

August 28, 2015

Dr. Jacob Kritzer, Chair  
New England Fishery Management Council  
Scientific and Statistical Committee  
50 Water Street, Mill 2  
Newburyport, MA 01950



Dear Dr. Kritzer,

We are writing to offer the Scientific and Statistical Committee (SSC) with a groundfish fishery perspective on the low utilization of Georges Bank (GB) yellowtail in recent years in preparation for the Scientific and Statistical Committee's (SSC) discussion relating to the ABC for GB yellowtail in 2016-2017.

Although we are not aware of any analysis conducted to date that has evaluated the change in effort over time with respect to directed GB yellowtail trips, we do know that the reduction in ACLs for GB yellowtail that began in the mid-2000s has greatly impacted the number of participants in the fishery. From speaking with our members from New Bedford, the offshore fleet that targeted GB yellowtail has been reduced by roughly 75% over the past 7 or 8 years. Vessels have either tied-up, been sold, or have switched to other fisheries. To put this into perspective we conducted a cursory review of a roster of vessels that once contributed substantially to the directed yellowtail fishery on Georges Bank. Of the 60 vessels recalled from no earlier than 2006, only 15 vessels remain in the fishery today. Those 15 vessels no longer fish for yellowtail for a combination of compelling reasons:

1. When the Major Change model first hit the GB yellowtail assessment, pressure to reduce the ACL below 2,000 metric ton effectively eliminated the directed fishery which resulted in permanent loss of market. The market for yellowtail flounder has now become so fragile that even low volumes can return very low ex-vessel price on the fresh spot market.
2. The continuous downward direction of ACL caused individual Potential Sector Contributions (PSC) that were relatively high for historical GB yellowtail vessels, to result in very low Annual Catch Entitlements (ACE).
3. This caused a mass exodus from the fishery and left the permit holders with no other option than to lease their allocations through the sector system.
4. For the few remaining vessels who continued to be active they are faced with speculating on trying to lease GB yellowtail quota from multiple inactive fishermen in order to compile enough yellowtail for one directed trip. Many of the potential lessor

permit holders are trying to move their allocations in packages which makes collecting GB yellowtail quota even more onerous financially.

5. Once individual allocations (via sector internal distribution) dropped below the threshold that justifies directed fishing, the costs of leasing coupled with the loss of a reliable market price has the same effect as a fishery closure.

Again, from our cursory review, the 15 vessels that are still active from the 60 vessels we identified are only active because they were able refocus their fishing businesses onto haddock and deeper water fisheries of sole, dabs, monkfish or redfish.

Yellowtail, like many of our NE groundfish species, are spatially discreet in that their preferred habitat is a small percentage of the biological range of the stock.

**For stocks like GB yellowtail flounder, there is a threshold where utility rates would increase once the ACL was increase to or above the level that would make it financially feasible to try to rebuild the market for yellowtail which will only happen once a regular supply reoccurred.**

The PDT correctly noted that a substantial portion of the GB yellowtail historical fishery areas are restricted by the Northern windowpane flounder accountability measure (AM) which prohibits the use of flounder nets.

The windowpane AM requiring the exclusive use of the separator trawl coupled with the fact that the haddock fishery on Georges Bank has been occurring primarily on the western edge of the bank rather than the Southeast Parts, the groundfish fleet interaction with the GB yellowtail stock is extremely limited.

**The important message we are trying to convey here is that utility rates in cases such as GB yellowtail are a very poor indicator of stock size for stocks that are spatially and temporally discreet and predictable.**

We would therefore advise the SSC not to view recent catches from the commercial groundfish fleet as confirmation for low biomass and would urge the SSC to at a minimum retain status quo when considering the ABC for this stock. It is our hope that targeted research coupled with direct initiatives undertaken by the groundfish fishery in the near future can work to improve the biological knowledge and thus assessment for the GB yellowtail stock.

Sincerely,

Jackie Odell  
Executive Director

Vito Giacalone  
Policy Advisor, Board of Directors

Dr. Jacob Kritzer,  
Chair New England Fishery Management Council,  
Scientific and Statistical Committee  
50 Water Street, Mill 2  
Newburyport, MA 01950

August 28, 2015

Dear SSC Members,

I am a yellowtail fisherman who has deep concerns about the assumptions being put forward as to why the groundfish fleet has not realized its TAC and related assumptions about biomass. The groundfish trawl fleet does not catch GB yellowtail TAC for several reasons. The first reason is that we need the small allocation as a safety net to allow us catch haddock and winter flounder. The only time we target yellowtails is in April, when boats are sure they will not need them to catch haddock and winter flounder. The introduction of the sector system has forced effort and fishing behavior to change drastically.

Since 1935 (referenced in PDT to SSC letter) we have also seen dramatic reductions in allowable areas to fish: the introduction of the Hague Line, which caused us to lose much of our historic yellowtail grounds; Closed Area 2; expansion of Closed Area 2 (app 3270 square miles); then the Sand Dab AM9 app 1315 square miles). Georges Bank goes from roughly 66 degrees to 68 50. We are only allowed to fish from 67 40 to 68 30 ( which is less than 1 degree), and a small area SE of Closed Area 2 -an area that was filled with hot bottom water this spring, which drove fish away.

In April 2015, there was a total of 3 directed yellowtail trips, designed to catch the combined TAC for all the sectors. The total accessible area to fish that would contain yellowtails, was not closed to fishing, and did not contain water too hot for yellowtails was an area 3 miles by 10 miles. Thirty square miles out of all of Georges Bank (about 11,175 square miles). To make the claim that low levels of catch are due to low stock size is a total misrepresentation of reality. You could try to catch a yellowtail in a forest and come up with the same conclusion.

The heavily weighted Bigelow surveys and the refusal to admit there are serious issues with the Bigelow's ability to catch or sample flatfish leads scientists to have "garbage in garbage out" science. The fact that NOAA is completely happy to use bad data and bad science to justify their science gives fishermen and good scientists no confidence or respect for the agency.

Problems with the Bigelow include:

- 1) Rock hopper sweep
- 2) Use of Simrad Trawl Eye for bottom contact when Simrad's own literature says it is only accurate within ½ meter of the bottom
- 3) Refusal of the Bigelow to adjust tows for tide influences (strong head tides lift the gear off the bottom)
- 4) Deliberate low or no sampling stations where observer data says YTs are

Other issues affecting the stock assessment are

- 1) The refusal of the science center to admit there is better data and surveys available
  - A) The surveys that SMAST is doing
  - B) The use of your own Study Fleet data
  - C) The survey done by the F/V Mary K and F/V Yankee Pride
  - D) The work Chris Roebuck is doing
- 2) The disdain the science center has for other people and the willingness of the science center to trash other science or data. For example, the Science Center's response to Steve Cadrin's presentation at the TRAC a couple of years ago, showing 200+% of the YT stock in a part of Closed Area2. The Science Center response was that it was junk science.

The downturn in stock size is not due to overfishing. It is due to an organism, *Ichthyophonus*, that progressively invades its host's vital organs, destroying their liver, kidneys, and heart. It generally afflicts older fish in a stock, which are also the most important for repopulation. This organism is there all the time, but it becomes active off and on. It has caused the stock to have downturns in the past and will cause swings in the future. This has also happened on the Grand Banks. The sad part is that NOAA would rather let these fish die at mother nature's hand and blame it on overfishing then let us harvest them when they are abundant. NOAA has known for at least 40 years of the effects of this and other intestinal trematode parasites; a book by J S Scott was printed in 1975. The fact yellowtails have always recovered with 0 help from NOAA in the past bodes well for the stock considering the very low fishing effort.

The ironic part about this downturn is that last year it turned around. We are seeing yellowtails in areas where they haven't been, and they are much healthier. It will take NOAA 5-10 years to recognize this fact, and they will pat themselves on the back for something they didn't do.

Sincerely,

F/V Illusion  
Mark S Phillips

210 Atlantic Ave  
Greenport, NY 11944



August 8, 2016

Dr. Jacob Kritzer, Chair  
New England Fishery Management Council  
Scientific and Statistical Committee  
50 Water Street, Mill 2  
Newburyport, MA 01950

Dear Dr. Kritzer,

On August 28, 2015, the Northeast Seafood Coalition (NSC) wrote a letter to the Scientific and Statistical Committee (SSC) that provided a groundfish industry perspective on the low utilization of Georges Bank yellowtail. Due to its continued relevance to the upcoming SSC discussion, NSC is resending a copy of this letter today (see attached).

NSC is hopeful SSC members will review the letter submitted last August as well as consider the following prior to finalizing an OFL and ABC recommendation for Georges Bank yellowtail for 2017 and 2018.

This past spring preliminary results were released from a rock hopper / chain sweep relative catch efficiency analysis conducted in partnership with commercial fishing vessels and the Northeast Fisheries Science Center. The intent of this initiative has been to better understand - and estimate - the catch efficiency of the standard Bottom Trawl Survey (BTS) fishing gear in order to improve stock assessments. The GB yellowtail assessment held this summer by the TRAC would have been the first opportunity to consider the preliminary results and metrics used in the Empirical Approach assessment. Unfortunately, this did not occur.

NSC, along with many of our fishing members, continues to question whether the assessment is providing an accurate view regarding the true abundance of Georges Bank yellowtail. Placing aside fishermen concerns regarding herding of the Bigelow trawl and calculations used in the Empirical Approach, the assessment is generated from a limited number of surveys that take place over the course of a year. Surveys continue to follow a random survey design methodology for a stock that is known to be spatially and temporally discrete.

Unfortunately, if the ACLs are reduced further in fishing year 2017, the opportunity for the groundfish industry to provide any information through commercial groundfish landings and catch will diminish. The impacts to the haddock fishery on Georges Bank and other non-groundfish fisheries, such as scallops, will be significant.

NSC is hopeful the SSC will take all relevant information into account before finalizing a recommendation for Georges Bank yellowtail.

Sincerely,

Jackie Odell  
Executive Director

Vito Giacalone  
Policy Advisor, Board of Directors

4 PARKER STREET, STE. 202, GLOUCESTER, MA 01930  
62 HASSEY STREET, NEW BEDFORD, MA 02740  
TEL: 978.283.9992 | FAX: 978.283.9959  
NORTHEASTSEAFOODCOALITION.ORG



August 28, 2015

Dr. Jacob Kritzer, Chair  
New England Fishery Management Council  
Scientific and Statistical Committee  
50 Water Street, Mill 2  
Newburyport, MA 01950

Dear Dr. Kritzer,

We are writing to offer the Scientific and Statistical Committee (SSC) with a groundfish fishery perspective on the low utilization of Georges Bank (GB) yellowtail in recent years in preparation for the Scientific and Statistical Committee's (SSC) discussion relating to the ABC for GB yellowtail in 2016-2017.

Although we are not aware of any analysis conducted to date that has evaluated the change in effort over time with respect to directed GB yellowtail trips, we do know that the reduction in ACLs for GB yellowtail that began in the mid-2000s has greatly impacted the number of participants in the fishery. From speaking with our members from New Bedford, the offshore fleet that targeted GB yellowtail has been reduced by roughly 75% over the past 7 or 8 years. Vessels have either tied-up, been sold, or have switched to other fisheries. To put this into perspective we conducted a cursory review of a roster of vessels that once contributed substantially to the directed yellowtail fishery on Georges Bank. Of the 60 vessels recalled from no earlier than 2006, only 15 vessels remain in the fishery today. Those 15 vessels no longer fish for yellowtail for a combination of compelling reasons:

1. When the Major Change model first hit the GB yellowtail assessment, pressure to reduce the ACL below 2,000 metric ton effectively eliminated the directed fishery which resulted in permanent loss of market. The market for yellowtail flounder has now become so fragile that even low volumes can return very low ex-vessel price on the fresh spot market.
2. The continuous downward direction of ACL caused individual Potential Sector Contributions (PSC) that were relatively high for historical GB yellowtail vessels, to result in very low Annual Catch Entitlements (ACE).
3. This caused a mass exodus from the fishery and left the permit holders with no other option than to lease their allocations through the sector system.
4. For the few remaining vessels who continued to be active they are faced with speculating on trying to lease GB yellowtail quota from multiple inactive fishermen in order to compile enough yellowtail for one directed trip. Many of the potential lessor

permit holders are trying to move their allocations in packages which makes collecting GB yellowtail quota even more onerous financially.

5. Once individual allocations (via sector internal distribution) dropped below the threshold that justifies directed fishing, the costs of leasing coupled with the loss of a reliable market price has the same effect as a fishery closure.

Again, from our cursory review, the 15 vessels that are still active from the 60 vessels we identified are only active because they were able refocus their fishing businesses onto haddock and deeper water fisheries of sole, dabs, monkfish or redfish.

Yellowtail, like many of our NE groundfish species, are spatially discreet in that their preferred habitat is a small percentage of the biological range of the stock.

**For stocks like GB yellowtail flounder, there is a threshold where utility rates would increase once the ACL was increase to or above the level that would make it financially feasible to try to rebuild the market for yellowtail which will only happen once a regular supply reoccurred.**

The PDT correctly noted that a substantial portion of the GB yellowtail historical fishery areas are restricted by the Northern windowpane flounder accountability measure (AM) which prohibits the use of flounder nets.

The windowpane AM requiring the exclusive use of the separator trawl coupled with the fact that the haddock fishery on Georges Bank has been occurring primarily on the western edge of the bank rather than the Southeast Parts, the groundfish fleet interaction with the GB yellowtail stock is extremely limited.

**The important message we are trying to convey here is that utility rates in cases such as GB yellowtail are a very poor indicator of stock size for stocks that are spatially and temporally discreet and predictable.**

We would therefore advise the SSC not to view recent catches from the commercial groundfish fleet as confirmation for low biomass and would urge the SSC to at a minimum retain status quo when considering the ABC for this stock. It is our hope that targeted research coupled with direct initiatives undertaken by the groundfish fishery in the near future can work to improve the biological knowledge and thus assessment for the GB yellowtail stock.

Sincerely,

Jackie Odell  
Executive Director

Vito Giacalone  
Policy Advisor, Board of Directors