New England Fishery Management Council
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John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: September 20, 2017

CC: Groundfish Committee

FROM: Groundfish Plan Development Team

SUBJECT: **Southern windowpane flounder accountability measures for large-mesh non-groundfish trawl fisheries**

The Groundfish Plan Development Team (PDT) met on August 3, 2017 in Plymouth, MA and August 31, 2017 via webinar and discussed **developing draft alternatives and reviewed analyses to adjust southern windowpane flounder accountability measures (AMs) for large-mesh non-groundfish trawl fisheries (e.g., scup and summer flounder trawl fisheries).**

The Council indicated that changes would be considered within the range of alternatives in Framework Adjustment 57 (FW57).

The Groundfish PDT compiled information and analysis for the Committee to discuss when evaluating and potentially modifying southern windowpane flounder AMs for large-mesh non-groundfish trawl fisheries. The PDT documents its work in several attachments to this memorandum.

Background

At the June 2017 Council meeting, the Council passed the following motion (14/1/0), **emphasis** added:

To initiate Framework Adjustment 57 and include:

- *To incorporate any status changes for groundfish stocks and set specifications for all groundfish stocks for FY 2018 to FY 2020.*
- *To set specifications for FY 2018 for US/Canada stocks (Eastern GB cod, Eastern GB haddock, and GB yellowtail flounder).*
- *To evaluate the common pool trimester total allowable catches (TACs)*
- *To modify Atlantic halibut management*
- *To revise the recreational management measures process*
- ***To revise the Southern Windowpane Flounder AMs for large-mesh non-groundfish fisheries consistent with Framework Adjustment 52 measures for groundfish fisheries. To include analysis of modifying existing AMs including modifying size and location of AM timing, trigger or biomass criteria.***

PDT Analysis

To address the Council's motion, the PDT completed the following analysis:

- Drafted the alternative outline (Attachment 1); and
- Summarized in a preliminary analysis the spatial and temporal southern windowpane flounder bycatch patterns in large-mesh fisheries (i.e., scup and summer flounder trawl fisheries) (Attachment 2).

PDT Discussion

- The PDT has no questions for the Committee regarding drafting the revised Southern Windowpane Flounder AMs for large-mesh non-groundfish trawl fisheries to be consistent with Framework Adjustment 52 measures for groundfish trawl fisheries.
- The PDT's preliminary analysis (Attachment 2), suggests possible modifications to the spatial and temporal extent of the AMs for large-mesh non-groundfish trawl fisheries such that:
    - For areas east of Montauk waters:
        - The small AM area could be seasonal from September 1 to April 30.
        - The large AM area could be the small AM area plus the 10-minute square (417156) be year-round
    - For areas in south-western Long Island/Sandy Hook waters:
        - No changes be made to the large AM area
    - However, the PDT cautions that such changes would create different AMs for the large-mesh non-groundfish trawl fisheries than those for the groundfish trawl fishery. The PDT conducted a similar analysis for FW52 and did not recommend any adjustments to the spatial or temporal extent for the groundfish trawl fishery.
- More broadly in a tired-AM system (e.g., with small and large AMs triggered by the amount of the overage) for non-allocated stocks, it may be possible to modify the higher tier trigger (e.g., large AM) to be an overage of any amount of the OFL. If the Committee chooses to explore adjusting the AM trigger, it should consider adjusting the AM trigger for all segments of the fishery subject to an AM (groundfish, scallop and non-groundfish), as well as the trigger for northern windowpane flounder, not just the trigger for non-groundfish trawl vessels for southern windowpane flounder.

Attachment #1: Draft Alternatives

DRAFT ALTERNATIVES UNDER CONSIDERATION

Commercial Fishery Measures -Accountability Measures

Southern windowpane flounder accountability measures for large-mesh non-groundfish fisheries

Option 1: No Action

Option 2: Revised Southern windowpane flounder accountability measures for large-mesh non-groundfish fisheries

(Sub-Options 2A, 2B, and 2C can be selected)

Sub-Option 2A: Extension of FW52 provisions to large mesh non-groundfish trawl fisheries

Sub-Option 2B: Modified gear restricted areas

Sub-Option 2C: Modified AM triggers

<u>Attachment #2</u>: Preliminary analysis spatial and temporal southern windowpane flounder bycatch patterns in large-mesh fisheries (MAFMC Staff memo)

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Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman
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MEMORANDUM

Date: September 18, 2017

To: Groundfish PDT (Cc: Groundfish Committee)

From: MAFMC Staff

Subject: Windowpane AM Modifications

MAFMC staff examined 2008-2016 observer data in the ten-minute squares (TMSs) that constitute the windowpane large mesh/non-groundfish accountability measure (AM) areas. Observations were limited to observed hauls with bottom otter trawl gear using mesh 5" or greater. Observations were binned by three seasons (Jan-Apr, May-Aug, Sept-Dec). Three seasons were chosen to achieve some seasonal perspective without overly reducing the number of observations. The ratio of windowpane caught to all species retained was calculated by season for the ten-minute squares that constitute the relevant windowpane AM areas. The results suggest than the western portion of the AM area near Montauk (TMSs 417126, 417136, 407121, and 407131) could likely be dropped for the full year without substantial impact to windowpane given the consistent relatively low encounter rates, and could be considered as AM area modifications in Framework 57 (see Figure 1 below), in addition to options analogous to the flexibility provisions currently in place for groundfish. Encounter rates appeared relatively high throughout the year in the AM near south-western Long Island/Sandy Hook, so the analysis does not support any simple modifications to AMs in that area (see Figure 2 next page).

Figure 1. East of Montauk, Windowpane encounter rates, bottom trawl observer data, 2008-2016

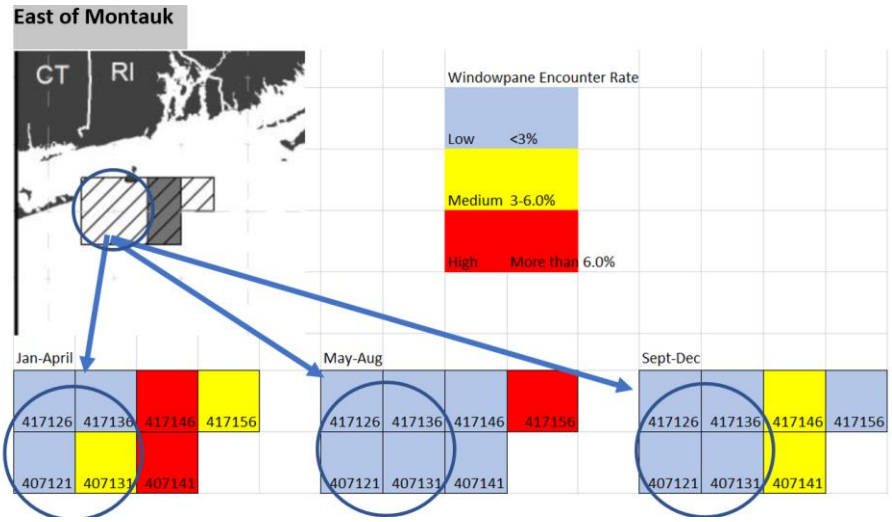

Figure 2. South-western Long Island/Sandy Hook, Windowpane encounter rates, bottom trawl observer data, 2008-2016