



New England Fishery Management Council

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MEMORANDUM

DATE: September 7, 2016
TO: Groundfish Committee
FROM: Groundfish Plan Development Team
SUBJECT: Re: Development of alternatives for Framework Adjustment 56

The Groundfish Plan Development Team met on Aug. 16 and 31, 2016 to discuss the development of alternatives for Framework Adjustment 56 (FW 56).

Scope

To set specifications for FY 2017 for US/Canada stocks (Eastern Georges Bank cod, Eastern Georges Bank haddock, and Georges Bank yellowtail flounder) and FY 2017 – FY 2019 for witch flounder. To allocate northern windowpane flounder to the scallop fishery. To increase the sub-ACL for Georges Bank haddock for the Atlantic herring mid-water trawl fishery. To revise the recreational management measures process. To modify Atlantic halibut management.

Objectives of Action

To meet regulatory requirements to prevent overfishing, ensure rebuilding, and help achieve optimum yield in the commercial and recreational groundfish fishery. To evaluate an appropriate level of northern windowpane flounder catch in the scallop fishery. To evaluate an appropriate level of Georges Bank haddock catch in the mid-water Atlantic herring fishery.

Likely Range of Alternatives

4.1 Updates to status determination criteria stock status and annual catch limits

4.1.1 Revised status determination criteria

4.1.2 Annual Catch Limits

- US/Canada stocks and witch flounder
- Establish a Sub-Annual Catch Limit for northern windowpane flounder for the scallop fishery

- Increase the Sub-Annual Catch Limit for Georges Bank haddock for the mid-water trawl Atlantic herring fishery

4.2 Commercial and Recreational Fishery Management Measures

4.2.1 Revise the recreational management measures process

4.2.2 Modify Atlantic halibut management

PDT Discussion on Development of the Alternatives

Establish a Sub-Annual Catch Limit for northern windowpane flounder for the scallop fishery

The dual fixed percentage approach should be formulaic:

- Determining “high” and “low” fixed percentages: More recent years of catch data could be used to determine high and low allocations. A high and low percentage can then be derived from the ratio of high or low catch to the ABC for northern windowpane flounder. The PDT developed this approach in the draft alternatives.
- Determining if the coming year would be a “high” or “low” year: Criteria to develop the dual fixed percentage approach should be developed with input from the Scallop Plan Development Team to define what characteristics would constitute a “high” or “low” year for northern windowpane flounder catches. The Scallop PDT is working on a memo to inform the criteria discussion.

Increase the Sub-Annual Catch Limit for Georges Bank haddock for the mid-water trawl Atlantic herring fishery

- Rationale: The draft rationale for an increase in the sub-ACL for GB haddock for the mid-water trawl Atlantic herring fishery from 1% to 1.5% or 2% of the U.S. ABC is based on balancing economic considerations (i.e., fishing opportunities for the groundfish and mid-water trawl Atlantic herring fleets) and conservation (i.e., minimizing bycatch of GB haddock to the extent practicable). Although the GB haddock stock is rebuilt, uncertainties regarding the relative strength of recent strong year classes remain. Smaller fish may be caught in the mid-water trawl Atlantic herring fishery. The PDT is currently investigating the length frequency of GB haddock catches and catch rates from the mid-water trawl Atlantic herring fishery. The PDT may propose additions to the rationale based on the findings of this work.
- Other Council actions under development: The utilization rate of GB haddock by the groundfish fleet may change with the implementation of Omnibus Habitat Amendment 2 (OHA2). The OHA2 is expected to be implemented in spring 2017, and may occur after May 1, 2017. Some draft alternatives under consideration in Amendment 8 to the Atlantic Herring FMP to address localized depletion may increase mid-water trawl herring fishing activity on Georges Bank by moving the fishery away from more near-shore areas.

Revise the recreational management measures process

- Clarification is needed as to if the accountability measures for the recreational fishery can be adjusted in-season through current regulations and if developed whether they could only be less restrictive rather than more restrictive based on catch projections.
- Further, Framework Adjustment 48 does not clarify whether in-season adjustments would continue into the next fishing year as the new measures, or revert back to the initial management measures put in place at the start of the fishing year, to ensure that the recreational fleet is achieving and not exceeding the ACL.
- Changing recreational management measures several times within one year (calendar or fishing year) may lead to problems with compliance and States developing reciprocal measures in time.
- Strawman text developed at the direction of the Groundfish Committee at its Aug. 3, 2016 meeting is based on the Recreational Advisory Panel motions on August 2, 2016 (see Attachment #1)

Modify Atlantic Halibut Management

- At a minimum, the sub-component analysis should be reviewed for Atlantic halibut with respect to adjusting specifications for FY 2017 and FY 2018.
- Developing alternatives to the current accountability measures for Atlantic halibut may require considerable time. To date, the Groundfish Committee did not express interest in pursuing such an approach.

Attachment 1: DRAFT STRAWMAN TEXT FOR COMMITTEE DISCUSSION

Revised Recreational Fishery Measures

The Council expressed concern about the recreational fishery management measures process given dramatic changes in recreational management measures each year for Gulf of Maine cod and haddock. Some State Directors explained the difficulty in aligning their state measures with federal measures due to time constraints resulting from the late notice of the federal management measures in recent years. The for-hire segment of the recreational fishery raised concerns that the process negatively impacts their ability to operate their businesses effectively. Private anglers expressed concerns with a lack of outreach and timely information on the regulations.

Item #1- Timing for Final Measures for the Recreational Fishing Year

The Recreational Advisory Panel (RAP) recommended that regulations for the recreational fishery be made available sooner, and suggested February 1st, and the RAP would convene prior to the November Committee/Council meeting. Marine Recreational Information Program (MRIP) is released in two-month ‘waves’ with preliminary data provided approximately six weeks following the end of each wave (Table 1). Wave 6 catch could be projected since the preliminary estimate for wave 6 catch would not be available by February 1st. However, assumptions about wave 6 data would need to be made for projections including using information from previous years. This approach could increase compliance with regulations by providing recreational measures earlier in the calendar year, which would improve ‘for hire’ and charter business planning.

Table 1 – Description of MRIP ‘Waves’

Wave	Period Covered	Data Availability
Wave 1	January - February	April
Wave 2	March - April	June
Wave 3	May – June	August
Wave 4	July – August	October
Wave 5	September - October	December
Wave 6	November - December	February

Item #2: Measures in Response to Projected Underage in Harvesting Recreational Catch

This would establish a management process to allow for an increase in fishing opportunity in wave 2 (Mar-Apr) if there is a projected underage of X% (currently undefined) or greater for stocks allocated to the recreational fishery known by end of wave 5 (Sept-Oct) of the same fishing year. Under this approach recreational measures may be more conservative at the start of the FY, and allow for some flexibility to adjust the recreational measures if the fishery is projected to under-utilize its allocation within any given year.