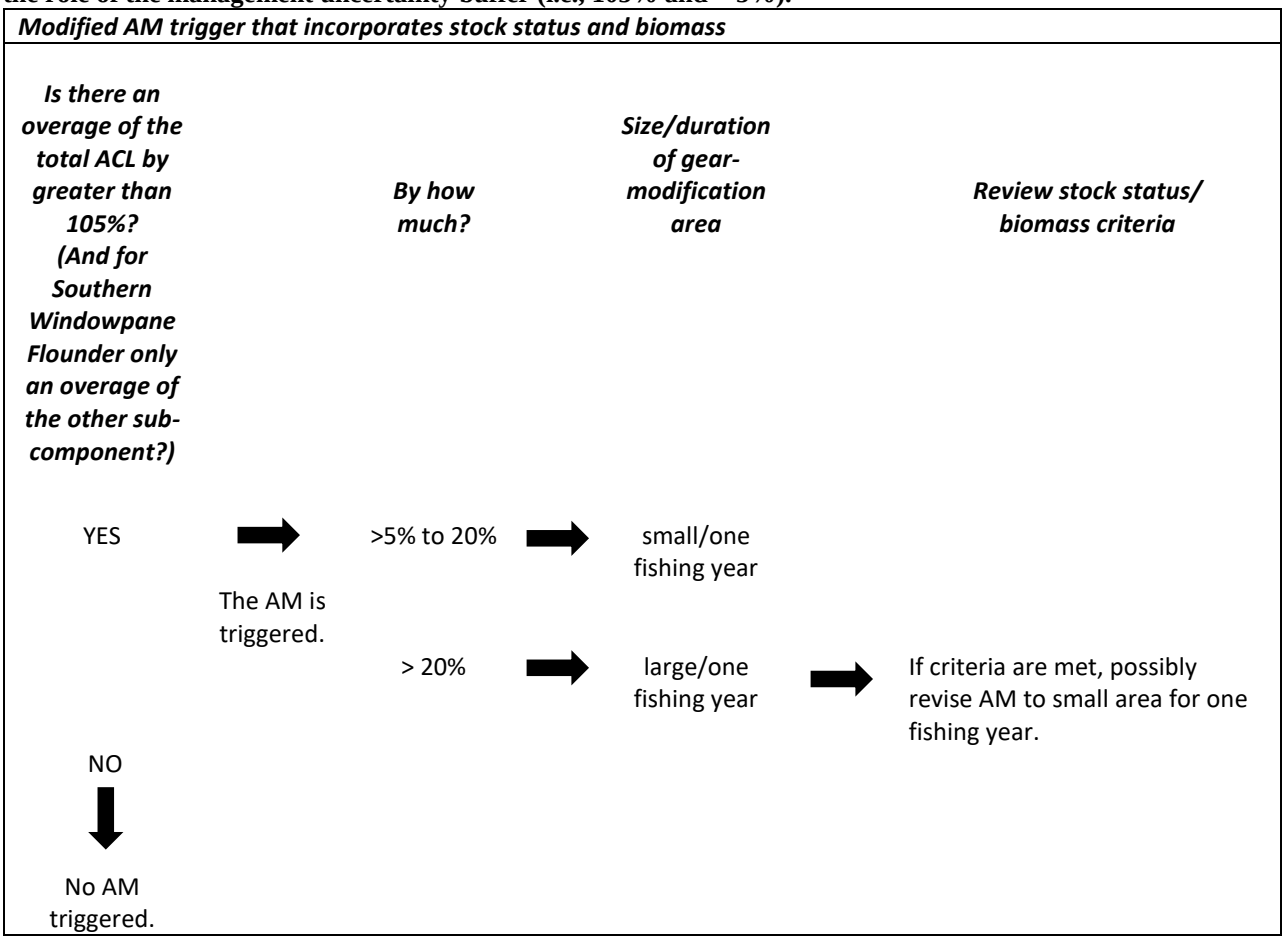
Rationale: This type of AM trigger would better account for the uncertainties in this index-based stock because it would relate any potential overage in catch back to the biomass and exploitation trends as defined in the assessment. Using survey information to determine if AMs should be triggered is more appropriate for index based stocks that are not targeted by the fishery (no possession) and do not have ABCs and ACLs based on projection that account for increases in biomass over time. The fall survey can be used to determine if exploitation is below 75%F_{MSY} since the assessment is based on this index. Exploitation would be below 75%F_{MSY} if the 3-year average of the survey indexed multiplied by 75%F_{MSY} from the most recent accepted AIM model is greater than the monitoring catch. The approach would use new information on biomass to determine what the ABC would be and compare the catches to that value.

The comparison of fishing year catch with the biomass criteria would indicate whether stock size might have been underestimated at the time specifications were set. If the above criteria are met, and the biomass indicator is greater than fishing year catches, then fishing mortality is below 75%F_{MSY} based on the most recent assessment's overfishing definition. As a result, this updated survey information would suggest that the Large AM Area is unnecessary, and only the Small AM Area is needed to correct and

mitigate the overage for southern windowpane flounder. The approach used to make this determination is formulaic in order preserve objectivity and expediency. This option would allow for a comparison of observed fishing year catch with the biomass criteria, which would indicate whether stock size might have been underestimated at the time specifications were set and that overfishing is not likely occurring.

This option would minimize the economic impacts of the AM for a rebuilt stock while still correcting and mitigating any potential biological consequences of an overage. This approach is not intended for stocks that are overfished or in a rebuilding plan. Likewise, this approach is not intended to be applied to a stock that is experiencing overfishing.

Figure 5 - Flow chart of modified AM trigger. Note that 5% is used for illustrative purposes to demonstrate the role of the management uncertainty buffer (i.e., 105% and > 5%).



Area-Based Accountability Measure for Windowpane Flounder - Consideration of catch performance over the most recent two-year period when determining AM implementation

This option would apply when the AM for southern windowpane flounder is triggered for Year 3. Following an overage in Year 1, if it is determined that a subsequent underage of the total ACL occurred in Year 2, the duration of the AM in Year 3 would be scaled back. NMFS would implement the necessary AM area on May 1 of Year 3, as required, and then would announce sometime on after August 31 if the AM was no longer necessary. NMFS would remove the AM, conditional on determining at the time the AM would be removed, that the ABC was not being exceeded in-season for the current fishing year.

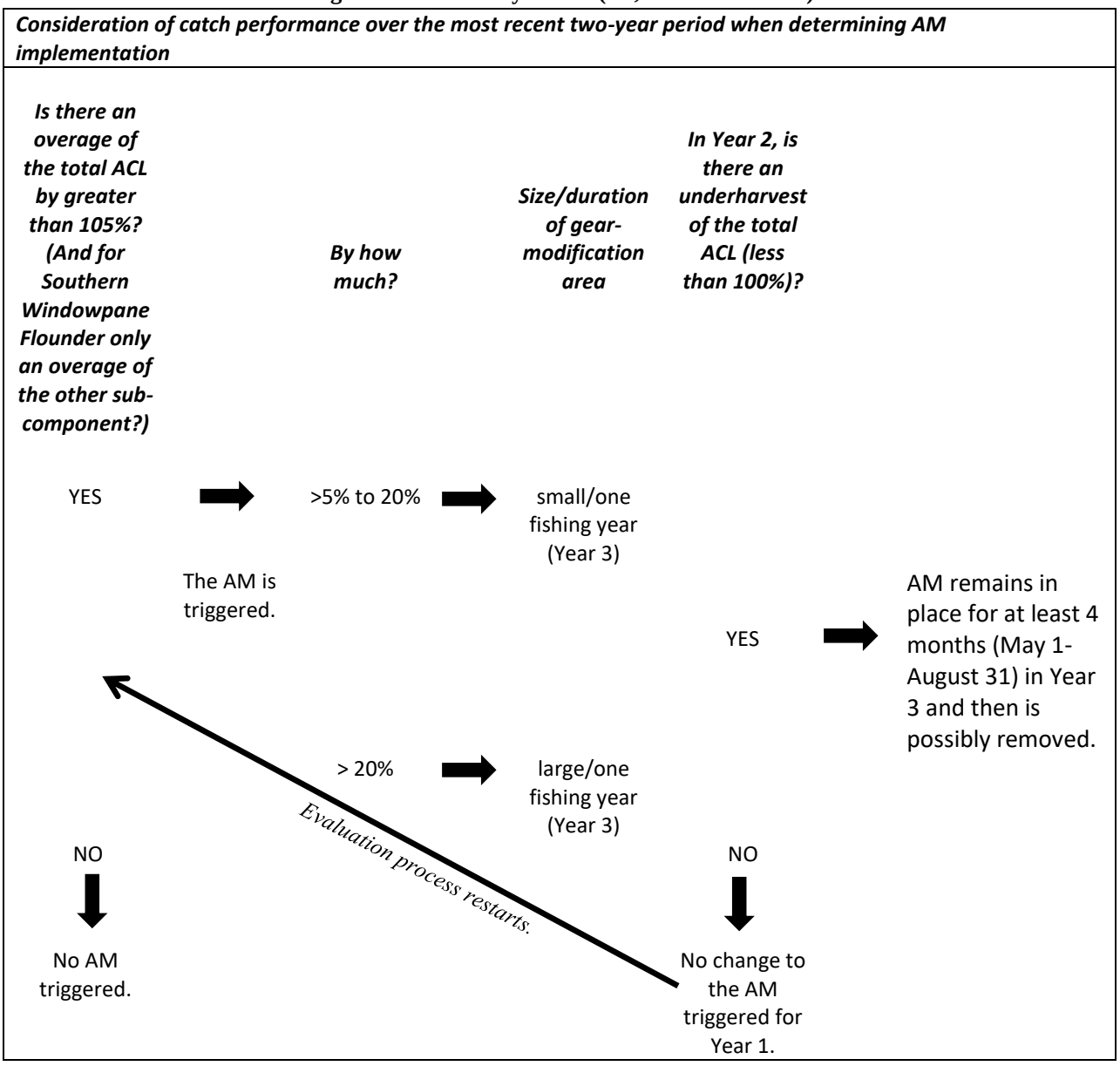
This alternative would not change the timing of AM implementation, requirement for the total ACL (and relevant sub-ACL) to be exceeded to trigger the AM, the selective gear required for trawl gear, the areas identified for the Large and Small Areas (Figure 3; Table 10), the overage percentages associated with the different sized AM areas or the current management uncertainty buffer of 5% as identified under the No Action alternative.

The AM would be implemented at the start of a fishing year (not in season), and would remain in place for the duration of that fishing year, unless the conditions described above are met. In-season catch information is not readily available for state or non-groundfish fisheries, so a final ACL determination cannot typically be made until after the fishing year ends. If there is an overage the AM is implemented:

- At the start of Year 2 if, based on reliable data, NMFS determined in-season during Year 1 that the total ACL was exceeded; or
- At the start of Year 3, if final catch estimates after the end of Year 1, indicate that the total ACL was exceeded.

Rationale: Due to the possible delayed implementation of AMs for southern windowpane flounder, it is possible that although an overage occurs in Year 1, a subsequent overage may not occur in Year 2. If an overage does not occur in Year 2, implementing an AM for the entire duration of Year 3 may not be operationally necessary. An underage in Year 2, coupled with an AM for at least 4 months of Year 3, would sufficiently correct and mitigate any overage for southern windowpane flounder. This measure would also provide a greater incentive for vessels to voluntarily reduce catch of southern windowpane flounder in Year 2 to avoid the pending AM in Year 3, and would better prevent additional overages in Year 2. Because final catch accounting of windowpane flounder is not completed until August or September each year (due to the need to incorporate state waters and other sub-component catches), the AM must be put into place on May 1 of Year 3 and will not be removed prior to September 1 of Year 3. Furthermore, NMFS would remove the AM conditional on determining at the time the AM would be removed that the ABC was not being exceeded in-season for the current fishing year. This AM assumes that the operational issue that caused the Year 1 overage has been resolved in Year 2 and that the reduction in catch in year two is not a reflection of declines in stock biomass.

Figure 6 - Flow chart of catch performance modification. Note that 5% is used for illustrative purposes to demonstrate the role of the management uncertainty buffer (i.e., 105% and > 5%).

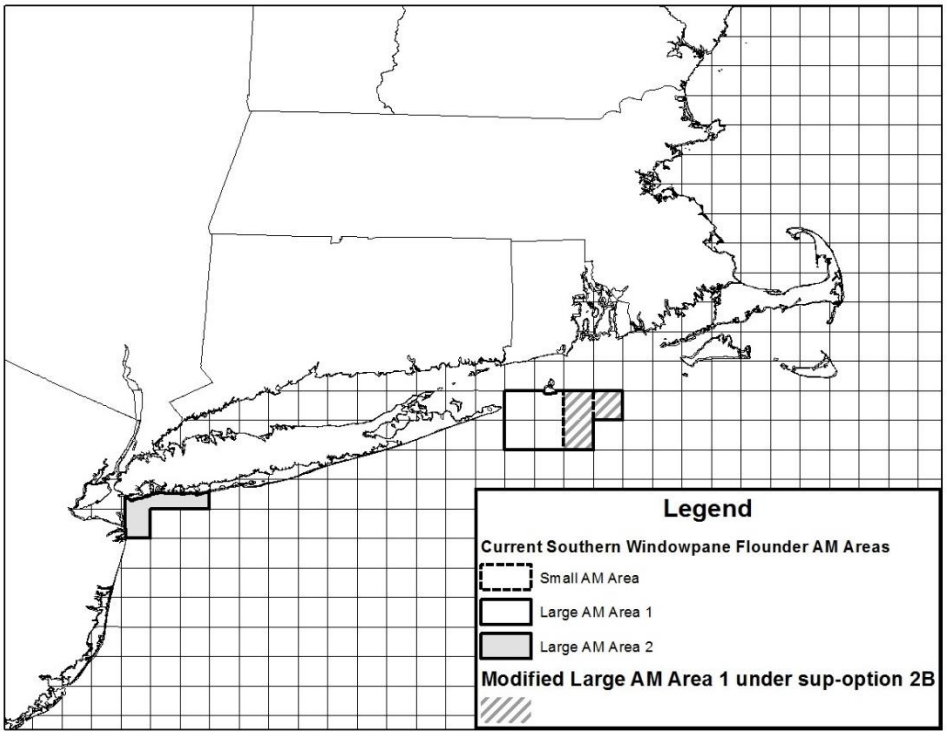


4.3.1.2.2.2 Sub-Option 2B: Modified Gear Restricted Areas

Under Sub-Option 2B, the southern windowpane flounder AM areas for large-mesh non-groundfish would be modified as shown in Figure 7 such that for those areas east of Montauk:

- The small AM area could be seasonal from September 1 to April 30; and
- the large AM area could be just the small AM area plus the eastern-most 10-minute square (417156), year-round.

Figure 7- Proposed modifications to southern windowpane flounder AM areas for large mesh non-groundfish fisheries.



The large AM off of western Long Island would remain unchanged. This AM modification would not apply to vessels in the groundfish fishery.

Rationale: Based on an updated evaluation of the existing AM areas, modifying the AM areas would allow large-mesh non-groundfish trawl vessels additional flexibility while continuing to reduce impacts on southern windowpane flounder. These modifications would likely have minimal impacts on the southern windowpane stock due to the low bycatch ratios and would preserve fishing opportunities for vessels targeting other species.

4.3.1.3 Atlantic Scallop Fishery Measures

4.3.1.3.1 Scallop Fishery AM Implementation Policy

4.3.1.3.1.1 Option 1: No Action

The AM policy established in FW 47 for the scallop fishery would remain unchanged. FW 47 established a policy that scallop fishery sub-ACLs would be administered and evaluated in the context of total catches in the fishery. The general principle is that if a scallop fishery sub-ACL (for any stock) would be exceeded, but the overall ACL was not exceeded, then the scallop fishery would not be subject to AMs unless the scallop fishery sub-ACL was exceeded by 50 or more percent. There would be two criteria that would result in implementing the AMs if either was met:

1) The scallop fishery exceeds its sub-ACL for a stock and the overall ACL is also exceeded or
2) The scallop fishery exceeds its sub-ACL for a stock by 50 or more percent.

Rationale: The AM policy established in FW 47 for the scallop fishery would remain unchanged. The purpose of the ACL and AM system is to prevent overfishing. Overfishing is likely to occur only if the total ACL is exceeded. If the sub-ACL is exceeded by 50 or more percent and the AM is implemented, scallop profits would be sacrificed even if the overall ACL is not exceeded. At the same time, there is a need to hold the scallop fishery accountable for its catch.

4.3.1.3.1.2 Option 2: Extend the Temporary Change to the Scallop Fishery AM Implementation Policy to the SNE/MA Yellowtail Flounder Stock

Option 2 would extend the temporary change to the AM implementation policy to the SNE/MA yellowtail flounder stock so that the only criteria to determine if an AM would be implemented would be if the scallop fishery exceeds its sub-ACL for a stock and the overall ACL is also exceeded. This measure would include a 1-year "sunset" provision. Therefore, if the measure was implemented in FY 2018, the temporary change to AM policy would only apply for FY 2018, and in FY 2019 and beyond the underlying policy would apply (i.e., as described under No Action).

This temporary change to the AM implementation policy is currently in place for GB yellowtail flounder and northern windowpane flounder for FY 2017 and FY 2018, as adopted in FW 56.

Rationale: The purpose of the ACL and AM system is to prevent overfishing. Overfishing is likely to occur only if the total ACL is exceeded. The recommended total ACL for SNE/MA yellowtail has been very low in recent years. The scallop fishery AM should continue to prevent ACL overages under this exemption. No other provisions of the AMs would change. The "sunset" provision would limit the time the exception to the AM implementation policy was available to the scallop fishery. Such an approach would reduce the potential for risk to the groundfish fishery, and the SNE/MA yellowtail flounder stock in the event the scallop fishery catch of SNE/MA yellowtail flounder caused an overage of the total ACL. The temporary change for one year, FY 2018, would align with the change for GB yellowtail flounder and northern windowpane flounder.

4.3.1.4 Recreational Fishery Measures

4.3.1.4.1 Georges Bank Cod Management Measures for the Recreational Fishery

4.3.1.4.1.1 Option 1: No Action

Georges Bank Cod Management- Recreational Fishery

No Action would maintain the existing management measures currently in place for Georges Bank cod for the recreational fishery.

Minimum Fish Size
The minimum size for Georges Bank cod is 22 inches (55.9 cm.), total length for the recreational fishery (private, party, and charter).

Possession Limit
Private vessels in the recreational fishery are permitted to land 10 legal sized Georges Bank cod per angler. Party and charter vessels do not have a limit on the number of legal sized Georges Bank cod permitted to be landed per angler.

Management Measures
Changes to existing management measures would need a Council action. Currently, the recreational fishery does not have an allocation for Georges Bank cod. Amendment 16 outlined the process for determining when and how an allocation of certain regulated groundfish stocks be made to the recreational component of the fishery. The process would require Council action and that certain standards be met (i.e. the stocks are fully utilizing their ACL, and the recreational harvest, after accounting for state waters catches outside the management plans, is five percent or greater of the removals).

4.3.1.4.1.2 Option 2: Temporary Administrative Measure to Allow the Regional Administrator Authority to Adjust the Recreational Measures for Georges Bank Cod

Under Option 2, the Regional Administrator would have authority to adjust the recreational measures for Georges Bank cod in consultation with the Council for FY 2018 and FY 2019 only. The consultation with the Council would allow for review of any measures under consideration. If time permits, the Recreational Advisory Panel and the Groundfish Committee would review the measures and make recommendations to the Council.

Rationale: This approach would allow flexibility for the Regional Administrator in adjusting recreational measures for Georges Bank cod without requiring Council action, while still including consultation with the Council to allow for review of any measures under consideration.

5.0 ALTERNATIVES CONSIDERED AND REJECTED

5.1 Commercial and Recreational Fishery Measures

5.1.1 Accountability Measures

5.2.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries

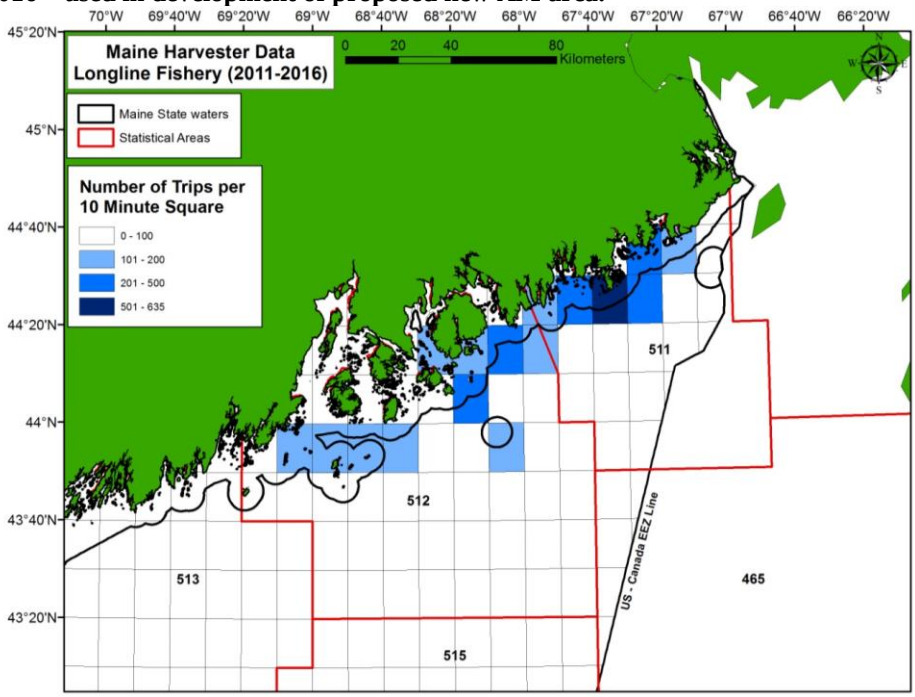
5.1.1.1.1 Option 2: Revised Atlantic Halibut Accountability Measures for Federal Fisheries

5.1.1.1.1.1 Sub-Option 2B: Modified Gear Restricted Area Off the Eastern Maine Coast for All Federal Permit Holders

Under Sub-Option 2B, the current reactive gear restricted AMs (Atlantic Halibut Trawl Gear AM Area and Atlantic Halibut Fixed Gear AM Areas) would be replaced with a reactive gear restricted AM in statistical reporting areas (SRAs) 511 and 512 (Figure 8). If the AM is triggered, trawl vessels possessing any Federal permit must use selective gear approved by the Regional Administrator (e.g., haddock separator trawl, Ruhle trawl, rope separator trawl) that reduces catch of flounders in SRAs 511 and 512. In addition, gillnet and longline vessels possessing any Federal permit may not fish within SRAs 511 and 512. Other provisions of the AM would remain unchanged.

Rationale: AMs should be in areas with the highest halibut catches. This measure would reduce fishing effort on halibut, while allowing for fishing opportunities in other areas.

Figure 8 - Number of longline trips with a halibut catch reported in each 10-minute square between 2011 and 2016 – used in development of proposed new AM area.



Rationale for not including 5.1.1.1.1.1: After reviewing the work to date, the Groundfish Committee concluded that the development of a new gear restricted area off eastern Maine could potentially be more restrictive than the current AM areas, and had concerns that this new AM area may provide less flexibility while at the same time not reducing impacts on Atlantic halibut. Therefore, the Committee recommended discontinuing work on this action.

5.1.1.2 Recreational Management Measures Process

5.1.1.2.1 Option 1: No Action

A16 Recreational Management Measures:
Amendment 16 established the ACLs and AMs for the recreational fishery for Gulf of Maine cod and haddock, and indicates that other stocks may be added in the future.

A16 identifies that recreational fishery catches in a fishing year will be monitored using the MRIP data. Further, A16 indicates that as soon as data are available for the entire fishing year (expected to be by June or July of the fishing year immediately following), recreational catches will be totaled for the fishing year and compared to the ACL. If catches exceed the ACL, NMFS will determine the necessary measures to prevent exceeding the ACL in the future following consultation with the Council and publish the AMs that would be put into effect using procedures consistent with the APA. A16 states that final measures will be published no later than January. When evaluating recreational "catch", the component of recreational catch that are used will be the same as used in the most recent assessment for the stock in question.

The recreational AMs can be either/or adjustments to season, adjustments to minimum size, or adjustments to bag limits. A16 states that separate AMs can be determined for the private boat and party/charter components of the recreational fisheries – AMs may be different for these two components. AMs for an overage in fishing year one will be implemented at the end of fishing year two (start of fishing year three). A16 states that depending on specific measures used, the AM may be in effect for an extended period. The applicable period will be specified when the AM is announced.

When evaluating whether a recreational ACL had been exceeded to determine if the AM needs to be implemented, the three-year average of recreational catch (calculated consistent with the catch used in the assessment) will be compared to the three-year average of the ACL.

A16 Rationale: Because of uncertainty about the number of participants and catches, it is difficult to design recreational AMs in advance given the tools typically used to manage the fishery. The impacts of size changes, bag limits, and seasons depend on the current distribution of fishing effort, sizes in the population, and stock abundance. For this reason, AMs will be adopted only after evaluating recent catches. Because of the need to coordinate recreational measures with the states, the Council determined the specific AMs that will be adopted and will forward that decision to NMFS.

Different AMs may be adopted for the private angler component and the party/charter components of the fishery. The party/charter component prefers changes in minimum fish size and bag limits; these measures, if adopted will likely need to remain in effect for a longer period than a seasonal closure. Their use will likely increase the uncertainty of achieving recreational AMs and will need to be considered when setting ACLs.

FW 48 Established Proactive Management Measures:
Rather than wait until the recreational fishery exceed its sub-ACL, Framework Adjustment 48 revised the recreational AMs so that the Regional Administrator may proactively adjust recreational management measures to ensure the recreational fishery will achieve, but not exceed, its sub-ACL. To the extent possible, any changes to the recreational management measures would be made prior to the start of the fishing year. The Regional Administrator would consult with the Council, or the Council's designee, and would tell the Council, or its designee, what recreational measures are under consideration for the upcoming fishing year. If time allows, the Council would also provide its Recreational Advisory Panel an opportunity to meet and discuss the proposed management measures. These AMs require development in consultation with the Council, because the appropriate suite of measures (e.g., bag limit, minimum fish size, and season) depends on the ACL specified.

The Council provided guidance in FW48 on its preference of measures that NMFS should consider if additional recreational effort controls are necessary to reduce GOM cod or GOM haddock catches, though this guidance does not restrict NMFS's discretion in selecting management measures that would best achieve, but not exceed, the recreational sub-ACL.

- Cod: If additional effort controls are necessary to reduce cod catches, the Council's non-binding preference is that NMFS first consider increases to minimum fish sizes, then adjustments to seasons, followed by changes to bag limits.
- Haddock: If additional effort controls are necessary to reduce haddock catches, the Council's non-binding preference is that NMFS first consider increases to minimum size limits, then changes to bag limits, followed by adjustments to seasons.

FW 48 Rationale: Under the AMs established in A16, there was no mechanism to adjust recreational measures if the expectation is that the recreational fishery will exceed or not achieve a future ACL. This increases the risk that overfishing will occur (if catches are expected to exceed the ACL), and reduces the ability to achieve OY for this fishery (if catches are expected to be less than the ACL). The FW 48 measure revises the AM so that it can be used in a proactive manner. The required consultations with the Council are intended to provide increased opportunity for public comment, and to provide more opportunity for states to coordinate their measures with NMFS. The guidance on measures that NMFS should consider, and the priority order, is not intended to restrict the Agency's discretion in choosing measures.

Data from the Marine Recreational Information Program (MRIP) is released in two-month 'waves' with preliminary data provided approximately six weeks following the end of each wave. Wave 6 catch could be projected since the preliminary estimate for wave 6 catch would not be available in time. However, assumptions about Wave 6 data would need to be made for projections including using information from previous years.

5.1.1.2.2 Option 2: Revised Recreational Management Measures Process

Under Option 2, the process would be revised to remove the provisions established in FW48 that established proactive AMs. Instead, only the A16 reactive AMs would remain.

As soon as data are available for the entire fishing year (expected to be by June or July of the fishing year immediately following), recreational catches will be totaled for the fishing year and compared to the ACL. If catches exceed the ACL, NMFS will determine the necessary measures to prevent exceeding the ACL in the future following consultation with the Council and publish the AMs that would be put into effect using procedures consistent with the APA. Final measures would be published no later than

January. When evaluating recreational "catch", the component of recreational catch that are used will be the same as used in the most recent assessment for the stock in question.

The recreational AMs can be either/or adjustments to season, adjustments to minimum size, or adjustments to bag limits. Separate AMs can be determined for the private boat and party/charter components of the recreational fisheries – AMs may be different for these two components. AMs for an overage in fishing year one will be implemented at the end of fishing year two (start of fishing year three). Depending on specific measures used, the AM may be in effect for an extended period. The applicable period will be specified when the AM is announced.

When evaluating whether a recreational ACL had been exceeded to determine if the AM needs to be implemented, the three-year average of recreational catch (calculated consistent with the catch used in the assessment) will be compared to the three-year average of the ACL.

Rationale: Because of uncertainty about the number of participants and catches, it is difficult to design recreational AMs in advance given the tools typically used to manage the fishery. The impacts of size changes, bag limits, and seasons depend on the current distribution of fishing effort, sizes in the population, and stock abundance. For this reason, AMs will be adopted only after evaluating recent catches. Because of the need to coordinate recreational measures with the states, the Council determined the specific AMs that will be adopted and will forward that decision to NMFS.

Different AMs may be adopted for the private angler component and the party/charter components of the fishery. The party/charter component prefers changes in minimum fish size and bag limits; these measures, if adopted will likely need to remain in effect for a longer period than a seasonal closure. Their use will likely increase the uncertainty of achieving recreational AMs and will need to be considered when setting ACLs.

Rationale for not including 5.1.1.2: After reviewing the work to date, the Groundfish Committee concluded that this action should be moved to Considered but Rejected, based on the Recreational Advisory Panel's (RAP) recommendation. The RAP had concerns that a revision to the recreational management measures process would reduce the RAP's participation in the development of recreational management measures. The RAP decided to forego the increased timeliness of recreational management measures that would be afford by changes to the process, in exchange for continued involvement in the recreational management measures process. Therefore, the Committee recommended discontinuing work on this action.