

DRAFT ALTERNATIVES
Framework Adjustment 56
To the Northeast Multispecies FMP

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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4.1 Updates to Status Determination Criteria, and Annual Catch Limits

4.1.1 Revised Status Determination Criteria (*to be provided*)

4.1.1.1 Option 1: No Action

No Action. There would be no revisions to the status determination criteria (SDC) of witch flounder, and numerical estimates would not change (Table 1 and Table 2).

Table 1 - No Action status determination criteria.

Stock	Biomass Target (SSB _{MSY} or proxy)	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold (F _{MSY} or proxy)
Witch Flounder	SSB _{MSY} : SSB/R (40% MSP)	½ B _{target}	F40% MSP

Table 2 - No Action numerical estimates of SDCs.

Stock	Model/ Approach	B _{MSY} or Proxy (mt)	F _{MSY} or Proxy	MSY (mt)
Witch Flounder	VPA	9,473	0.279	1,957

4.1.1.2 Option 2: Revised Status Determination Criteria

This option updates the numerical estimates of the status determination criteria for witch flounder (Table 4). The M-S Act requires that every fishery management plan specify “objective and measureable criteria for identifying when the fishery to which the plan applies is overfished.” Guidance on this requirement identifies two elements that must be specified: a maximum fishing mortality threshold (or reasonable proxy) and a minimum stock size threshold.

The M-S Act also requires that FMPs specify the maximum sustainable yield and optimum yield for the fishery. The NEFSC conducted a benchmark assessment for witch flounder at SAW/SARC 52 November 29-December 2, 2016. This option updates the numerical estimates of the status determination criteria for witch flounder. The 2016 witch flounder benchmark assessment determined that the stock in 2015 **XXX** (Table 2 and Table 3).

Rationale: This option would update the numerical estimates of the status determination criteria for witch flounder. This option reflects recent assessment results for witch flounder.

Table 3 - Option 2 status determination criteria

Stock	Biomass Target (SSB _{MSY} or proxy)	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold (F _{MSY} or proxy)
Witch Flounder	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP

Table 4 - Option 2 current numerical estimates of SDCs (provided for informational purposes only).

Stock	Model/ Approach	B _{MSY} or Proxy (mt)	F _{MSY} or Proxy	MSY (mt)
Witch Flounder	VPA	xxx	xxx	xxx

4.1.2 Annual Catch Limits

4.1.2.1 Option 1: No Action

No Action. There would be no changes to the specifications for FY 2017 – FY 2018 and default specifications that were adopted by FW55 final rule (Table 5). The directed groundfish fishery would be expected to operate in all BSAs, with the exception of the EBG cod management area which would close on May 1, 2017. A scallop fishery sub-ACL for northern windowpane flounder would not be developed or specified. The mid-water trawl Atlantic herring fishery sub-ACL for Georges Bank haddock would remain at 1% of the U.S. ABC. There would be no FY 2017 quotas specified for the transboundary Georges Bank stock of GB cod and no FY 2018 quotas for GB haddock and GB yellowtail flounder, which are managed through the US/CA Resource Sharing Understanding. These quotas are specified annually.

Rationale: The No Action alternative uses ABCs/ACLs adopted in FW55. These values are based on earlier assessments, and as indicated for some stock not based on the more recent assessments completed in 2016.

Table 5 - No Action/Option 1 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY 2017-FY 2018 (metric tons, live weight), based on final sector rosters for 2016. Values are rounded to the nearest metric ton. Default specifications for FY 2019 are shown in italics, and remain in place through July 31st, 2019, published in the final rule to FW 55, May 2, 2016 and not adjusted for final sector rosters in 2016.

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	2017	1,665	1,249	37	162		997	997		978	19		1,197
	2018	1,665	1,249	37	162		997	997		978	19		1,197
	2019		583				465			455	10		437
GOM Cod	2017	667	500	27	10		437	280	157	271	9		473
	2018	667	500	27	10		437	280	157	271	9		473
	2019		233				204			127	4		175
GB Haddock	2017	258,691	48,398	484	484		44,599	44,599		44,306	293	450	46,017
	2018	358,077	77,898	779	779		71,783	44,599		71,312	471	724	74,065
	2019		125,327				5,007			4,963	44	51	27,264
GOM Haddock	2017	5,873	4,534	33	33		4,177	3,017	1,160	2,985	32	42	4,285
	2018	6,218	4,815	35	35		4,436	3,204	1,231	3,170	34	45	4,550
	2019		2,176				1,552			1,107	14	16	1,685
GB Yellowtail Flounder	2017		354		4	55	278	278		274	4	7	343
	2018												
	2019												
SNE/MA Yellowtail Flounder	2017		267	5	29	34	187	187		155	32		256
	2018		267	5	29	37	186	186		154	32		256
	2019						66			52	14		93
CC/GOM Yellowtail Flounder	2017	707	427	43	26		341	341		326	14		409
	2018	900	427	43	26		341	341		326	14		409

Alternatives Under Consideration

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
	2019		315				119			113	5		149
American Plaice	2017	1,748	1,336	27	27		1,218	1,218		1,198	21		1,272
	2018	1,840	1,404	28	28		1,280	1,280		1,259	22		1,337
	2019		644				448			439	9		491
Witch Flounder	2017	732	460	12	59		370	370		362	8		441
	2018	954	460	12	59		370	370		362	8		441
	2019		334				129			126	3		161
GB Winter Flounder	2017	1,056	668		60		590	590		585	5		650
	2018	1,459	668		60		590	590		585	5		650
	2019		511				233			231	2		264
GOM Winter Flounder	2017	1,080	810	122	16		639	639		607	32		776
	2018	1,080	810	122	16		639	639		607	32		776
	2019		378				224			212	12		284
SNE/MA Winter Flounder	2017	1,021	780	70	94		585	585		523	62		749
	2018	1,587	780	70	94		585	585		523	62		749
	2019		555				205			180	25		273
Redfish	2017	14,665	11,050	111	221		10,183	10,183		10,127	56		10,514
	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	2017	4,816	3,624	36	72		3,340	3,340		3,314	25		3,448
	2018	4,733	3,560	36	71		3,281	3,281		3,256	25		3,387
	2019		1,657				1,168			1,160	8		1,268
Pollock	2017	32,004	21,312	1,279	1,279		17,817	17,817		17,704	113		20,374

Alternatives Under Consideration

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
	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	2017	243	182	2	109		66	66			66		177
	2018	243	182	2	109		66	66			66		177
	2019		85				64				64		64
SNE/MA Windowpane Flounder	2017	833	623	37	249	209	104	104			104		599
	2018	833	623	37	249	209	104	104			104		599
	2019		292				218				218		218
Ocean Pout	2017	220	165	2	17		137	137			137		155
	2018	220	165	2	17		137	137			137		155
	2019		77				58				58		58
Atlantic Halibut	2017	210	124	25	4		91	91			91		119
	2018	210	124	25	4		91	91			91		119
	2019		74				55				55		55
Atlantic Wolffish	2017	110	82	1	3		72	72			72		77
	2018	110	82	1	3		72	72			72		77
	2019		39				29				29		29

4.1.2.2 Option 2: Revised Annual Catch Limit Specifications

Under Option 2, the annual specification for FY 2017 – FY 2018 for GB yellowtail flounder and FY 2017- FY 2019 witch flounder would be specified in Table 8. Option 2 includes adjustments to the state waters and other sub-component values from those specified in FW 55 under the No Action (see Appendix III for additional information). Table 9 provides the Closed Area I Hook Gear Haddock SAP.

In this section, the Council is considering three options for the northern windowpane flounder sub-ACLs for the scallop fishery (Sub-Options 1A, 1B, and 1C), and two options for the GB haddock sub-ACLs for the mid-water trawl Atlantic herring fishery (Sub-Options 2A and 2B).

U.S./Canada TACs

This alternative would specify TACs for the U.S./Canada Management Area for FY 2017 as indicated in Table 6. If NMFS determines that FY 2015 catch of GB cod, haddock, or yellowtail flounder from the U.S./Canada Management Area exceeded the respective 2016 TAC, the U.S./Canada Resource Sharing Understanding and the regulations require that the 2017 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. 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.

A comparison of the proposed FY 2017 U.S. TACs and the FY 2016 U.S. TACs is shown in Table 7. Changes to the U.S. TACs reflect changes to the percentage shares, stock status, and the TMGC recommendations.

Table 6 - Proposed FY2017 U.S./Canada TACs (mt).

	Eastern GB Cod	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared TAC	730	50,000	300
U.S. TAC	146	29,500	207
Canada TAC	584	20,500	93

Table 7 - Comparison of the Proposed FY 2017 U.S. TACs and the FY 2016 U.S. TACs (mt).

Stock	U.S. TAC		Percent Change
	FY 2017	FY 2016	
Eastern GB cod	146	138	
Eastern GB haddock	29,500	15,170	
GB yellowtail flounder	207	269	

Rationale: This measure would adopt new specifications for GB yellowtail flounder, GB haddock, GB cod, and witch flounder consistent with the most recent stock assessment information. For most stocks with the exception of northern windowpane flounder only one alternative to No Action is shown. This is because the values in Option 2 represent the best scientific information, as determined by the Council's

Scientific Committee, and the M-S Act requires that catches not be set higher than these levels. Any catches below these levels would not mitigate economic impact on fishing communities. This measure would also adjust state waters and other sub-component ACLs to reflect recent sub-component performance. Rationale for ABCs set for GB yellowtail flounder and witch flounder can be found in the SSC's reports to the Council in Appendix I.

The U.S. and Canada coordinate management of three management units that overlap the boundary between the two countries on Georges Bank. Agreement on the amount to be caught is reached each year by the TMGC. This framework includes the recommendations of the TMGC, which are consistent with the most recent TRAC assessments.

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Table 8 - Option 2 Revised Northeast Multispecies OFLs, ABC, ACLs, and other ACL sub-components for FY 2017-FY 2019 (metric tons, live weight), based on final sector rosters for 2016. Values are rounded to the nearest metric ton. Default specifications for FY 2019 are shown in italics, and remain in place through July 31st, 2019, published in the final rule to FW 55, May 2, 2016 and not adjusted for final sector rosters in 2016. Stocks which are underlined would be subject to adjustments in 2018 based on US/CA quotas. Sub-component values are based on those in FW 55, and do not include adjustments for the PDT's annual sub-component review at this time. The PDT plans to conduct its annual review upon the release of final FY 2015 catches.

Stock	Year	OFL	US ABC	State Waters Sub-Component	Other sub-components	Scallop	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Groundfish Sub-ACL	MWT or Small mesh Sub-ACL	Total ACL
<u>GB Cod</u>	2017	1,665	665	20	86		531	531		521	10		637
	2018	1,665	1,249	37	162		997	997		978	19		1,197
	2019		583				465			455	10		437
GOM Cod	2017	667	500	27	10		437	280	157	271	9		473
	2018	667	500	27	10		437	280	157	271	9		473
	2019		233				204			127	4		175
<u>GB Haddock</u>	2017	258,691	57,398	574	574		52,892	52,892		52,545	347	534	54,574
	2018	358,077	77,898	779	779		71,783	44,599		71,312	471	724	74,065
	2019		125,327				5,007			4,963	44	51	27,264
GOM Haddock	2017	5,873	4,534	33	33		4,177	3,017	1,160	2,985	32	42	4,285
	2018	6,218	4,815	35	35		4,436	3,204	1,231	3,170	34	45	4,550
	2019		2,176				1,552			1,107	14	16	1,685
<u>GB Yellowtail Flounder</u>	2017		207		2	32	163	163		160	2	4	201
	2018		354		4	55	278	278		274	4	7	343
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SNE/MA Yellowtail Flounder	2017		267	5	29	34	187	187		155	32		256
	2018		267	5	29	37	186	186		154	32		256
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CC/GOM Yellowtail	2017	707	427	43	26		341	341		326	14		409
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Alternatives Under Consideration

Stock	Year	OFL	US ABC	State Waters Sub-Component	Other sub-components	Scallop	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Groundfish Sub-ACL	MWT or Small mesh Sub-ACL	Total ACL
Flounder													
	2019		315				119			113	5		149
American Plaice	2017	1,748	1,336	27	27		1,218	1,218		1,198	21		1,272
	2018	1,840	1,404	28	28		1,280	1,280		1,259	22		1,337
	2019		644				448			439	9		491
Witch Flounder	2017	XXX	XXX	XXX	XXX		XXX			XXX	XXX		XXX
	2018	XXX	XXX	XXX	XXX		XXX			XXX	XXX		XXX
	2019	XXX	XXX	XXX	XXX		XXX			XXX	XXX		XXX
GB Winter Flounder	2017	1,056	668		60		590	590		585	5		650
	2018	1,459	668		60		590	590		585	5		650
	2019		511				233			231	2		264
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	2019		378				224			212	12		284
SNE/MA Winter Flounder	2017	1,021	780	70	94		585	585		523	62		749
	2018	1,587	780	70	94		585	585		523	62		749
	2019		555				205			180	25		273
Redfish	2017	14,665	11,050	111	221		10,183	10,183		10,127	56		10,514
	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	2017	4,816	3,624	36	72		3,340	3,340		3,314	25		3,448
	2018	4,733	3,560	36	71		3,281	3,281		3,256	25		3,387
	2019		1,657				1,168			1,160	8		1,268
Pollock	2017	32,004	21,312	1,279	1,279		17,817	17,817		17,704	113		20,374

Alternatives Under Consideration

Stock	Year	OFL	US ABC	State Waters Sub-Component	Other sub-components	Scallop	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-sector Groundfish Sub-ACL	MWT or Small mesh Sub-ACL	Total ACL
	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 (Scallop – highest- X%)	2017	243	182	2	109	XXX	66	66			66		177
	2018	243	182	2	109	XXX	66	66			66		177
	2019		85				64				64		64
GOM/GB Windowpane Flounder (Scallop-lowest- X%)	2017	243	182	2	109	XXX	66	66			66		177
	2018	243	182	2	109	XXX	66	66			66		177
	2019		85				64				64		64
SNE/MA Windowpane Flounder	2017	833	623	37	249	209	104	104			104		599
	2018	833	623	37	249	209	104	104			104		599
	2019		292				218				218		218
Ocean Pout	2017	220	165	2	17		137	137			137		155
	2018	220	165	2	17		137	137			137		155
	2019		77				58				58		58
Atlantic Halibut	2017	210	124	25	4		91	91			91		119
	2018	210	124	25	4		91	91			91		119
	2019		74				55				55		55
Atlantic Wolffish	2017	110	82	1	3		72	72			72		77
	2018	110	82	1	3		72	72			72		77

Alternatives Under Consideration

Stock	Year	OFL	US ABC	State Waters Sub-Component	Other sub-components	Scallop	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
	2019		39				29				29		29

Table 9- CAI Hook Gear Haddock SAP TACs (FY2014—FY2016). (to be updated)

Year	Exploitable Biomass (thousand mt)	WGB Exploitable Biomass	B(year)/B(2004)	TAC (mt, live weight)
2016	428,303	149,906	5.488	6,202
2017	739,567	258,848	9.477	10,709
2018	1,145,309	400,858	14.677	16,584

4.1.2.2.1 Sub Option 1: Develop an Atlantic Sea Scallop Fishery Allocation for GOM/GB (Northern) Windowpane Flounder

As part of the specification setting process, the Council is considering developed a GOM/GB (northern) windowpane flounder sub-ACL for the scallop fishery. The accountability measures (AMs) will be developed in a subsequent scallop management action and would be applied retroactively if an overage occurs. Besides the groundfish fishery, the scallop fishery is the major contributor to northern windowpane flounder catches. The scallop fishery catches of northern windowpane flounder are not subject to limits, and the groundfish fishery is therefore accountable for any overages. When triggered, AMs restrict the ability of the groundfish fishery to target and catch marketable species, mainly other flatfish such as winter flounder, and resulting in adverse economic impacts to the groundfish fleet fishing on Georges Bank when the gear-restricted areas are in place.

The last three assessments for northern windowpane flounder have only included catches from limited access scallop dredges and trawls. Prior to 2004, there was limited observer coverage of General Category scallop dredge and trawl trips. The Groundfish PDT calculated General Category catch of this stock using data from 2005-2014 (Table 10).

Table 10- Approaches to allocating northern windowpane flounder to the scallop fishery (mt)

Calendar Year	Catch Data		Scallop Gen. Cat. IFQ Catch estimate	Calculation for Fixed percentages		Calculation for Dual Fixed Percentages		
	Scallop Limited Access Catch Estimate	Total catches for all fisheries		2004-2015 (Ten years)	2010-2014 (Five years)	Scallop LA and Gen. Cat. IFQ Catch Estimates	Low Fixed Percentage	High Fixed Percentage
	X	Y	Z	(X+Z)/(Y+Z)	(X+Z)/(Y+Z)	(X+Z)	Mean (3 lowest values)/ 2017 ABC	Mean (3 highest values) 2017 ABC
2005	16.59	967.52	5	2.22%		21.59	21.59	
2006	73.07	682.92	5	11.35%		78.07		78.07
2007	97.77	1091.46	3	9.21%		100.77		100.77
2008	43.33	375.67	2	12.00%		45.33		
2009	15.45	439.56	5	4.60%		20.45	20.45	
2010	8.59	235.90	5	5.64%	5.64%	13.59	13.59	
2011	32.72	179.84	1	18.65%	18.65%	33.72		
2012	34.85	199.22	2	18.31%	18.31%	36.85		
2013	63.37	354.81	3	18.55%	18.55%	66.37		
2014	95.37	214.67	6	45.94%	45.94%	101.37		101.37
			Number of years	10	5			
			Mean (Average)	14.65%	21.42%	Mean	18.54	93.40
			Median	11.68%	18.55%	ABC	182	182
Sub-Option 1A	90th percentile			21.38%	35.02%	Percentage	10.19%	51.32%
Sub-Option 1B	Range			2-46%	6-46%		Sub-Option 1C	

The Council may select one option to address the development of a scallop fishery allocation for northern windowpane flounder.

4.1.2.2.1.1 Sub-Option 1A – Fixed percentage based on the 90th percentile of scallop catch rates for northern windowpane flounder

Sub-Option 1A would set the scallop sub-ACL for northern windowpane flounder based the 90th percentile of the scallop fishery catches (as a percent of the total) for either the period calendar year 2005 through 2014 or calendar year 2010 through 2014 using information in the 2015 stock assessment of northern windowpane flounder and the PDT’s estimate of General Category catches. A similar approach was used in FW48 to set a scallop fishery allocation for SNE/MA (southern) windowpane flounder (Table 10).

The fixed percentage would be applied to the northern windowpane flounder ABC to determine the sub-ABC for the scallop fishery and then reduced for management uncertainty to determine the sub-ACL. The current management uncertainty buffer for non-allocated stocks in 7%.

Under Sub-Option 1A (using a fixed percentage based on the 90th percentile of scallop catch rates for northern windowpane flounder), there are two approaches to consider:

1. Allocation based on catch rates from a range of the most recent 10 years (i.e., 2005-2014) resulting in a percentage of **21%**; or
2. Allocation based on catch rates from a shorter and more recent range of the most recent 5 years (i.e., 2010-2014), resulting in a percentage of **35%**.

The longer time period would incorporate higher catches by the groundfish fishery, when the fishery was more active.

Rationale: This option would establish a scallop sub-ACL for northern windowpane flounder similar to the method used to develop a scallop sub-ACL for southern windowpane flounder in FW 48. Under this option, allocating a sub-ACL is based on a fixed percentages approach based on catch history because projected catch can fluctuate greatly and therefore would not used to set catch limits.

4.1.2.2.1.2 Sub-Option 1B – Select a percentage from a range of recent scallop catches

Sub-Option B would set the scallop sub-ACL for northern windowpane flounder using a fixed percentage chosen from a range of scallop discards as percentages of catch. The range of percentages is based on bycatch estimates from the 2015 operational assessment, and used to calculate scallop catch as a percentage of total catch between calendar years 2005 through 2014 and the PDT’s estimate of General Category catches (Table 10).

The fixed percentage would be applied to the northern windowpane flounder ABC to determine the sub-ABC for the scallop fishery and then reduced for management uncertainty to determine the sub-ACL. The current management uncertainty buffer for non-allocated stocks in 7%.

Under Sub-Option B (select a percentage from a range of recent scallop catches), there are two approaches to consider:

1. Allocation based on catch rates from a range of the most recent 10 years (i.e., 2005-2014), resulting in a range of **2%-46%**; or
2. Allocation based on catch rates from a shorter and more recent range of the most recent 5 years (i.e., 2010-2014), resulting in a range of **6%-46%**.

Rationale: The approach is similar to how scallop sub-ACLs were developed for GB yellowtail and could be used to allocate a scallop sub-ACL for northern windowpane flounder. Under this option, allocating a sub-ACL is based on a fixed percentages approach based on catch history because projected catch can fluctuate greatly and therefore would not used to set catch limits.

4.1.2.2.1.3 Sub-Option 1C – Use a Dual Fixed Percentage Baseline

Sub-Option C would set a lower sub-ACL based on a fixed percentage in years when the fishing patterns of the limited access scallop fleet more closely reflects a year the current rotational access and open area management program is expected to have a relatively low interaction with northern windowpane flounder compared to historic levels. Sub-Option 1C would set a higher sub-ACL in years when the fishing patterns of the limited access scallop fleet more closely reflects a year the current rotational access and open area management program is expected to have a relatively high interaction with northern windowpane flounder compared to historic levels.

The formula used to determine high or low bycatch year would need to be specified upfront and the intent is to set the sub-ACL for the entire scallop fishery, limited access and limited access general category. For each fishing year, a determination regarding high or low catch year would be made, based on projected northern windowpane catch rates for the scallop fishery completed by the Scallop PDT.

The fixed catch rates would be based on a range of fishing years to estimate a low and high catch rate by percentage (i.e., 2005-2014) (Table 10). To select a high fixed catch rate, consider the average in catch for the top three years from 2005 to 2014 with high catch rates for windowpane flounder. A low fixed percentage would be calculated based on comparing the average high catch rate to the FY 2017 ABC for northern windowpane flounder, which is 182 mt. To select a low average catch, consider the average catch rate by percentage for the three years in which catch rates were at its lowest for the time series, 2005 to 2014. A low fixed percentage would be calculated based on a comparison of the average low catch to the FY2017 ABC for northern windowpane flounder, which is 182 mt. Based on this approach, the low fixed percentage would be **10%** and the high fixed percentage would be **51%** of the ABC. In the future, the Council may want to consider updating these fixed percentages to reflect recent catch rates.

The low and high percentages would be applied to the northern windowpane flounder ABC to determine the sub-ABC options for the scallop fishery and then reduced for management uncertainty to determine the sub-ACL. The current management uncertainty buffer for non-allocated stocks in 7%.

Rationale: This option would consider a dual sub-ACL that is more flexible than a single percentage allocation. The intent of this option is to recognize that scallop area rotation can vary greatly annually, which impacts northern windowpane flounder catch rates by the scallop fleet. For example, in years when more effort is expected on Georges Bank, a higher sub-ACL percentage would be used compared to years when less scallop fishing effort is expected on Georges Bank. However, the AMs developed later through the scallop fishery management plan may consider different AMs for each component of the scallop fishery.

4.1.2.2.2 Sub Option 2: Increase the Midwater Trawl Atlantic Herring Fishery Sub-ACL for Georges Bank Haddock

This option would consider measures to incentivize the midwater trawl fleet to minimize the incidental catch of GB haddock to the extent practicable in the midwater trawl Atlantic herring fishery while

providing the opportunity for the fleet to fully harvest its herring sub-ACL for Herring Management Areas 1B and 3. Sub-Option 2A and Sub-Option 2B would reduce the potential for negative impacts on the herring fishery caused by reductions in fishing opportunities in Areas 1B and 3, and avoid potential market interruptions for the supply of herring as bait for the lobster fishery. The GOM haddock sub-ACL in the mid-water trawl Atlantic herring fishery would remain the same at 1% of the ABC.

The Council may one option to address the increase of the mid-water trawl herring fishery sub-ACL for GB haddock.

4.1.2.2.2.1 Sub-Option 2A – Increase the Midwater Trawl Atlantic Herring Fishery Sub-ACL for Georges Bank Haddock

Option 2A would increase the current sub-ACL for GB haddock in the mid-water trawl Atlantic herring from 1% of the US ABC to 1.5% or 2% of the US ABC, reduced by the management uncertainty buffer to determine the sub-ACL. The uncertainty buffer is currently 7%

Rationale: Sub-Option 2A would continue to allow for long-term sustainable management the GB haddock stock and groundfish fishery while providing incentives for the mid-water Atlantic herring fishery to minimize bycatch for this stock to the extent practicable. Further, this option better meets the goals and objectives of the Atlantic herring management program, particularly the goal to achieve, on a continuing basis, optimum yield, and the objectives to achieve full utilization from the catch of herring, and to promote the utilization of the resource in a manner which maximizes social and economic benefits to the nation, while taking into account the protection of marine ecosystems.

4.1.2.2.2.2 Sub-Option 2B – Increase the Midwater Trawl Atlantic Herring Fishery Sub-ACL for Georges Bank Haddock with a transfer provision

Sub-Option 2B would increase the current sub-ACL for GB haddock in the mid-water trawl Atlantic herring from 1% of the US ABC to 1.5% or 2% of the US ABC reduced by the management uncertainty buffer to determine the sub-ACL. The uncertainty buffer is currently 7%. This allocation would be available at the start of the groundfish fishing year. The addition of the transfer provision would accommodate an in-season transfer of GB haddock allocation from the mid-water trawl Atlantic herring fleet to the groundfish fleet, similar to the existing regulations regarding an in-season transfer of GB and SNE/MA yellowtail flounder from the scallop fishery to the groundfish fishery (Refer to 50 CFR 648.90(a)(4)(iii)(C)).

By December of that year, about mid-way through the fishing year, if the mid-water trawl Atlantic herring fishery is not projected to harvest its full sub-ACL of GB haddock, NMFS would provide catch projections for GB haddock that is expected to be caught by the mid-water trawl Atlantic herring fishery through the remainder of the fishing year. If NMFS makes the determination that the mid-water trawl Atlantic herring fishery catch is projected to be less than 90 percent of the mid-water trawl Atlantic herring fishery's allocation for that year, the Regional Administrator may reduce the appropriate allocation to match the herring fishery's projected catch quantity, and increase the allocation to the groundfish fishery up to the reduced mid-water trawl Atlantic herring fishery quantity. Any additional GB haddock to the groundfish fishery would be allocated proportionally among the groundfish sectors and common pool vessels.

Rationale: Similar to Sub-Option 2A, Sub-Option 2B would continue to allow for long-term sustainable management the GB haddock stock and groundfish fishery while providing incentives for the mid-water Atlantic herring fishery to minimize bycatch for this stock to the extent practicable. Further, this option better meets the goals and objectives of the Atlantic herring management program, particularly the goal to

achieve, on a continuing basis, optimum yield, and the objectives to achieve full utilization from the catch of herring, and to promote the utilization of the resource in a manner which maximizes social and economic benefits to the nation, while taking into account the protection of marine ecosystems. A transfer provision would help balance fishing opportunities for the groundfish and mid-water trawl Atlantic herring fleets.

4.2 Commercial and Recreational Fishery Measures

4.2.1 Recreational Fishery Measures

4.2.1.1 Option 1: No Action

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 RAP 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.

4.2.1.2 Option 2: Revised Recreational Fishery Measures

To be discussed.

4.2.2 Commercial Fishery Measures

4.2.2.1 Option 1: No Action

Option 1 would maintain the existing management measures currently in place for Atlantic halibut. Vessels with a Northeast multispecies permit are currently allowed to land one legal sized Atlantic halibut per trip. 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 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 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

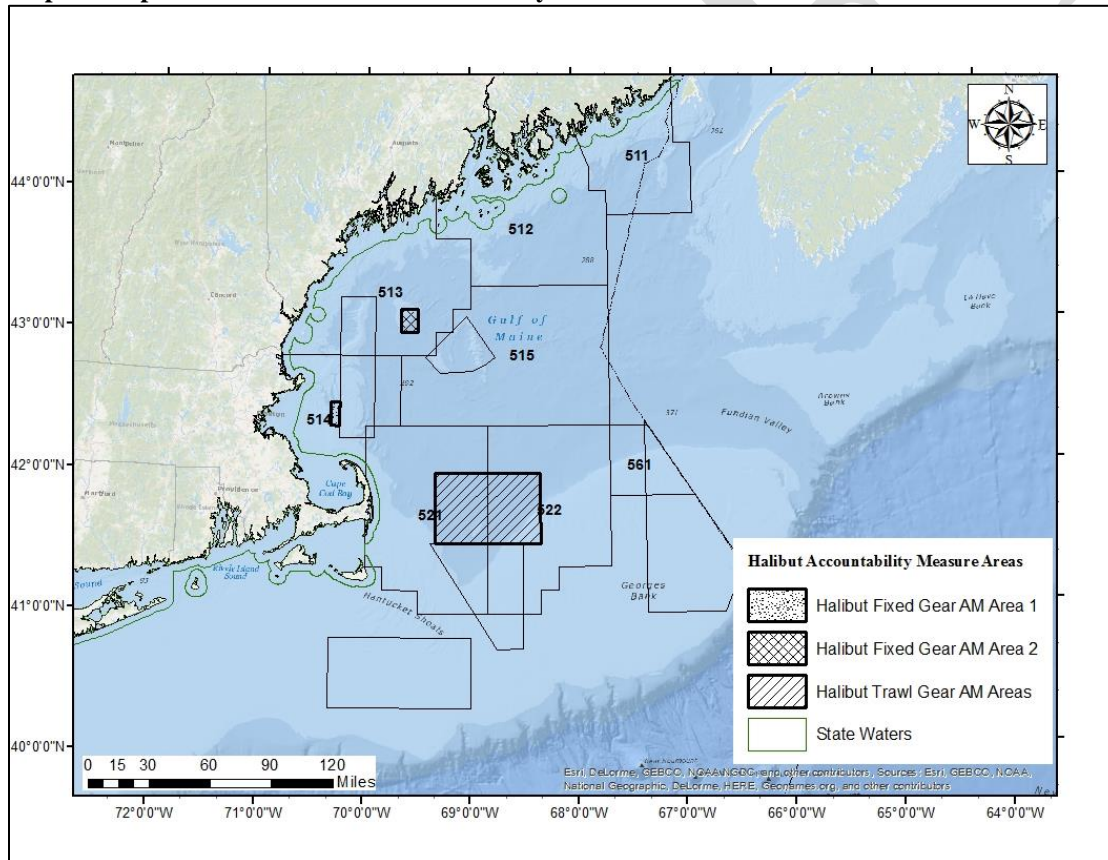
monkfish permit would not be allowed to retain Atlantic halibut. In addition, gear restricted areas would be triggered. Trawl vessels possessing a northeast multispecies permit must use approved selective gear (e.g., haddock separator trawl, Rhule trawl, rope separator trawl) that reduces catch of flounders in the Atlantic Halibut Trawl Gear AM Area (Refer to Map 1). Gillnet and longline vessels possessing a Northeast multispecies permit may not fish within the Atlantic Halibut Fixed Gear AM Areas (Map 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 FY2015 before FY2016 began, then the AM could apply in FY2016. However, if NMFS made the determination that an overage occurred during the FY2015, and the information was made available until after FY2016 began, then the AM would apply to FY2017. For FY2015, it is currently unknown whether there has been an overage to trigger an AM.

The AMs were designed to correct for an overage of up to 20 percent. Framework Adjustment 48 explains that the Council would review the AMs in a future action if an overage greater than 20% occurred.

Once the AMs are triggered, fishing opportunities would be reduced, particularly within the AM areas, and would cause adverse impacts to the groundfish fleet. The estimated economic impact of the halibut AMs was most recently evaluated in FW 48.

Map 1 - Map of Atlantic Halibut Accountability Measure Areas



4.2.2.2 Option 2: Revised Atlantic Halibut Management Measures

To be discussed.