

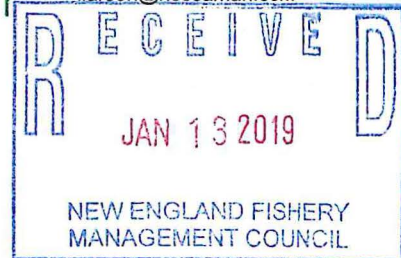
# CORRESPONDENCE



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**VIA EMAIL**

January 13, 2020

Dr. John Quinn  
Chairman  
New England Fishery Management Council  
50 Water St., Mill 2  
Newburyport, MA 01950

Re: Amendment 23 to Northeast Multispecies Fishery Management Plan

Dear Chairman Quinn:

This firm represents the Northeast Seafood Coalition ("NSC") with respect to the development of proposed Amendment 23 to the Northeast Multispecies Fishery Management Plan ("Amendment 23"). NSC is deeply concerned about the anticipated schedule for the New England Fishery Management Council's ("Council") review and further action on the preliminary analysis to be offered at its upcoming January meeting. In particular, the release of a partial draft of the Draft Environmental Impact Statement ("DEIS") mere days before the January Council meeting is contrary to legal mandates for public involvement in the development of fishery management measures and the environmental review of such measures.

Amendment 23 is a significant action with potentially devastating impacts on the future viability of the groundfish fleet depending on the alternative chosen. Indeed, the Council has acknowledged as much by choosing to prepare an environmental impact statement rather than an environmental assessment. See 40 C.F.R. §1502.4. Making a living and sustaining a business in the New England groundfish fishery is an ongoing challenge. Investments are made and business success ebbs and flows with not just the boom and bust of resource fluctuations, but also with the impacts of fishery regulations. The economic impacts of Amendment 23 will ultimately fall on fishermen. Industry has been fortunate to be the recipient of federal subsidies to offset costs but the temporary availability of this subsidy should not mask the reality that the industry will eventually be responsible for paying the expenses associated with Amendment 23. The DEIS must acknowledge that industry is responsible for these measures long-term and analyze the economic impacts on the fishery accordingly. The Council and stakeholders must have a clear understanding of costs. The analytical approaches used to quantify the impact analyses should be transparent and easily understandable for fishermen and the public. Those analyses have been lacking to date.

Public and Council review of an action of this magnitude should not be rushed, yet this is apparently the course being set, even though this amendment has officially been under consideration by the agency since February 2017, impact analysis has eaten up many months, and apparently is still incomplete to date. Amendment 23 is intended to improve accuracy and



precision in data collection while minimizing costs to industry. Development of alternatives for the amendment has proceeded under the untested hypothesis that increasing monitoring levels provides increased accuracy and precision, but, as far as the public can tell, there has been no attempt to test that hypothesis or quantify the degree of improvement attained by various levels of increasing coverage. Moreover, requests to take the time to compare the efficacy of various alternatives using objective criteria have fallen on deaf ears because of unspecified schedule concerns. NSC is not aware of any deadline or environmental emergency necessitating inappropriate acceleration of a process just at the stage where the public is finally allowed to review and comment on the agency's complete analyses, in whatever form those analyses take.

Despite this lack of key information, the Council is scheduled to vote on a preferred alternative for Amendment 23 and to approve the draft environmental impact statement ("DEIS") for Amendment 23 for public hearings at its January meeting. However, it does not appear that either the Council or the public will have a complete draft of the DEIS or other supporting analyses sufficiently in advance of the meeting to allow meaningful review of its contents. Tom Nies informed the Groundfish Committee and Advisory Panel ("AP") via email on January 3, 2020 that a "nearly complete" version of the DEIS will not be released publically until January 17, 2020. See enclosure. Mr. Nies expects that not all of the required analyses will be included in this release, and that the remainder of the document's content will be "added over the following weeks." The timing of the release of an incomplete DEIS on January 17 is clearly much too close to the Council meeting and committee meetings. January 17 is the same day that correspondence is due for the January 23 Groundfish Committee meeting; consequently the Groundfish Committee will have minimal time to review the draft prior to the Council meeting or to provide adequate feedback to the Council. The scheduled release of parts of the DEIS is three days before the AP meeting, six days before the deadline for submitting written comments to the Council; and ten days before the start of the Council meeting. This lack of review time means that stakeholders will not have a meaningful opportunity for public input into the Council's scheduled decision on a preferred alternative, and calls into question Council members' ability to review and digest even these partial analyses before taking a critical step in the development of this amendment.

The compressed timeline for preliminary review of the DEIS is wholly inconsistent with the mandates of the Magnuson-Stevens Fishery Management and Conservation Act ("MSA"). NMFS guidance states that the MSA "mandates an open, public process for the development of fishery management measures and actions through the fishery management council system." *Operational Guidelines for the Magnuson-Stevens Fishery Conservation and Management Act Fishery Management Process* at 1, NMFS Procedure 01-101-03 (Oct. 25, 2017) ("Operational Guidelines"). The Guidelines have the goal of promoting "a timely, effective, and transparent *public process* for development and implementation of fishery management measures pursuant to the MSA." *Id.* at 2 (emphasis in original). The Guidelines express the agency's objective of increasing "transparency and effectiveness of the decision making process by . . . promoting the public's accessibility to the process, fostering effective and constructive public input, and providing mechanisms for people to track the progress of different actions." *Id.* The timeline for the release of the DEIS is completely contrary to this policy because it precludes meaningful public input into the Council's deliberations.

The Council's timeline is also inconsistent with the National Environmental Policy Act ("NEPA"). NEPA has two principal purposes: (1) to ensure that the decision makers will have available, and will carefully consider, detailed information concerning significant environmental impacts *before* making a decision; and (2) to guarantee that the relevant information will be made



available to a wider audience. The timing of the release of the DEIS means that neither purpose will be served at this stage of the process. And these purposes are not optional. NEPA requires that agencies “make a diligent effort to involve the public in preparing and implementing their NEPA procedures.” 40 C.F.R. §1505.6(a). “When preparing an EIS, the decision maker must, to the extent practicable, provide the public with relevant environmental information and a meaningful opportunity to provide its views for consideration by the agency.” *Companion Manual for NOAA Administrative Order 216-6A* at 16, NOAA (Jan. 13, 2017).

Selection of a preferred alternative is not a trivial action. NEPA requires that decision makers have a complete, thorough and objective analysis of potential alternatives before them before any decisions are made. In fact, the alternatives analysis “is the heart of the environmental impact statement.” 40 C.F.R. §1502.14. It must “sharply define the issues and provide a clear basis for choice among options by the decisionmaker and the public.” The analysis must “rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from study, briefly discuss the reasons for their having been eliminated.” 40 C.F.R. §1502.14(a). The discussion of reasonably foreseeable significant adverse impacts, including socio-economic impacts, is “essential to a reasoned choice among alternatives.” 40 C.F.R. §1502.22(b). At present, NSC, the Council and the public have no way of knowing whether the DEIS will meet these crucial standards. The release in November of “updated” draft alternatives as a standalone document divorced from any impacts analyses seems to indicate that the alternatives have in fact developed in a vacuum without rigorous economic analysis, and raise concerns that there is a pre-ordained preferred alternative. This perception was heightened by NMFS’ unwillingness at the December 2019 Council meeting to broaden the range of alternatives under consideration.

Objective, accurate information is particularly important in order for the Council to assess whether or not a particular alternative is consistent with the MSA’s National Standards. In actions such as Amendment 23, National Standard 7 requires that “conservation and management measure shall, where practicable, minimize costs and avoid unnecessary duplication.” 16 U.S.C. §1851(a)(7). The National Standard Guidelines state that:

The supporting analyses for FMPs should demonstrate that the benefits of fishery regulation are real and substantial relative to the added research, administrative, and enforcement costs, as well as costs to the industry of compliance. In determining the benefits and costs of management measures, each management strategy considered and its impacts on different user groups in the fishery should be evaluated.

50 C.F.R. § 600.340. NEPA requires the same type of rigorous economic impact analysis. 40 C.F.R. § 1502.22(a) requires agencies to include information relevant to an adverse impact where the “information is essential to a reasoned choice among alternatives and is not known and the overall costs of obtaining it are not exorbitant.” Economic information that is inaccurate or incomplete, “may defeat the purpose of an EIS” by making the public perception of the project biased and skewing the agency’s consideration of environmental impacts.” *NRDC v. U.S. Forest Serv.*, 421 F.3d 797, 811 (9<sup>th</sup> Cir. 2005).



In addition, the information in the DEIS, when it is released, may reveal that Amendment 23 measures do not meet the purpose and need of this action. With that in mind, potential inadequacies may require revisions to the alternatives under consideration by the Council. But no one can know that without spending substantial time with the DEIS – time that the Council as practical matter will not have before it is asked to select a preferred alternative. Fundamentally, NEPA requires that the Council and NMFS take “a hard look” at the potential impacts of Amendment 23 on the groundfish fishery through the NEPA process. *Kleppe v. Sierra Club*, 427 U.S. 390 (1976). NSC hopes that the DEIS in fact takes that “hard look” but has no way of knowing whether this requirement will be met in advance of the Council’s decisions at the January meeting.

NEPA is not a “check the box” process. Making any decisions without first having adequate information available, in a timely manner, is contrary to the MSA and NEPA. Moving the action forward for public hearings, and potentially selecting alternatives without adequate or timely information, runs contrary to the MSA and NEPA. NSC urges the Council to take a step back and ensure that Amendment 23 does not proceed further in the absence of the type of rigorous economic analysis required by NEPA and National Standard 5 combined with a transparent, meaningful public review process.

Very truly yours,



Linda R. Larson  
Nossaman LLP

LRL:irl  
Enc. – T. Nies email 1/3/20  
cc: Jackie Odell, NSC

Subject: Groundfish Amendment 23  
From: Tom Nies <[tnies@nefmc.org](mailto:tnies@nefmc.org)>  
Date: Fri, January 03, 2020 11:28 am  
To: GroundfishCte <[GroundfishCte@NEFMC.ORG](mailto:GroundfishCte@NEFMC.ORG)>, GroundfishAdvisors <[GroundfishAdvisors@NEFMC.ORG](mailto:GroundfishAdvisors@NEFMC.ORG)>  
Cc: Chris Kellogg <[ckellogg@nefmc.org](mailto:ckellogg@nefmc.org)>, Deirdre Boelke <[dboelke@nefmc.org](mailto:dboelke@nefmc.org)>, Jamie Cournane <[jcournane@nefmc.org](mailto:jcournane@nefmc.org)>, Robin Frede <[rfrede@nefmc.org](mailto:rfrede@nefmc.org)>, Melissa Errend <[merrend@nefmc.org](mailto:merrend@nefmc.org)>, Janice Plante <[jplante@nefmc.org](mailto:jplante@nefmc.org)>, John Quinn <[jquinnfish@gmail.com](mailto:jquinnfish@gmail.com)>, Eric Reid <[ericreidri@gmail.com](mailto:ericreidri@gmail.com)>

Groundfish Committee and Advisory Panel:

Happy New Year!

I want to give you an update on Amendment 23 progress. The Groundfish PDT is working to have a nearly complete DEIS ready for the Council mailing on January 17. This will include updates to the alternatives (as a result of the December Council meeting and editing) and much of the impacts analysis. We plan to have the critical biological and economic impacts ready for this mailing. The economic impacts are expected to include estimates of the costs of the various alternatives. No doubt there will be some pieces that will need to be added over the following weeks, but I believe the document will be complete enough for the Council to identify preliminary preferred alternatives and approve the document for public hearings.

Unfortunately, we will not have this version of the DEIS ready for mailing to the AP a week before the AP meeting on January 21. The Groundfish Staff will begin distributing documents to the AP and Committee as soon as they are available, but I do not expect the economic analyses to be ready before January 17.

With respect to another groundfish issue, documents for the Council's remand of ABCs to the SSC will be distributed early next week. The SSC meets Friday, January 10.

Please let me know if you have questions. Have a good weekend.

Tom Nies  
Executive Director  
New England Fishery Management Council  
[tnies@nefmc.org](mailto:tnies@nefmc.org)  
978-465-0492 ext 113







**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
 NATIONAL MARINE FISHERIES SERVICE  
 GREATER ATLANTIC REGIONAL FISHERIES OFFICE  
 55 Great Republic Drive  
 Gloucester, MA 01930-2276



Thomas A. Nies  
 Executive Director  
 New England Fishery Management Council  
 50 Water Street Mill 2  
 Newburyport, MA 01950

Dear Tom:

We recently completed the groundfish year-end accounting for the 2018 fishing year. We sent you a letter conveying the draft report on November 4, 2019, but it did not include the finalized catch accounting for Atlantic halibut. The final report is attached to this letter.

In fishing year 2018, the total annual catch limit (ACL) for Atlantic halibut was exceeded by 3.3 percent, or 3.3 mt. However, the overage was not greater than the management uncertainty buffer, and therefore the halibut accountability measure is not triggered. Table 1 summarizes the Atlantic halibut ACL overage.

Table 1. Fishing Year 2017 Atlantic Halibut ACL and Catch

Stock	U.S. ABC (mt)	Total ACL (mt)	Catch (mt and percent of ACL or sub-ACL)				
			Total	Groundfish Fishery	State Waters	Other sub-Component	
Atlantic halibut	104	100	103.3	103.3%	91.9%	147.4%	80.9%

If you have any questions on the report, please contact Peter Christopher, Groundfish Team Supervisor, at (978) 281-9288.

Sincerely,

*Fe*  
 Michael Pentony  
 Regional Administrator

cc: Dr. Jon Hare, Science and Research Director, Northeast Fisheries Science Center

Enclosure

jc 12/13/19



# Northeast Multispecies Fishery

## Final Year-End Results for Fishing Year 2018

- Tables 1 through 5: Total groundfish caught, landed, and discard estimates
- Table 6: Estimated state water catch
- Tables 7-9: Other sub-component catch detail
- Table 10: FY 2016 through FY 2018 GOM cod and haddock recreational catch evaluation
- Table 11: Sector carryover
- Tables 12 through 17: U.S./Canada stocks catch evaluation

In this report: a table cell value of "0" or "0.0" indicates a non-zero value in the cell. "-" is displayed for values exactly equal to zero. Blanks are shown when there are no values. "NA" is displayed when no value is applicable.



Table 1: FY 2018 Northeast Multispecies Percent of Annual Catch Limit Caught (%)

Stock	Components with ACLs and sub-ACLs: With Accountability Measures (AMs)								Sub-components: No AMs	
	Total	Groundfish Fishery	Sector	Common Pool	Recreational	Midwater Trawl Herring Fishery	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod	58.4	61.6	71.1	26.0					50.2	29.0
GOM Cod	75.7	75.7	86.7	48.8	66.8				80.7	51.8
GB Haddock	11.5	11.5	11.6	1.4		6.5			3.5	24.6
GOM Haddock	29.1	28.6	32.8	33.8	17.7	-			54.1	94.1
GB Yellowtail Flounder	19.7	14.7	14.9	-			87.5	2.5	NA	NA
SNE Yellowtail Flounder	22.3	19.6	19.9	18.1			79.7		9.8	20.5
CC/GOM Yellowtail Flounder	52.0	42.8	43.3	32.3					108.6	70.8
Plaice	69.6	68.3	68.6	49.1					66.9	131.7
Witch Flounder	95.6	95.6	97.9	96.7					66.6	112.7
GB Winter Flounder	59.1	57.5	57.9	-					NA	79.3
GOM Winter Flounder	54.6	25.7	26.7	6.4					200.9	189.4
SNE/MA Winter Flounder	56.9	48.4	50.1	35.6					21.8	120.5
Redfish	48.9	49.9	50.1	2.3					2.2	3.8
White Hake	75.6	76.7	77.2	8.1					1.3	54.1
Pollock	10.9	9.3	9.4	2.2					119.7	54.0
Northern Windowpane	65.9	52.8	NA	NA			123.7		20.3	22.9
Southern Windowpane	99.5	125.4	NA	NA			99.5		93.1	94.0
Ocean Pout	44.8	18.2	NA	NA					14.5	157.2
Halibut	103.3	91.9	NA	NA					147.4	80.9
Wolfish	1.9	1.8	NA	NA					3.9	5.5

Source: NMFS Greater Atlantic Regional Fisheries Office  
November 22, 2019, run date of July 22, 2019

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting; (4) Observers and at-sea monitors via the Northeast Fisheries Observer Program. Differences with previous reports are due to corrections made to the database.

**Table 2: FY 2018 Northeast Multispecies Annual Catch Limits (mt)**

Stock	Components with ACLs and sub-ACLs: With Accountability Measures (AMs)								Sub-components: No AMs	
	Total ACL	Groundfish	Sector <sup>1</sup>	Common Pool <sup>1</sup>	Recreational	Midwater Trawl Herring Fishery	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod	1,519	1,360	1,170	24					16	143
GOM Cod	666	610	357	12	220				47	9
GB Haddock	46,312	44,659	44,340	319		680			487	487
GOM Haddock	12,409	12,096	8,641	98	3,358	122			95	95
GB Yellowtail Flounder	206	188	185	3			15	4	NA	0.0
SNE Yellowtail Flounder	66	43	35	8			3		2	17
CC/GOM Yellowtail Flounder	490	398	381	17					51	41
Plaice	1,649	1,580	1,552	28					35	35
Witch Flounder	948	849	811	18					40	60
GB Winter Flounder	787	731	725	6					NA	57
GOM Winter Flounder	428	357	339	18					67	4
SNE/MA Winter Flounder	700	518	456	62					73	109
Redfish	10,986	10,755	10,705	50					116	116
White Hake	2,794	2,735	2,715	21					29	29
Pollock	38,204	37,400	37,170	230					402	402
Northern Windowpane	86	63	NA	63			18		2	3
Southern Windowpane	457	53	NA	53			158		28	218
Ocean Pout	120	94	NA	94					3	23
Halibut	100	77	NA	77					21	2
Wolffish	84	82	NA	82					1	1

<sup>1</sup>To account for overages of the 2016 ACLs for GB cod, GOM cod, and witch flounder, the following sub-ACLs were reduced midyear: GB cod (sector and common pool), GOM cod (sector only), and witch flounder (sector and common pool)

Values in metric tons of live weight

Source: NMFS Greater Atlantic Regional Fisheries Office  
November 22, 2019



**Table 3: FY 2018 Northeast Multispecies Total Catch (mt)**

Stock	Total Catch	Groundfish Fishery	Sector	Common Pool	Recreational	Midwater Trawl Herring Fishery	Scallop Fishery <sup>1</sup>	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod	887.3	837.9	831.6	6.3					8.0	41.5
GOM Cod	504.5	461.9	309.2	5.8	146.9				37.9	4.7
GB Haddock	5,324.3	5,143.7	5,139.2	4.4		43.9			17.1	119.7
GOM Haddock	3,605.9	3,465.1	2,837.1	33.0	595.0	-			51.4	89.4
GB Yellowtail Flounder	40.5	27.6	27.6	-			12.7	0.1	-	0.0
SNE/MA Yellowtail Flounder	14.7	8.5	7.0	1.5			2.6		0.2	3.5
CC/GOM Yellowtail Flounder	254.7	170.3	164.8	5.5					55.4	29.0
Plaice	1,147.9	1,078.4	1,064.7	13.7					23.4	46.1
Witch Flounder	906.1	811.8	794.1	17.7					26.6	67.6
GB Winter Flounder	465.1	419.9	419.9	-					-	45.2
GOM Winter Flounder	233.9	91.7	90.6	1.1					134.6	7.6
SNE/MA Winter Flounder	398.0	250.7	228.7	22.0					15.9	131.3
Redfish	5,369.1	5,362.1	5,360.9	1.2					2.6	4.4
White Hake	2,113.1	2,097.1	2,095.4	1.7					0.4	15.7
Pollock	4,179.1	3,480.8	3,475.8	5.0					481.1	217.3
Northern Windowpane	56.7	33.3	33.0	0.3			22.3		0.4	0.7
Southern Windowpane	454.7	66.5	49.7	16.8			157.1		26.1	205.0
Ocean Pout	53.7	17.1	17.0	0.1					0.4	36.2
Halibut	103.3	70.8	70.1	0.7					31.0	1.6
Wolffish	1.6	1.5	1.4	0.1					0.0	0.1

<sup>1</sup>Based on scallop fishing year April 2018 through March 2019

Values in metric tons of live weight

Sector and common pool include estimate of missing dealer reports

Any value for a non-allocated species may include landings of that stock or misreporting of species and/or stock area. These are northern windowpane, southern windowpane, ocean pout, halibut, and wolffish.

Source: NMFS Greater Atlantic Regional Fisheries Office

November 22, 2019, run date of July 22, 2019

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting; (4) Observers and at-sea monitors via the Northeast Fisheries Observer Program. Differences with previous reports are due to corrections made to the database.

**Table 4: FY 2018 Northeast Multispecies Landings (mt)**

Stock	Total Landings	Groundfish Fishery	Sector	Common Pool	Recreational	Midwater Trawl Herring Fishery	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod	871.8	833.2	827.1	6.1					7.4	31.3
GOM Cod	352.1	310.8	302.8	3.6	4.3				37.7	3.7
GB Haddock	4,763.8	4,708.6	4,704.1	4.4		43.9			10.6	0.7
GOM Haddock	3,314.6	3,243.9	2,787.1	32.9	423.9	-			50.0	20.7
GB Yellowtail Flounder	27.4	27.4	27.4	-				-	-	-
SNE/MA Yellowtail Flounder	7.5	7.3	5.8	1.5				-	0.1	0.1
CC/GOM Yellowtail Flounder	205.2	149.0	144.1	4.9					55.0	1.3
Plaice	1,042.8	1,019.7	1,008.1	11.7					21.9	1.2
Witch Flounder	778.9	753.3	747.2	6.1					25.1	0.5
GB Winter Flounder	419.7	419.3	419.3	-					-	0.4
GOM Winter Flounder	225.5	89.3	88.2	1.1					133.6	2.6
SNE/MA Winter Flounder	269.7	247.7	226.5	21.2					14.7	7.3
Redfish	5,299.1	5,294.3	5,293.3	1.0					1.0	3.8
White Hake	2,088.5	2,086.1	2,084.6	1.6					0.1	2.2
Pollock	3,633.7	3,374.0	3,369.2	4.8					187.2	72.5
Northern Windowpane	0.0	0.0	0.0	-				-	-	-
Southern Windowpane	18.8	0.0	-	0.0				-	18.8	0.0
Ocean Pout	-	-	-	-					-	-
Halibut	58.2	27.1	26.4	0.7					30.1	1.1
Wolfish	-	-	-	-					-	-

Values in metric tons of live weight

Sector and common pool include estimate of missing dealer reports

Any value for a non-allocated species may include landings of that stock or misreporting of species and/or stock area. These are northern windowpane, southern windowpane, ocean pout, halibut, and wolfish.

Source: NMFS Greater Atlantic Regional Fisheries Office

November 22, 2019, run date of July 22, 2019

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting; (4) Observers and at-sea monitors via the Northeast Fisheries Observer Program. Differences with previous reports are due to corrections made to the database.



**Table 5: FY 2018 Northeast Multispecies Estimated Discards (mt)**

Stock	Total Discards	Groundfish Fishery	Sector	Common Pool	Recreational	Midwater Trawl Herring Fishery	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
GB Cod	15.5	4.7	4.4	0.2					0.7	10.2
GOM Cod	152.4	151.1	6.4	2.2	142.6				0.2	1.0
GB Haddock	560.6	435.1	435.1	0.0		-			6.5	119.0
GOM Haddock	291.3	221.2	50.0	0.1	171.1	-			1.4	68.7
GB Yellowtail Flounder	13.1	0.2	0.2	-			12.7	0.1	-	0.0
SNE/MA Yellowtail Flounder	7.3	1.1	1.1	0.0			2.6		0.1	3.4
CC/GOM Yellowtail Flounder	49.5	21.4	20.8	0.6					0.4	27.7
Plaice	105.1	58.7	56.7	2.0					1.5	44.9
Witch Flounder	127.2	58.5	46.9	11.6					1.5	67.1
GB Winter Flounder	45.3	0.6	0.6	-					-	44.8
GOM Winter Flounder	8.4	2.4	2.4	0.0					1.0	5.0
SNE/MA Winter Flounder	128.3	3.0	2.3	0.8					1.2	124.0
Redfish	70.0	67.8	67.7	0.2					1.6	0.6
White Hake	24.7	11.0	10.9	0.1					0.3	13.4
Pollock	545.5	106.8	106.6	0.2					293.9	144.8
Northern Windowpane	56.6	33.3	33.0	0.3			22.3		0.4	0.7
Southern Windowpane	435.9	66.5	49.7	16.8			157.1		7.3	205.0
Ocean Pout	53.7	17.1	17.0	0.1					0.4	36.2
Halibut	45.1	43.7	43.7	0.0					0.9	0.5
Wolffish	1.6	1.5	1.4	0.1					0.0	0.1

Values in metric tons of live weight

Sector and common pool include estimate of missing dealer reports

Source: NMFS Greater Atlantic Regional Fisheries Office

November 22, 2019, run date of July 22, 2019

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting; (4) Observers and at-sea monitors via the Northeast Fisheries Observer Program. Differences with previous reports are due to corrections made to the database.



**Table 6: FY 2018 Northeast Multispecies Estimated State Water Sub-Component Catch Detail (mt)**

Stock	Total			Commercial			Recreational		
	Catch	Landings	Discard	Total Catch	Landings <sup>1</sup>	Discard <sup>1</sup>	Total Catch	Landings	Discard
	A+B+C+D	A+C	B+D	A+B	A	B	C+D	C	D
GB Cod	8.0	7.4	0.7	2.5	2.4	0.1	5.5	4.9	0.6
GOM Cod	37.9	37.7	0.2	37.9	37.7	0.2	-*	-*	-*
GB Haddock	17.1	10.6	6.5	17.1	10.6	6.5			
GOM Haddock	51.4	50.0	1.4	51.4	50.0	1.4	-*	-*	-*
GB Yellowtail Flounder	-	-	-	-	-	-			
SNE/MA Yellowtail Flounder	0.2	0.1	0.1	0.2	0.1	0.1			
CC/GOM Yellowtail Flounder	55.4	55.0	0.4	55.4	55.0	0.4			
Plaice	23.4	21.9	1.5	23.4	21.9	1.5			
Witch Flounder	26.6	25.1	1.5	26.6	25.1	1.5			
GB Winter Flounder	-	-	-	-	-	-			
GOM Winter Flounder	134.6	133.6	1.0	106.5	106.4	0.1	28.1	27.2	1.0
SNE/MA Winter Flounder	15.9	14.7	1.2	14.6	14.5	0.1	1.3	0.2	1.1
Redfish	2.6	1.0	1.6	2.6	1.0	1.6			
White Hake	0.4	0.1	0.3	0.4	0.1	0.3			
Pollock	481.1	187.2	293.9	6.6	3.5	3.1	474.5	183.7	290.8
Northern Windowpane	0.4	-	0.4	0.4	-	0.4			
Southern Windowpane	26.1	18.8	7.3	26.1	18.8	7.3			
Ocean Pout	0.4	-	0.4	0.4	-	0.4			
Halibut	31.0	30.1	0.9	31.0	30.1	0.9			
Wolfish	0.0	-	0.0	0.0	-	0.0			

\*Recreational catch of GOM cod and haddock in state waters is attributed to the recreational sub-ACL (see Tables 1 - 5), and so is not included above.

<sup>1</sup>January through April 2019 commercial catches are estimated.

State discard rate estimates based on discard rates on federal trips

Values in metric tons of live weight

Source: NMFS Greater Atlantic Regional Fisheries Office

November 22, 2019, run date of September 27, 2019

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting; (4) Observers and at-sea monitors via the Northeast Fisheries Observer Program. Differences with previous reports are due to corrections made to the database.

Table 7: FY 2018 Northeast Multispecies Other Sub-Component Catch Detail (mt)

Stock	Total	SCALLOP <sup>1</sup>	FLUKE	HAGFISH	HERRING	LOBSTER/ CRAB <sup>2</sup>	MACKEREL	MENHADEN	MONKFISH	REDCRAB	RESEARCH
GB Cod	41.5	7.6	0.1	0.0	0.0	0.0	0.0	0.0	0.4	0.0	0.0
GOM Cod	4.7	0.3	0.0	0.0	0.3	0.0	-	-	0.1	-	3.5
GB Haddock	119.7	13.4	2.8	-	0.5*	-	0.9	0.0	0.3	-	0.5
GOM Haddock	89.4	0.0	0.0	0.7	2.8*	-	0.2	-	0.0	-	20.7
GB Yellowtail Flounder	0.0	-*	0.0	0.0	0.0*	-	-	-	-	0.0	-
SNE Yellowtail Flounder	3.5	-*	0.4	-	0.0	-	0.0	0.0	0.3	-	0.0
CC/GOM Yellowtail Flounder	29.0	11.8	0.0	0.2	1.0	-	-	-	0.0	-	1.3
American Plaice	46.1	25.7	0.0	-	0.1	-	0.2	0.0	0.0	-	1.2
Witch Flounder	67.6	31.7	1.0	0.0	0.2	-	0.3	0.0	0.1	0.0	0.5
GB Winter Flounder	45.2	34.8	0.0	0.0	0.9	-	-	-	-	0.0	-
GOM Winter Flounder	7.6	2.7	0.0	0.0	0.9	0.0	-	-	0.0	-	0.9
SNE Winter Flounder	131.3	52.5	3.8	0.0	0.3	0.0	0.6	0.0	0.5	0.0	0.0
Redfish	4.4	0.0	0.0	-	0.0	-	0.0	0.0	0.0	-	3.5
White Hake	15.7	1.9	0.6	0.0	0.1	0.0	0.1	0.0	0.1	0.0	2.0
Pollock	217.3	0.4	-	-	0.0	-	0.0	0.0	0.3	-	0.9
Northern Windowpane	0.7	-*	0.0	0.0	0.0	-	-	-	0.0	0.0	0.0
Southern Windowpane	205.0	-*	23.6	-	0.5	-	0.9	0.0	1.1	-	0.0
Ocean Pout	36.2	4.8	0.7	0.0	0.2	-	0.2	0.0	0.0	0.1	0.0
Halibut	1.6	-	-	-	0.0	0.8	0.0	0.0	0.2	-	0.1
Wolffish	0.1	0.0	0.0	-	0.0	-	0.0	0.0	0.0	-	0.0

Values in metric tons of live weight

<sup>1</sup>Based on scallop fishing year April 2018 through March 2019

<sup>2</sup>Landings only. Discard estimates not applicable. Lobster/crab discards were not attributed to the ACL, consistent with the most recent assessments for these stocks used to set the respective quotas.

\*Some or all catch attributed to separate sub-ACL as shown in Tables 1 through 5, and so is not included above.

Source: NMFS Greater Atlantic Regional Fisheries Office  
Nov. 22, 2019, run date of Sept. 17, 2019

These criteria are used by the Greater Atlantic Regional Fisheries Office (GARFO) to categorize trips to attribute groundfish catch for groundfish ACL accounting. By necessity these rules cannot capture the full complexity of categorizing every trip taken by vessels fishing in the Northeast. Further analysis should be completed to definitively attribute groundfish catch to an FMP for management purposes.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.



**Table 7: FY 2018 Northeast Multispecies Other Sub-Component Catch Detail (mt)**

Stock	Total	SCUP	SHRIMP	SQUID	SQUID/ WHITING	SURFLAM	WHELK/ CONCH	WHITING	UNCATEGORIZED	RECREATIONAL
GB Cod	41.5	0.1	0.0	0.8	0.1	0.0	0.0	0.0	0.7	31.6
GOM Cod	4.7	-	-	0.0	0.0	0.0	0.0	0.0	0.3	-*
GB Haddock	119.7	2.9	0.1	73.3	7.2	1.0	-	0.2	16.8	
GOM Haddock	89.4	-	-	0.0	4.2	0.2	0.1	5.5	55.0	-*
GB Yellowtail Flounder	0.0	0.0	-*	0.0*	0.0	-	-	-	0.0*	
SNE Yellowtail Flounder	3.5	0.4	0.0	1.3	0.1	0.0	-	0.0	0.9	
CC/GOM Yellowtail Flounder	29.0	-	-	0.9	7.5	0.1	0.0	2.5	3.6	
American Plaice	46.1	0.0	0.0	14.0	1.4	0.2	-	0.1	3.0	
Witch Flounder	67.6	1.0	0.0	23.9	2.4	0.3	0.0	0.2	6.1	
GB Winter Flounder	45.2	0.0	-	4.1	5.3	-	-	-	0.0	
GOM Winter Flounder	7.6	-	-	0.0	0.2	0.0	0.0	0.3	0.8	1.8
SNE Winter Flounder	131.3	3.5	0.1	47.9	3.2	0.8	0.0	0.1	14.1	4.1
Redfish	4.4	0.0	0.0	0.6	0.1	0.0	-	0.0	0.2	
White Hake	15.7	0.6	0.0	6.2	0.7	0.1	0.0	0.0	3.3	
Pollock	217.3	-	0.0	0.6	0.1	0.0	-	0.0	0.4	214.7
Northern Windowpane	0.7	0.0	-	0.1	0.2	0.0	0.0	0.0	0.3	
Southern Windowpane	205.0	24.8	0.1	98.7	7.2	2.5	-	0.2	45.2	
Ocean Pout	36.2	0.8	0.0	21.2	2.2	0.3	0.1	0.2	5.3	
Halibut	1.6	-	0.0	0.3	0.1	0.0	-	0.0	0.2	
Wolffish	0.1	0.0	0.0	0.0	0.0	0.0	-	0.0	0.0	

Values in metric tons of live weight

\*Some or all catch attributed to separate sub-ACL as shown in Tables 1 through 5, and so is not included above.

Source: NMFS Greater Atlantic Regional Fisheries Office  
Nov. 22, 2019, run date of Sept. 17, 2019

These criteria are used by the Greater Atlantic Regional Fisheries Office (GARFO) to categorize trips to attribute groundfish catch for groundfish ACL accounting. By necessity these rules cannot capture the full complexity of categorizing every trip taken by vessels fishing in the Northeast. Further analysis should be completed to definitively attribute groundfish catch to an FMP for management purposes.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.



**Table 8: FY 2018 Northeast Multispecies Other Sub-Component Landings Detail (mt)**

Stock	Total	SCALLOP <sup>1</sup>	FLUKE	HAGFISH	HERRING	LOBSTER/ CRAB	MACKEREL	MENHADEN	MONKFISH	REDCRAB	RESEARCH
GB Cod	31.3	0.6	0.0	-	-	0.0	-	-	0.2	-	0.0
GOM Cod	3.7	-	-	-	-	0.0	-	-	0.1	-	3.5
GB Haddock	0.7	0.0	0.1	-	-*	-	-	-	0.0	-	0.5
GOM Haddock	20.7	-	-	-	-*	-	-	-	-	-	20.5
GB Yellowtail Flounder	-	-*	-	-	-	-	-	-	-	-	-
SNE Yellowtail Flounder	0.1	-*	0.0	-	-	-	-	-	-	-	-
CC/GOM Yellowtail Flounder	1.3	-	-	-	-	-	-	-	-	-	1.3
American Plaice	1.2	-	-	-	-	-	-	-	-	-	1.2
Witch Flounder	0.5	0.0	0.0	-	-	-	-	-	-	-	0.5
GB Winter Flounder	0.4	0.4	-	-	-	-	-	-	-	-	-
GOM Winter Flounder	2.6	-	0.0	-	-	0.0	-	-	-	-	0.9
SNE Winter Flounder	7.3	1.2	0.6	-	-	0.0	-	-	0.0	-	-
Redfish	3.8	-	0.0	-	-	-	-	-	-	-	3.5
White Hake	2.2	-	0.0	-	-	0.0	-	-	0.0	-	2.0
Pollock	72.5	-	-	-	-	-	-	-	0.1	-	0.9
Northern Windowpane	-	-*	-	-	-	-	-	-	-	-	-
Southern Windowpane	0.0	-*	-	-	-	-	-	-	-	-	-
Ocean Pout	-	-	-	-	-	-	-	-	-	-	-
Halibut	1.1	-	-	-	-	0.8	-	-	0.1	-	0.1
Wolffish	-	-	-	-	-	-	-	-	-	-	-

Values in metric tons of live weight

<sup>1</sup>Based on scallop fishing year April 2018 through March 2019

\*Some or all catch attributed to separate sub-ACL as shown in Tables 1 through 5, and so is not included above.

Source: NMFS Greater Atlantic Regional Fisheries Office

Nov. 22, 2019, run date of Sept. 17, 2019

These criteria are used by the Greater Atlantic Regional Fisheries Office (GARFO) to categorize trips to attribute groundfish catch for groundfish ACL accounting. By necessity these rules cannot capture the full complexity of categorizing every trip taken by vessels fishing in the Northeast. Further analysis should be completed to definitively attribute groundfish catch to an FMP for management purposes.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.

**Table 8: FY 2018 Northeast Multispecies Other Sub-Component Landings Detail (mt)**

Stock	Total	SCUP	SHRIMP	SQUID	SQUID/ WHITING	SURFLAM	WHELK/ CONCH	WHITING	UNCATEGORIZED	RECREATIONAL
GB Cod	31.3	0.0	-	0.0	0.0	-	-	-	0.2	30.3
GOM Cod	3.7	-	-	-	-	-	-	-	0.0	.*
GB Haddock	0.7	0.0	-	0.0	0.0	-	-	-	0.1	
GOM Haddock	20.7	-	-	-	-	-	-	-	0.2	.*
GB Yellowtail Flounder	-	-	-	-	-	-	-	-	-	
SNE Yellowtail Flounder	0.1	-	-	0.0	0.0	-	-	-	0.0	
CC/GOM Yellowtail Flounder	1.3	-	-	-	-	-	-	-	-	
American Plaice	1.2	-	-	-	0.0	-	-	-	-	
Witch Flounder	0.5	-	-	0.0	-	-	-	-	-	
GB Winter Flounder	0.4	-	-	-	-	-	-	-	-	
GOM Winter Flounder	2.6	-	-	-	-	-	-	-	-	1.7
SNE Winter Flounder	7.3	0.2	-	0.2	0.0	-	-	-	1.0	4.1
Redfish	3.8	-	-	0.3	0.0	-	-	-	0.0	
White Hake	2.2	-	-	0.0	0.0	-	-	-	0.1	
Pollock	72.5	-	-	-	-	-	-	-	0.1	71.5
Northern Windowpane	-	-	-	-	-	-	-	-	-	
Southern Windowpane	0.0	-	-	-	-	-	-	-	0.0	
Ocean Pout	-	-	-	-	-	-	-	-	-	
Halibut	1.1	-	-	-	0.1	-	-	-	0.1	
Wolffish	-	-	-	-	-	-	-	-	-	

Values in metric tons of live weight

\*Some or all catch attributed to separate sub-ACL as shown in Tables 1 through 5, and so is not included above.

Source: NMFS Greater Atlantic Regional Fisheries Office

Nov. 22, 2019, run date of Sept. 17, 2019

These criteria are used by the Greater Atlantic Regional Fisheries Office (GARFO) to categorize trips to attribute groundfish catch for groundfish ACL accounting. By necessity these rules cannot capture the full complexity of categorizing every trip taken by vessels fishing in the Northeast. Further analysis should be completed to definitively attribute groundfish catch to an FMP for management purposes.

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**Table 9: FY 2018 Northeast Multispecies Other Sub-Component Estimated Discards Detail (mt)**

Stock	Total	SCALLOP <sup>1</sup>	FLUKE	HAGFISH	HERRING	LOBSTER/ CRAB <sup>2</sup>	MACKEREL	MENHADEN	MONKFISH	REDCRAB	RESEARCH
GB Cod	10.2	7.0	0.1	0.0	0.0	NA	0.0	0.0	0.3	0.0	0.0
GOM Cod	1.0	0.3	0.0	0.0	0.3	NA	-	-	0.0	-	0.0
GB Haddock	119.0	13.3	2.7	-	.5*	NA	0.9	0.0	0.3	-	0.0
GOM Haddock	68.7	0.0	0.0	0.7	2.8*	NA	0.2	-	0.0	-	0.2
GB Yellowtail Flounder	0.0	-*	0.0	0.0	0.0*	NA	-	-	-	0.0	-
SNE Yellowtail Flounder	3.4	-*	0.4	-	0.0	NA	0.0	0.0	0.3	-	0.0
CC/GOM Yellowtail Flounder	27.7	11.8	0.0	0.2	1.0	NA	-	-	0.0	-	0.0
American Plaice	44.9	25.7	0.0	-	0.1	NA	0.2	0.0	0.0	-	0.0
Witch Flounder	67.1	31.7	1.0	0.0	0.2	NA	0.3	0.0	0.1	0.0	0.0
GB Winter Flounder	44.8	34.4	0.0	0.0	0.9	NA	-	-	-	0.0	-
GOM Winter Flounder	5.0	2.7	0.0	0.0	0.9	NA	-	-	0.0	-	0.0
SNE Winter Flounder	124.0	51.3	3.1	0.0	0.3	NA	0.6	0.0	0.4	0.0	0.0
Redfish	0.6	0.0	0.0	-	0.0	NA	0.0	0.0	0.0	-	0.0
White Hake	13.4	1.9	0.6	0.0	0.1	NA	0.1	0.0	0.1	0.0	0.0
Pollock	144.8	0.4	-	-	0.0	NA	0.0	0.0	0.2	-	0.0
Northern Windowpane	0.7	-*	0.0	0.0	0.0	NA	-	-	0.0	0.0	0.0
Southern Windowpane	205.0	-*	23.6	-	0.5	NA	0.9	0.0	1.1	-	0.0
Ocean Pout	36.2	4.8	0.7	0.0	0.2	NA	0.2	0.0	0.0	0.1	0.0
Halibut	0.5	-	-	-	0.0	NA	0.0	0.0	0.1	-	0.0
Wolffish	0.1	0.0	0.0	-	0.0	NA	0.0	0.0	0.0	-	0.0

Values in metric tons of live weight

<sup>1</sup>Based on scallop fishing year April 2018 through March 2019

<sup>2</sup>Discard estimates not applicable. Lobster/crab discards were not attributed to the ACL, consistent with the most recent assessments for these stocks used to set the respective quotas.

\*Some or all catch attributed to separate sub-ACL as shown in Tables 1 through 5, and so is not included above.

Source: NMFS Greater Atlantic Regional Fisheries Office

Nov. 22, 2019, run date of Sept. 17, 2019

These criteria are used by the Greater Atlantic Regional Fisheries Office to categorize trips to attribute groundfish catch for groundfish ACL accounting. By necessity these rules cannot capture the full complexity of categorizing every trip taken by vessels fishing in the Northeast. Further analysis should be completed to definitively attribute groundfish catch to an FMP for management purposes.

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**Table 9: FY 2018 Northeast Multispecies Other Sub-Component Estimated Discards Detail (mt)**

Stock	Total	SCUP	SHRIMP	SQUID	SQUID/ WHITING	SURFCLAM	WHELK/ CONCH	WHITING	UNCATEGORIZED	RECREATIONAL
GB Cod	10.2	0.1	0.0	0.8	0.1	0.0	0.0	0.0	0.5	1.3
GOM Cod	1.0	-	-	0.0	0.0	0.0	0.0	0.0	0.3	-*
GB Haddock	119.0	2.8	0.1	73.3	7.1	1.0	-	0.2	16.7	
GOM Haddock	68.7	-	-	0.0	4.2	0.2	0.1	5.5	54.8	-*
GB Yellowtail Flounder	0.0	0.0	-	0.0*	0.0*	-	-	-	0.0*	
SNE Yellowtail Flounder	3.4	0.4	0.0	1.2	0.1	0.0	-	0.0	0.9	
CC/GOM Yellowtail Flounder	27.7	-	-	0.9	7.5	0.1	0.0	2.5	3.6	
American Plaice	44.9	0.0	0.0	14.0	1.4	0.2	-	0.1	3.0	
Witch Flounder	67.1	1.0	0.0	23.9	2.4	0.3	0.0	0.2	6.1	
GB Winter Flounder	44.8	0.0	-	4.1	5.3	-	-	-	0.0	
GOM Winter Flounder	5.0	-	-	0.0	0.2	0.0	0.0	0.3	0.8	0.1
SNE Winter Flounder	124.0	3.3	0.1	47.7	3.2	0.8	0.0	0.1	13.0	0.0
Redfish	0.6	0.0	0.0	0.3	0.0	0.0	-	0.0	0.2	
White Hake	13.4	0.6	0.0	6.2	0.6	0.1	0.0	0.0	3.2	
Pollock	144.8	-	0.0	0.6	0.1	0.0	-	0.0	0.3	143.2
Northern Windowpane	0.7	0.0	-	0.1	0.2	0.0	0.0	0.0	0.3	
Southern Windowpane	205.0	24.8	0.1	98.7	7.2	2.5	-	0.2	45.2	
Ocean Pout	36.2	0.8	0.0	21.2	2.2	0.3	0.1	0.2	5.3	
Halibut	0.5	-	0.0	0.3	0.0	0.0	-	0.0	0.1	
Wolffish	0.1	0.0	0.0	0.0	0.0	0.0	-	0.0	0.0	

Values in metric tons of live weight

\*Some or all catch attributed to separate sub-ACL as shown in Tables 1 through 5, and so is not included above.

Source: NMFS Greater Atlantic Regional Fisheries Office

Nov. 22, 2019, run date of Sept. 17, 2019

These criteria are used by the Greater Atlantic Regional Fisheries Office to categorize trips to attribute groundfish catch for groundfish ACL accounting. By necessity these rules cannot capture the full complexity of categorizing every trip taken by vessels fishing in the Northeast. Further analysis should be completed to definitively attribute groundfish catch to an FMP for management purposes.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.

**Table 10: FY 2016 - 2018 GOM Cod and Haddock Recreational Catch Evaluation  
(mt)**

Stock	Fishing Year	Recreational Catch				
		Catch	Landings	Discard	Recreational sub-ACL	Percent of Catch Limit Taken
		A + B	A	B		
GOM Cod	2016	280.9	94.5	186.4	157	178.9
	2017	245.4	26.6	218.8	157	156.3
	2018	146.9	4.3	142.6	220	66.8
	<b>Average</b>	<b>224.4</b>	<b>41.8</b>	<b>182.6</b>	<b>178</b>	<b>126.1</b>
GOM Haddock	2016	887.0	560.2	326.8	928	95.6
	2017	795.0	533.7	261.3	1,160	68.5
	2018	595.0	423.9	171.1	3,358	17.7
	<b>Average</b>	<b>759.0</b>	<b>505.9</b>	<b>253.1</b>	<b>1,815</b>	<b>41.8</b>

Recreational estimates based on Marine Recreational Information Program (MRIP) data.  
Values in metric tons of live weight

Source: NMFS Greater Atlantic Regional Fisheries Office  
November 22, 2019

These data are the best available to NOAA's National Marine Fisheries Service (NMFS).

**Table 11: FY 2018 Northeast Multispecies Sector Carryover (mt)**

Stock**	FY 2018 Available Annual Catch Entitlement (ACE)				Available Carryover from FY 2018 to FY 2019	
	FY 2018 Initial ACE	FY 2017 Carryover	FY 2018 Total ACE	Total ACE as a Percent of Initial ACE	<i>de minimis</i>	Maximum
	A	B	C = A + B	C / A	D	E
GB Cod	1,170	38	1,208	103.3	13	83
GOM Cod	351	22	373	106.3	3	28
GB Haddock	44,338	3,840	48,178	108.7	502	2,865
GOM Haddock	8,558	265	8,823	103.1	79	687
GB Yellowtail Flounder	185.1	NA*	185.1	100.0	NA*	NA*
SNE/MA Yellowtail Flounder	35	11	46	131.5	0	2
CC/GOM Yellowtail Flounder	373	18	391	104.8	4	21
Plaice	1,531	67	1,598	104.4	14	77
Witch Flounder	794	39	833	104.9	7	35
GB Winter Flounder	725	19	744	102.6	7	24
GOM Winter Flounder	332	34	366	110.2	3	19
SNE Winter Flounder	456	31	487	106.8	4	27
Redfish	10,650	558	11,208	105.2	98	577
White Hake	2,703	154	2,857	105.7	23	144
Pollock	37,081	938	38,019	102.5	344	1,968

\*Carryover of GB yellowtail flounder is not allowed because this stock is jointly managed with Canada.

\*\*There is no carryover for non-allocated stocks: Northern windowpane flounder, southern windowpane flounder, ocean pout, halibut, and wolffish.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting; (4) Observers and at-sea monitors via the Northeast Fisheries Observer Program. Differences with previous reports are due to corrections made to the database.

Source: NMFS Greater Atlantic Regional Fisheries Office

Run Date: October 18, 2019



**Table 12: FY 2018 End of Year Accounting of Transboundary U.S./Canada Stocks -  
Percentage of U.S. TACs Caught (%)**

Stock	% of U.S. TAC	Percent of Each Fishery Component U.S. TAC Caught								
		Groundfish	Sector	Common Pool	Recreational	Herring Fishery	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
Eastern GB Cod	41.4	41.4	42.3	0.0					NA	NA
Eastern GB Haddock	4.0	4.0	4.0	0.0		NA			NA	NA
GB Yellowtail Flounder	19.0	14.7	14.9	0.0			87.5	2.5	NA	NA

Values in percent live weight (%)

Includes estimate of missing dealer reports

Source: NMFS Greater Atlantic Regional Fisheries Office

August 27, 2019

Any value for a non-allocated species may be due to landings of that stock; misreporting of species and/or stock area; and/or estimated landings (in lieu of missing reports) based on vessel histories.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.

**Table 13: FY 2018 End of Year Accounting of Transboundary U.S./Canada Stocks - U.S. TACs (mt)**

Stock	U.S. TAC	Fishery Component TAC								
		Groundfish	Sector	Common Pool	Recreational	Herring Fishery	Scallop Fishery	Small-Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
Eastern GB Cod	257	257	252	5						
Eastern GB Haddock	15,600	15,600	15,489	111						
GB Yellowtail Flounder	213.0	187.9	185.1	2.9			14.6	4.0		0.0

Values in live weight

Source: NMFS Greater Atlantic Regional Fisheries Office  
August 27, 2019

Any value for a non-allocated species may be due to landings of that stock; misreporting of species and/or stock area; and/or estimated landings (in lieu of missing reports) based on vessel histories.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.



**Table 14: FY 2018 End of Year Accounting of Transboundary U.S./Canada Stocks - U.S. Catch (mt)**

Stock	U.S. Catch by Fishery Component									
	U.S. Catch	Groundfish	Sector	Common Pool	Recreational	Herring Fishery	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
Eastern GB Cod	106.4	106.4	106.4	-					-	0.0
Eastern GB Haddock	631.4	623.1	623.1	-		6.7			-	1.5
GB Yellowtail Flounder	40.5	27.6	27.6	-			12.7	0.1	-	0.0

Values in live weight  
Includes estimate of missing dealer reports  
August 27, 2019

**Table 15: FY 2018 End of Year Transboundary U.S./Canada Vessels, Trips, DAS Used, and Observers**

Area <sup>1</sup>	Number of Vessels		Number of Trips		DAS Used		Number of Observed Trips	
	Sector	Common Pool	Sector	Common Pool	Sector	Common Pool	Sector	Common Pool
Eastern U.S./Canada Area	25	0	145	0	921	0	28	0
Western U.S./Canada Area	39	0	407	0	2,357	0	75	0
Total	40	0	440	0	2,499	0	80	0

<sup>1</sup>Area based on area fished. Totals don't sum due to multi-area trips  
Data display "NA" due to data confidentiality.

Source: NMFS Greater Atlantic Regional Fisheries Office  
August 27, 2019

Any value for a non-allocated species may be due to landings of that stock; misreporting of species and/or stock area; and/or estimated landings (in lieu of missing reports) based on vessel histories.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.

**Table 16: FY 2018 End of Year Accounting of Transboundary U.S./Canada Stocks - U.S. Landings (mt)**

Stock	U.S. Landings	U.S. Catch by Fishery Component								
		Groundfish	Sector	Common Pool	Recreational	Herring Fishery*	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
Eastern GB Cod	105.0	105.0	105.0	-					-	-
Eastern GB Haddock	567.9	561.2	561.2	-		6.7			-	-
GB Yellowtail Flounder	27.4	27.4	27.4	-			-	-	-	-

Values in live weight

Includes estimate of missing dealer reports

Source: NMFS Greater Atlantic Regional Fisheries Office  
August 27, 2019

Any value for a non-allocated species may be due to landings of that stock; misreporting of species and/or stock area; and/or estimated landings (in lieu of missing reports) based on vessel histories.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.



**Table 17: FY 2018 End of Year Accounting of Transboundary U.S./Canada Stocks - U.S. Discards (mt)**

Stock	U.S. Catch by Fishery Component									
	U.S. Discards	Groundfish	Sector	Common Pool	Recreational	Herring Fishery	Scallop Fishery	Small Mesh Fisheries	State Water	Other
	A to H	A+B+C	A	B	C	D	E	F	G	H
Eastern GB Cod	1.4	1.4	1.4	-					-	0.0
Eastern GB Haddock	63.5	61.9	61.9	-		-			-	1.5
GB Yellowtail Flounder	13.0	0.2	0.2	-			12.7	0.1	-	0.0

Values in live weight

Includes estimate of missing dealer reports

Source: NMFS Greater Atlantic Regional Fisheries Office  
August 27, 2019

Any value for a non-allocated species may be due to landings of that stock; misreporting of species and/or stock area; and/or estimated landings (in lieu of missing reports) based on vessel histories.

These data are the best available to NOAA's National Marine Fisheries Service (NMFS). Data sources for this report include: (1) Vessels via VMS; (2) Vessels via vessel logbook reports; (3) Dealers via Dealer Electronic reporting. Differences with previous reports are due to corrections made to the database.



## New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

December 11, 2019

Mr. Alan Risenhoover  
Director, Office of Sustainable Fisheries  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
1315 East-West Highway, Room 14743  
Silver Spring, MD 20910

Dear Alan:

Thank you for providing the New England Fishery Management Council the opportunity to comment on the DRAFT tech memo titled "National Standard 1 Technical Guidance for Designing, Evaluating, and Implementing Carry-over and Phase-in Provisions within ABC Control Rules". As requested, the Council developed its comments in consultation with its Scientific and Statistical Committee (SSC).

Our Council believes that allowing ACL and ABC carryovers can be very beneficial, as long as the carryovers do not cause overfishing in the subsequent year. It believes that carryover provisions like those implemented under the Atlantic Scallop and Northeast Multispecies provide adequate safeguards to avoid overfishing and provide important safety and flexibility benefits for these fisheries.

Allowing a phase-in policy of fishing reductions needed to end overfishing also could be beneficial in terms of reducing economic and social impacts on the fishery under some circumstances, and our Council believes that the policy guidance provides a useful framework for evaluating whether a phase-in is appropriate.

One issue that should be considered in the development of National Standard 1 guidance is how councils should develop ABCs and ACLs for stocks that no longer have an accepted assessment and for which the OFL cannot be determined. I mention that in these comments because the lack of an agreed upon OFL also could affect carryovers and phase-ins.

Additionally, there is an error in the example that is provided for how carryover provisions might apply in the Atlantic Scallop FMP. The scallop ACLs that are proposed in each framework adjustment for updating scallop specifications and the final rule published by NMFS do not include carryover values because they are not known at that time.

Thank you for considering our Council's comments and if you have any questions, please contact me.

Sincerely,

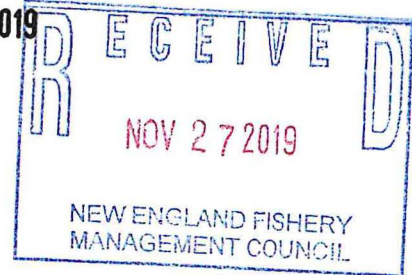
Thomas A. Nies  
Executive Director





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
GREATER ATLANTIC REGIONAL FISHERIES OFFICE  
55 Great Republic Drive  
Gloucester, MA 01930-2276

NOV 26 2019



New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

Dear Tom:

At its June 2019 meeting, the New England Fishery Management Council raised questions about the approval of electronic monitoring (EM) for sectors. To address the Council's questions and discussion, this letter outlines our plan to include an EM program option that will meet sector monitoring requirements beginning in fishing year 2021-2022 sector operations plans.

Amendment 16 to the Northeast multispecies Fishery Management Plan (FMP) established a sector requirement for an independent third-party monitoring program to verify area fished, as well as catch and discards by species and gear type for the purposes of catch accounting. Groundfish sectors are required to include an at-sea monitoring (ASM) program in their proposed operations plan as part of the sector operations plan approval process. We review and approve or disapprove each sector's operations plan and associated ASM program. We provide sectors with a guidance document to assist them in this process. The guidance document lays out sector operations plan requirements, including the requirements and standards of the ASM program. Sectors may choose to adopt the NOAA-designed ASM program in their operations plans or sectors may propose a program of their own design to meet the stated goals and objectives.

The regulations at 50 CFR 648.87(b)(1)(v)(B), which describe the sector monitoring requirement, state that "*Electronic monitoring may be used in place of actual observers if the technology is deemed sufficient by NMFS for a specific trip type based on gear type and area fished, in a manner consistent with the Administrative Procedure Act.*" Since 2016, we have worked with industry and nongovernmental organizations to develop EM and evaluate its use for meeting sector monitoring requirements. Sectors will have the option to submit an EM plan for our consideration in lieu of, or in addition to, an ASM plan as part of the fishing year 2021-2022 sector operations plan approval process.

We are developing a revised sector operations plan guidance document that will include information on EM, which we will distribute in advance of the fishing year 2021-2022 sector operations plan approval process. The guidance document will include information on the EM data and design elements necessary to meet sector monitoring requirements for specific trip types based on gear and area fished. We also intend to include a NOAA-designed EM program based on the audit-model EM program. We are not ready to propose a maximized retention EM (MREM) program at this time because we are still testing MREM with program partners.



However, some sectors may want to pursue MREM, and this does not preclude them from proposing an MREM program as part of their fishing year 2021-2022 sector operations plans.

Under an example NOAA-designed audit-model EM program currently being considered, vessels would turn their cameras on for all sector trips. Vessels would follow catch handling protocols at sea and report their discards on an electronic vessel trip report (eVTR). Video from a subset of those trips would be reviewed to verify the accuracy of eVTR-reported discards. As with some other fisheries, the operational audit-model EM program for groundfish would include a minimum rate of video review that would apply to each vessel in a sector that will be determined consistent with applicable regulatory requirements. This approach incentivizes accurate reporting by keeping video review costs low for vessels that maintain good reporting performance. Vessels that do not maintain good reporting performance may require higher levels of video review at their own expense. We intend to phase-in implementation of a minimum video review rate that is consistent with the regulations. During years 1 and 2, vessels would operate under a higher fixed rate, and a lower minimum video review rate and performance-based auditing would be implemented in year 3. We will also organize industry workshops in year 1 to provide participants with training on catch handling and reporting requirements. This should allow industry time to become familiar with their EM systems, vessel monitoring plans, and program requirements, and will improve participants' likelihood of success with EM.

The NOAA-designed audit-model EM program is expected to audit less than 100 percent of all sector trips, consistent with Amendment 16 monitoring requirements. The program may be modified in the future to comply with any new requirements that may be established in Amendment 23 to the Northeast multispecies FMP or another action. However, 100-percent review may be required for individual EM vessels that routinely fail to meet the requirements of the program. As an example, in a NOAA-designed audit-model EM program, the year 1 video review rate for participating vessels may be fixed at 50 percent of trips. This level of review would allow us to provide frequent feedback to vessels on their catch handling and reporting. In year 2, the video review rate for vessels that maintain good reporting in year 1 could be fixed at 30 percent of trips; the video review rate would remain at 50 percent of trips for vessels that did not meet an established reporting threshold and require more feedback. In year 3, all vessels would start the year at a minimum video review rate of 15 percent of trips. In year 3 and beyond, further review, up to 100 percent of a vessel's trips, may be required based on vessel reporting performance.

We expect the incentive of lower costs from lower audit rates will provide cost-effective monitoring to industry. In addition, subject to available funding, the industry's review costs would be reimbursable by NOAA's National Marine Fisheries Service in years 1 and 2. In year 3 and beyond, we expect that only the minimum video review rate would be reimbursable if funds were available, and industry would be responsible for the cost of any additional video review. Estimated industry costs of various video review rates have been developed by the Northeast Fisheries Science Center and are described in the Amendment 23 draft environmental impact statement cost analysis.



Groundfish sectors that wish to use cameras to meet their monitoring requirements for fishing year 2021-2022 may choose to either adopt the NOAA-designed audit-model EM program or submit a proposed EM program that meets the requirements described in the sector operations plan guidance documents. We will work with sector managers through an iterative process to refine the proposed EM programs as necessary. We intend to propose a basis for deeming EM acceptable for catch accounting, as well as any proposed sector EM programs, as part of the fishing year 2021-2022 sector operations plan rulemaking process.

If you have any further questions, please contact Claire Fitz-Gerald at (978) 281-9255.

Sincerely,



Michael Pentony  
Regional Administrator



For a thriving New England

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November 26, 2019

Dr. John Quinn, Council Chairman  
Mr. Tom Nies, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950



Submitted via [comments@nefmc.org](mailto:comments@nefmc.org)

**RE: Framework Adjustment 59 to the Northeast Multispecies FMP**

Dear Dr. Quinn and Mr. Nies:

Conservation Law Foundation (CLF) submits this letter to the New England Fishery Management Council (Council) regarding Framework Adjustment 59 to the Northeast Multispecies Fishery Management Plan (Framework 59), specifically the specifications for Gulf of Maine cod (GOM cod) and Georges Bank cod (GB cod) in fishing years (FY) 2020-2022. CLF has a long history of advocating for sustainable fisheries in New England, and we are increasingly concerned about the failure to end overfishing immediately and rebuild these stocks as quickly as possible consistent with legal requirements of the Magnuson-Stevens Act (MSA). We urge the Council to propose specifications for GOM cod and GB cod that end overfishing and place these stocks on appropriate rebuilding trajectories.

Legal Mandate

As set forth in National Standard 1, the primary mandate of the MSA is to prevent overfishing: “Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.”<sup>1</sup> To do so, the MSA requires annual catch limits and accountability measures that end overfishing “based upon the best scientific information available.”<sup>2</sup> Further, for overfished stocks such as GOM cod and GB cod, conservation and management measures must be implemented “to end overfishing *immediately* in the fishery and to rebuild affected stocks of fish.”<sup>3</sup> To date, the Council has repeatedly proposed specifications for Atlantic cod stocks that do not achieve these legal mandates.

<sup>1</sup> 16 U.S.C. § 1851(a)(1).

<sup>2</sup> *Id.* §§ 1851(a)(2), 1853(a)(15).

<sup>3</sup> *Id.* § 1854(e)(3)(A) (emphasis added).



### Best Scientific Information Available

Both GOM and GB cod stocks are overfished with overfishing occurring,<sup>4</sup> despite being in rebuilding plans (two for GOM cod) since 2004. The best scientific information available, including the 2019 operational assessments, demonstrate that they **have been subject to overfishing for 100 percent of the time periods covered by the assessments (GOM cod: 1982-2018, GB cod: 1978-2011) and have been overfished for all but two years.**

GOM cod lingers at historic low population levels that are only 6 to 9 percent of its spawning stock biomass target.<sup>5</sup> In addition to a decline in stock size<sup>6</sup> and geographic range,<sup>7</sup> GOM cod also exhibits a severely truncated age structure,<sup>8</sup> which is indicative of a population experiencing high fishing pressure and lack of recruitment. Recruitment remains near record low, with little positive signs of incoming recruitment,<sup>9</sup> guaranteeing that the stock will not meet its 2024 rebuilding date. In fact, five years into the ten-year rebuilding plan, there is only a **0 to 1 percent chance that GOM cod will rebuild on schedule** even under a no-fishing scenario;<sup>10</sup> that is a 26-fold decrease in probability of rebuild in just the last two years.

GB cod fairs no better. Based on the last accepted estimate, the stock was only 7 percent of its spawning stock biomass and experiencing overfishing.<sup>11</sup> Recent survey indices, the primary basis for assessing the fishery without an accepted analytical model, confirm low abundance.<sup>12</sup> The stock also exhibits a severely truncated age structure.<sup>13</sup> Although precise projections cannot be made, there is no reason to expect that GB cod will meet its 2026 rebuilding date.

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<sup>4</sup> NEFSC, Operational Assessment of 14 Northeast Groundfish Stocks, Updated Through 2018 (pre-publication copy), October 3, 2019 at 26 and 38. Available at: <https://www.nefsc.noaa.gov/saw/2019-groundfish-docs/Prepublication-NE-Grndfsh-10-3-2019.pdf> (“2019 Groundfish Operational Assessment”); Per NMFS policy, “where a known determination had previously been provided and a new assessment is rejected or the results are inconclusive, the [last] known status will continue to be the official stock status.” Letter from John K. Bullard to John F. Quinn, August 31, 2017, p. 2. Available at: [https://s3.amazonaws.com/nefmc.org/A8\\_170831\\_Bullard-to-Quinn\\_Groundfish-Inadequate-Rebuilding-Progress.pdf](https://s3.amazonaws.com/nefmc.org/A8_170831_Bullard-to-Quinn_Groundfish-Inadequate-Rebuilding-Progress.pdf).

<sup>5</sup> 2019 Groundfish Operational Assessment at 26.

<sup>6</sup> NEFSC 2019. Gulf of Maine Atlantic Cod. 2019 Assessment Update Report Draft Supplemental Tables at 24.

<sup>7</sup> NEFSC 2017. Gulf of Maine Atlantic Cod. 2017 Assessment Update Report Draft Supplemental Information.

<sup>8</sup> 2019 Groundfish Operational Assessment at 29.

<sup>9</sup> *Id.*

<sup>10</sup> Memorandum from Groundfish Plan Development Team to Scientific and Statistical Committee regarding Candidate Groundfish OFLs and ABCs for fishing years 2020 to 2022 (Oct. 10, 2019 & revised Oct. 15, 2019) at 7. Available at: [https://s3.amazonaws.com/nefmc.org/A.8-GF-PDT-memo-to-SSC-re-FY2020-FY2022-Groundfish-OFLs-ABCs\\_20191001-REVISED.pdf](https://s3.amazonaws.com/nefmc.org/A.8-GF-PDT-memo-to-SSC-re-FY2020-FY2022-Groundfish-OFLs-ABCs_20191001-REVISED.pdf).

<sup>11</sup> NEFSC 2013. 55th Northeast Regional Stock Assessment Workshop (55th SAW). Assessment Summary Report. NEFSC Reference Document 13-01.

<sup>12</sup> NEFSC 2019. Georges Bank Atlantic Cod Tables (Draft; Supplement to 2019 Operational Groundfish Assessments) at 10.

<sup>13</sup> 2019 Operational Groundfish Assessments at 40.





### FY 2020-2022 Specifications

To comply with the MSA, the Council must propose in Framework 59 FY 2020-2022 specifications for GOM cod and GB cod that end overfishing immediately and place these stocks on appropriate rebuilding trajectories.

For GOM cod, a stock that cannot rebuild on schedule even without fishing, the ABC control rule is unequivocal: “For stocks that cannot rebuild to  $B_{MSY}$  in the specified rebuilding period even in the absence of fishing, the ABC should be based on incidental bycatch, including a reduction in the bycatch rate (i.e., the proportion of the [cod] stock caught as bycatch).”<sup>14</sup> Given the current status of GOM cod, there is no rationale for the Council to deviate from the ABC control rule. ABCs set at  $75\%F_{MSY}$ , as suggested by the SSC for Framework 59, have repeatedly failed to end overfishing. Further, the SSC relied on anecdotal economic considerations – not relevant to the legal requirement to end overfishing immediately – to recommend an ABC that was even higher than the default control rule. In Framework 59, the Council must propose FY 2020-2022 ABCs, and subsequent ACLs, for GOM cod based on incidental catch, including a reduction in bycatch rate, to end overfishing immediately and support rebuilding of the GOM cod stock as required by the control rule and the MSA.

For GB cod, the Council should use the utmost caution when proposing specifications given the inability to quantifiably assess the stock. To that end, at a minimum, the Council should reject the Groundfish Committee’s recommended ABC, which was derived by an inconsistent utilization of the empirical approach compared to previous years. During the 2015 operational assessment for GB cod – when the analytical model was rejected – “the Operational Assessment Panel recommend[ed] that the *overfishing limit (OFL)* should be a proportion of the most recent 3-year average catch, and that proportion should be determined by recent survey trends.”<sup>15</sup> Using the proportion of the most recent 3-year average catch to recommend *an ABC, not an OFL*, as the SSC and Groundfish Committee have done, is inconsistent with the original intent of this approach and removes a critical scientific uncertainty buffer for the stock, as described in the SSC’s minority report.<sup>16</sup>

Ultimately, however, the empirical approach (and the specifications derived from it) has repeatedly shown itself as being inadequate to end overfishing immediately and rebuild the GB

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<sup>14</sup> Amendment 16 to the Northeast Multispecies Fishery Management Plan at 78-79. Available at: [http://archive.nefmc.org/nemulti/planamen/Amend%2016/final%20amendment%2016/091016\\_Final\\_Amendment\\_16.pdf](http://archive.nefmc.org/nemulti/planamen/Amend%2016/final%20amendment%2016/091016_Final_Amendment_16.pdf).

<sup>15</sup> 2015 Operational Assessment for Georges Bank cod at 39. Available at: [https://www.nefsc.noaa.gov/publications/crd/crd1524/Individual%20Stocks/GB\\_Atlantic\\_cod.pdf](https://www.nefsc.noaa.gov/publications/crd/crd1524/Individual%20Stocks/GB_Atlantic_cod.pdf).

<sup>16</sup> Memorandum from SSC to Tom Nies, “Terms of Reference – Overfishing levels (OFLs) and acceptable biological catch (ABC) recommendations for groundfish stocks for fishing years 2020 to 2022 at 12-13. Available at: [https://s3.amazonaws.com/nefmc.org/3g\\_SSC\\_response\\_GFSpecies\\_Oct17\\_FINAL.pdf](https://s3.amazonaws.com/nefmc.org/3g_SSC_response_GFSpecies_Oct17_FINAL.pdf).



cod stock. Therefore, it should not be used to propose FY 2020-2022 specifications in Framework 59. Given the continued overfished status and known chronic overfishing of GB cod, as well as the stock's unlikely ability to rebuild by 2026, CLF asserts that there should be no directed fishery for this stock. As with GOM cod, specifications should be based on incidental catch with measures to reduce bycatch rate over the FY 2020-2022 period.

Lastly, the Council should consider how to comprehensively address the biases and uncertainties that have resulted from the lack of adequate monitoring in this fishery. As it is currently impossible to set specifications using accurate and precise data, completing Amendment 23 should be the Council's highest groundfish priority in 2020.

Thank you for considering these comments.

Sincerely,

Allison Lorenc  
Policy Analyst

Peter Shelley  
Senior Counsel

Erica Fuller  
Senior Attorney

Cc: Michael Pentony