



New England Fishery Management Council

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E.F. “Terry” Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

MEETING SUMMARY

Groundfish Oversight Committee

Hilton Garden Inn, Boston, MA

June 9, 2016

The Groundfish Committee (Committee) met on June 9, 2016 in Boston, Massachusetts to: 1) review PDT work to date on developing a sub-ACL for the scallop fishery for northern windowpane flounder and allocating the northern windowpane flounder stock to sectors in the groundfish fishery and make recommendations to the Council regarding the development of alternatives; 2) review PDT work to date on an action that considers revising the Georges Bank haddock sub-ACL and associated accountability measures (AM), and make recommendations to the Council regarding the development of alternatives; 3) receive an update from the PDT on Committee tasking regarding estimated discards and associated CVs and a draft white paper examining the groundfish monitoring program, and make recommendations to the Council; and 4) discuss other business, as necessary.

MEETING ATTENDANCE: Frank Blount (Chairman), Mr. Terry Alexander (Vice Chair), Ms. Ellen Goethel, Mr. Peter Kendall, Ms. Libby Etrie, Mr. John Pappalardo, Mr. Vincent Balzano, Ms. Melanie Griffin, Dr. Matt McKenzie, Mr. Howard King (MAFMC), Mr. Jeff Kaelin, Ms. Sarah Heil (GARFO), Mr. Terry Stockwell (Council Chair); Dr. Jamie Cournane, Ms. Maria Jacob, Ms. Deirdre Boelke, Lou Goodreau (NEFMC staff); Mr. Mitch MacDonald (NOAA General Counsel). In addition, approximately 15 members of the public attended, including several members of the advisory panel.

SUPPORTING DOCUMENTATION: Discussions were aided by the following documents and presentations: 1) Meeting memo; 2) Meeting agenda; 3) PDT memo to Committee on windowpane sub-ACL in the scallop fishery, June 6, 2016; 4) PDT memo to Committee on northern windowpane flounder in the groundfish fishery, June 6, 2016; 5) Staff presentation: PDT report on Northern windowpane flounder, June 9, 2016; 6) Draft action plan for Georges Bank haddock in the herring fishery, May 27, 2016; 7) draft discussion document for the haddock action, version 2, May 27, 2016; 8) PDT memo to Committee on Georges Bank haddock in the herring fishery, June 6, 2016; 9) Summary of herring Advisory Panel and Committee June 1-2, 2016 recommendations on range of alternatives for Georges Bank haddock action; 10) Staff presentation: modifications to the Georges Bank haddock sub-ACL and AMs in the herring fishery; 11) PDT memo to Committee on CVs for discards monitoring, June 6, 2016; 12) Staff presentation: PDT report on groundfish monitoring, June 9, 2016; 13) Fisheries dependent data validation final report, June 8, 2016; 14) Northeast Division Enforcement Priorities, 2012-2017; 15) GAP meeting summary, November 12, 2015; 16) RAP meeting summary, November 17, 2015; and 17) Correspondence.

KEY OUTCOMES:

- Committee recommended the development of alternatives for Northern windowpane sub-ACL and AM in the scallop fishery.
- Committee recommended the development of alternatives for Georges Bank haddock sub-ACL and AM in the herring fishery.
- The Groundfish Committee requested that the Council asks NMFS to conduct an Atlantic halibut benchmark assessment.

Mr. Blount began the meeting at 9:00 am by introducing the agenda. There were no suggested changes to the agenda. Under ‘Other Business’, the Committee would develop recommendations on NOAA Office of Law Enforcement Priorities.

Presentation on Northern Windowpane Flounder Management Alternatives (Dr. Cournane)

Council staff provided an overview of the management alternatives for Northern windowpane flounder for the groundfish fishery. These alternatives are based on the Windowpane White Paper developed by Council staff. Dr. Cournane explained that the Plan Development Team (PDT) have explored (1) how sub-ACLs have been allocated for other groundfish stocks in the past, and (2) the option to use a fixed allocation approach, or use a percentage of expected catch projection (which became the method used to allocate the Southern New England/Mid-Atlantic yellowtail flounder sub-ACL) to develop a sub-ACL for the scallop fishery. Generally, a fixed approach to setting specifications is straight-forward, but it is not sensitive to the location of scallop fishing effort. On the other hand, using a projection approach to setting catch limits takes into consideration the variation in the location of scallop fishing activity, but requires more scallop PDT work. The PDT discussed the utility in using the five most-recent years of available data. The sub-ACL could be implemented before the AM, and a retrospective payback could apply if there is an overage before an AM is developed and implemented. Another option would be to develop a transfer between the scallop and groundfish fishery. Based on preliminary analysis on co-occurrence, there is no correlation between catches for windowpane flounder and yellowtail flounder catches at the stock-specific level.

Questions and Discussion on the Presentation:

Mr. Alexander asked whether an amendment is needed to establish a sub-ACL for the scallop fishery. Dr. Cournane explained that Amendment 16 established a process for distribution of sub allocations to other fisheries, including the scallop fishery.

Council staff presented questions for the Committee’s consideration regarding direction for the northern windowpane measures.

Question: Does the Committee wish to adopt this draft problem statement for the action, with respect to the development of a northern windowpane flounder sub-ACL for the scallop fishery?

Regarding the problem statement for this action, Ms. Heil raised concerns regarding lack of language in the problem statement to address the issue that if there is a large contributor to the overall catch by a fishery that is not held accountable through an established AM, then the conservation goals could be jeopardized.

Motion #1 (Heil/Etrie): To add to the problem statement that the system of ACLs and AMs is undermined if there are no AMs for the scallop fishery, which for northern windowpane flounder is a major contributor to the catch or ACL overage.

***Rationale:** The draft problem statement from the PDT, in their memo dated June 6, 2016, discussed how the current AM works, and the potential negative impact on the groundfish fishery as a result of scallop catches, but it lacked any discussion about how these scallop catches could also undermine conservation objectives.*

***Motion #1 carried** on a show of hands (11/0/1).*

Committee discussion on Motion #1:

The Committee discussed an operational definition for a large contributor to the ACL. Ms. Griffin recommended that the PDT look at the landings over time for the rationale regarding what constitutes a significant contributor to the ACL. Without objection, the clarification was added that the problem statement for this action refers to the scallop fishery in general terms, and does not address particular components of the scallop fishery.

Question: What range of options for scallop fishery sub-ACLs of northern windowpane flounder does the Committee wish to pursue?

Motion #2 (Etrie/Alexander): To develop in Framework Adjustment 56 an additional alternative for a scallop fishery sub-ACL for northern windowpane flounder using a "Dual Fixed Percentage" baseline:

1. For those years when the fishing patterns of the limited access (LA) scallop fleet more closely resemble a year in the current rotational access management program when low interaction with northern windowpane flounder is likely.
2. For those years when the fishing patterns of the limited access (LA) scallop fleet more closely resemble a year in the current rotational access management program that shifts the effort to a higher interaction with northern windowpane flounder.

Motion #2A as friendly amended (Etrie/Alexander): To develop in Framework Adjustment 56 an additional alternative for a scallop fishery sub-ACL for northern windowpane flounder using a "Dual Fixed Percentage" baseline:

1. A lower sub-ACL for years when the fishing patterns of the limited access (LA) scallop fleet more closely resemble a year the current rotational access and open area management program is expected to have a relatively low interaction with northern windowpane flounder compared to historic levels.
2. A higher sub-ACL for years when the fishing patterns of the limited access (LA) scallop fleet more closely resemble a year the current rotational access and open area management program is expected to have a relatively high interaction with northern windowpane flounder compared to historic levels.

***Rationale:** This would be an additional alternative for the document that would consider a dual sub-ACL that is more flexible than a single percentage allocation. The intent of this alternative is to recognize that scallop area rotation can vary greatly from year to year impacting the level of northern windowpane flounder catch. For example, in years when more effort is expected on Georges Bank a higher sub-ACL percentage would be used compared to years when less scallop fishing effort is expected on Georges Bank. The formula would need to be specified upfront and the intent is to set the sub-ACL for the entire scallop fishery, limited access and limited access general category. However, the AMs developed later through the scallop fishery management plan may consider different AMs for each component of the scallop fishery.*

Motion #2A carried on a show of hands 10/0/2.

Public Comment on Motion #2:

Drew Minkiewicz (Fisheries Survival Fund) stated that scallop rotational areas are likely to change with the implementation of Omnibus Habitat Amendment 2. In addition, windowpane catch by scallop vessels fishing within open access areas should also be addressed when considering high and low catch allocations. The SAMS model has been able to successfully predict areas for open access fishing effort.

Ron Smolowitz (Fisheries Survival Fund) stated that there are consequences to the projection of bycatch approach because the Council would have to determine what percentage of scallop effort should occur in the areas with high windowpane catches. The percentage of scallop effort within these areas would affect windowpane flounder bycatch. Therefore, a formulaic approach may eventually lead to an annual analysis to consider all factors, including scallop fishing effort, areas fished, and bycatch rate within particular areas.

Vito Giacalone (Northeast Seafood Coalition) supports an allocation approach based on a fixed percentage of the ACL, while considering a variable rate to account for the rotational system within that fixed percentage approach may be appropriate for the scallop fishery. The overall allocation to the scallop fishery should be based on a fixed formula, so that groundfish vessels are only accountable to its portion of the overall catch.

Motion #3 (Alexander/Etrie): To develop in Framework Adjustment 56 alternatives from the PDT memo (dated June 6, 2016) for a scallop fishery sub-ACL for northern windowpane flounder: A, B and D and strike/not develop C.

- A. Fixed percentage based on the 90th percentile of a 10 year average – approach used for Southern windowpane flounder
- B. Select a fixed percentage from a range (of recent scallop catches) – approach used for GB yellowtail flounder
- ~~C. Estimated expected catch, and select a % of that value – approach used for SNE/MA yellowtail flounder~~
- D. Alternatives to past approaches: i. Adjust the range of years (EX: FW53 used 2001-2010, could use 2005-2014) ii. Focus on more recent catch history (EX: most recent 5 years of data)

Rationale: D is sub-option of A; fixed percentages are the focus. The Committee does not support developing a sub-ACL based on projected catch alone, which can vary greatly from year to year without a set value and has the potential to negatively impact the groundfish fishery.

Motion #3 **carried** on a show of hands 10/0/2.

Public Comment on Motion #3:

Drew Minkiewicz (Fisheries Survival Fund) does not agree with motion and prefers a full range of motions, to inform the Council of all the available options. Dr. Cournane explained the analysis of impacts would look at the projected catch estimates for the scallop fishery.

Vito Giacalone (Northeast Seafood Coalition) supports the motion, and stated that a need-based allocation should not drive the overall allocation for the scallop fishery.

Maggie Raymond (Sustainable Harvest Sector) supports the motion, and stated that the groundfish fleet is adversely impacted by these sub-ACL overages and cannot solely be held accountable for the overage.

Question: Does the Committee wish to develop an alternative that would allow for an in-season transfer of northern windowpane flounder allocation from the scallop fishery to the groundfish fishery, should the stock be allocated to groundfish sectors?

Motion #4 (Heil/Goethel): To discontinue further development of allocation of northern windowpane flounder to groundfish sectors and the common pool.

Rationale: In light of other alternatives to develop sub-ACLs for the scallop fishery and other groundfish priorities, the Committee does not support considering this topic at this time. In addition, possession of this stock is prohibited; therefore, developing an allocation to sectors would reduce flexibility for the groundfish fleet and cause economic impacts if a vessel has to purchase quota for a species that is prohibited. Since the Committee does not support this alternative, it is implied that a potential alternative to develop an alternative to transfer unused sub-ACL to a groundfish fishery ACL should not be considered either.

Motion #4 **carried** 10/0/2.

Atlantic Herring – Georges Bank Haddock Action

Ms. Deirdre Boelke presented information on the Georges Bank haddock sub-ACL for the herring fishery, which was initiated at the April 2016 Council meeting. Ms. Boelke asked the Committee to provide input on selection of potential alternatives listed in the document. The Herring Committee did not suggest additional alternatives for development. The Herring Committee recommended some alternatives be removed from further analysis, assuming that other items would be left in the document for further analysis. Final action is likely September or November 2016, with a target effective date on May 1, 2017. Regarding the option for allocation to the scallop fishery using a variable percentage, the Committee is asked to provide input on how the percentage would vary (e.g., changes in haddock biomass, changes in catch levels). In some years, the herring fishery have exceeded their allocation (e.g., 2014 fishing year), elevating the need for this action. Ms. Boelke presented information on the options for AMs, and asked for Committee input regarding which factors should drive these options for AM area boundaries (i.e., catch information, haddock distribution information, spawning hotspots).

Committee Discussion:

Mr. Alexander raised concerns that the trawl survey maps do not align with the fishery catch maps. Dr. Cournane explained that the time series also varies for these maps, with catches expressed through a longer time series of data. In addition, the map includes fall survey information, not spring survey information.

In response to Committee discussion regarding the use of additional data for catch estimation, Ms. Boelke explained that the agency is looking into use of portside sampling data in response to the Council request to do so.

Ms. Etrie stated that the discard methodology review did not address a different discard methodology, and the review did not discuss the use of additional data such as dockside monitoring data.

Ms. Heil responded to Mr. Alexander's question regarding the removal of the uncertainty buffer given the current health of the Georges Bank haddock stock, stating that the current management uncertainty buffer of 7 percent is the standard buffer used in place for stocks that are not landed, and suggested that this concept regarding removing the uncertainty buffer not be developed further.

Heil raised concerns with the feasibility of an approach that uses an in-season AM that would project whether there would be an overage in the overall ACL.

Motion #5 (Kaelin/King): The Groundfish Committee recommends in Section 2.3 (implementation of Georges Bank haddock accountability measures for the herring fishery) to include 2.3.2 (modify when AM triggers for the herring fishery – subsequent year) for development in the Atlantic herring and Georges Bank haddock action.

Rationale: Alternative 2.3.5 (change mechanism for the AM trigger) could not be used without an alternative that would consider subsequent year AMs (i.e., Alternative 2.3.2).

Motion #5 was **withdrawn** without objection.

Consensus Statement #1: The Groundfish Committee by consensus, and without objection, adopts the draft action plan.

Motion #6 (Goethel/McKenzie): The Groundfish Committee recommends that the draft purpose and need be modified consistent with the recommendations of the Herring Committee from their June 2nd meeting.

Motion #6 **carried** on a show of hands (10/0/0).

Motion #7 (Kendall/Goethel): In Section 2.1 (Georges Bank haddock catch cap for the herring fishery), recommend development of 2.1.2 (modify the cap to reflect current biomass of GB haddock), 2.1.3 (modify the cap to be a variable percentage, but with a minimum of 1%), and 2.1.4 (increase the cap with a transfer option to the groundfish fishery), consistent with the Herring Committee recommendations from their June 2nd meeting.

Motion #7 **carried** on a show of hands (10/0/0).

Motion #8 (Kendall/Goethel): In Section 2.2 (Georges Bank haddock accountability measures for the herring fishery), recommend development of 2.2.2 (modify the AM area), and 2.2.3 (establish an AM season), consistent with the Herring Committee recommendations from their June 2nd meeting.

Motion #8 **carried** on a show of hands (11/0/0).

Motion #9 (Kaelin/Alexander): To add an alternative in Section 2.2 (Georges Bank haddock accountability measures for the herring fishery) to consider an increase in the Atlantic herring possession limit (now 2,000 lbs.) after the GB haddock AM is triggered to support the potential for a winter mackerel fishery.

Rationale: This alternative would potentially allow for a winter mackerel fishery even if an AM is triggered. The current 2,000 pound possession limit of herring is not sufficient to accommodate a mackerel fishery; a potential value was offered of 10,000 lb. instead. The intent is to provide enough herring to enable a mackerel fishery to take place, but low enough so directed herring trips are prohibited from the area. Some Committee members felt the seasonal split alternative could accommodate this if developed further.

Motion #9 **failed** on a show of hands (3/7/2).

Committee discussion on Motion #9:

Ms. Boelke clarified that the herring possession limit would remain in place, and asked whether the Committee wants to clarify what the AM would be in order to enable mackerel fishing.

Mr. Stockwell raised concerns regarding changing the 2,000 lb. possession limit, because this measure is in place by the ASMFC and likely requires their input. Ms. Heil raised concerns regarding the PDT workload, when considering the analysis related to monitoring alternatives.

Motion #10 (Heil/Kendall): In Section 2.3 (Implementation of Georges Bank haddock accountability measures for the herring fishery), the Groundfish Committee recommends development of only 2.3.4 (seasonal split of GB haddock sub-ACL, 80%/20%) and 2.3.7 (amend how estimated catch is calculated in the herring fishery – incorporate dockside monitoring data).

Rationale: The only other alternative the Herring Committee supported for consideration that is not in the motion above is Alternative 2.3.5 (change mechanism for how AM is triggered) . The Groundfish Committee does not believe that alternative is feasible with in-season AMs, and since the Herring AP and Committee were not in favor of in-season AMs, the Groundfish Committee does not support further development of that alternative. Removing the alternative was viewed as cleaning up document.

Motion #10 **carried** on a show of hands (10/1/1).

Committee Discussion:

Ms. Goethel asked why the Herring Committee did not support development of the proactive AMs. Ms. Boelke explained that the haddock biomass is healthy, and under No Action, there are proactive measures already in place, such as the voluntary avoidance programs.

Motion #11 (Alexander/Kendall): In Section 2.1 (Georges Bank haddock catch cap for the herring fishery), add an alternative to the range to increase the GB haddock sub-ACL for the herring fishery to 1.5% of the US ABC.

Rationale: The Groundfish Committee recommends explicitly considering 1.5% in both Alternative 2.1.2 (modify the cap to reflect current biomass of GB haddock) and 2.1.4 (increase the cap with transfer option to the groundfish fishery) because it is equivalent to a 50% increase from the current 1% allocation.

Motion #11 **carried** on a show of hands (10/0/2).

Dr. Cournane asked whether the Committee is interested in developing options for modifying the catch cap above 5%. Mr. Alexander stated that the options for 3% and 5% should be eliminated from the action. Dr. Cournane stated that eliminating these options could be raised at the upcoming Council meeting.

Groundfish Monitoring Program – Staff Presentation (Dr. Cournane)

Dr. Cournane provided an update on the draft white paper on monitoring, and announced the PDT meeting in the following week to discuss dockside monitoring. The development of the monitoring program draft white paper will occur at the next PDT meeting, which will take place after the June Council meeting. Dr. Cournane summarized the PDT work regarding CV analysis, in response to the Committee's tasking motion. The PDT have not yet discussed how changing the CV would impact management strategy. So far, the CV analysis is based on an assumed 3 million pounds discards (hypothetical scenario), to assess risk of the discard estimate being incorrect, using a CV simulation. As CV increases, risk for being incorrect also increases. At a CV of 10%, the distribution of estimates are more narrow, compared to a higher CV (i.e., CV=30, 50, and 70%).

Public comments and questions:

Gib Brogan (Oceana) asked whether the CV analysis makes any assumptions regarding bias in the model. Dr. Cournane stated that the CV analysis work does not consider bias. Regarding the application for this calculation, Mr. Brogan stated that these estimates seem fairly arbitrary, which makes it difficult to determine the real applications related to risk of exceeding the management buffer. Dr. Cournane explained that different data information can be fed into this information, and the PDT have not yet discussed the relationship with this information to the management uncertainty buffer. Mr. Brogan stated that knowing whether the stocks would be overfished is important management considerations.

Hank Soule (Sustainable Harvest Sector) stated that the PDT have not yet related this CV analysis to current management issues.

In response to questions raised by Mr. Vito Giacalone (Northeast Seafood Coalition), Dr. Cournane explained that for discard-only stocks, a 7% buffer may make sense as an input for the simulation work; for other allocated stocks, the buffer would be scaled.

Compliance with Groundfish Reporting Compliance – Dr. Michael Lanning

Dr. Lanning presented information in response to a data validation request, and provided an overview on his work regarding accuracy with fishery-dependent data sources for quota monitoring and stock assessments purposes. Regarding reporting accuracy of fishery-dependent data, previous analysis indicate that there has been discrepancies between VTR and other data sources (e.g., observer data). Dr. Lanning stated that this analysis attempts to address issues with reporting discrepancies with regard to stock areas used to report catches.

Committee discussion on presentation:

Mr. Alexander stated that VTRs provide information on catch by vessel operators, which is required by law, but the catch is not weighed by the vessel operator. Observers weigh the catch, so it is not surprising that VTR and observer data do not match up, because harvesters are estimating.

It is unclear what percentage of observed trips are reported in the analysis. Dr. Lanning plans to report on this percentage at a later date. Ms. Etrie and Mr. Alexander pointed out that for multi-day trips, the observers typically do not monitor 100% of hauls. Alexander stated that this analysis likely reports on observed single-day trips only. Dr. Cournane stated that it would be important to understand what segment of the fleet these results represent.

Public comment:

Gib Brogan (Oceana) stated that prior analysis completed by Tom Nies and Andy Applegate found 20% to 30% disagreement rates in reported fishing trips by VTRs and observer data. It is important to consider reasons for reporting errors when discussing modification to the groundfish monitoring system, and the role of VTRs in catch monitoring.

Hank Soule (Sustainable Harvest Sector) stated that if there is a discrepancy in catch reporting, the sector managers can reach out to vessels to increase compliance, so the sector system is another layer of effort to improve compliance with harvester reporting.

Committee discussion:

Dr. Cournane asked for clarification on the Committee's direction is for the monitoring action. Ms. Etrie stated that some of the analysis will inform the perception of what needs to be addressed in order to create a foundation to inform direction for the groundfish monitoring program. Ms. Goethel stated that many Committee members feel there are redundancies to the current monitoring system, and in some cases,

discrepancies between the redundant datasets. So, the Committee needs to know what tools are available for monitoring, and how the system can be improved.

The Committee is not interested in discussing alternatives until the PDT analysis is complete. The Committee clarified that the monitoring action is not expected to be included in Framework 56.

Public comment:

Gib Brogan (Oceana) suggested a public process to identify the problems with catch monitoring, and roll into a stand-alone amendment with an EIS that only focusses on this action, and not rush this development, and take a broader look at the long-term issues.

Framework Adjustment 56

Ms. Heil raised concerns with availability of PDT time to achieve all measures (i.e. haddock ACL and AM) in FW 56, and is hesitant to the position to include it in FW56 for these reasons.

The Committee agreed to discuss this feasibility of including the haddock sub-ACL and AM measures for the herring fishery within FW 56 at the June Council meeting.

Mr. Stockwell stated that the halibut fishery in Maine has likely exceeded the state water catch allocation sub-component in 2015, so an AM may be triggered. Dr. Cournane stated that if the overall ACL is exceeded in 2015, the AM likely would not be in place until May 1, 2017. The AMs would require mobile gear vessels to use NMFS-approved selective gear within a gear restricted area for the entire year and vessels using fixed gear would have area area-based closures for the entire year. In addition, the commercial groundfish fishery would be prohibited from possessing halibut.

Mr. Pappalardo stated that the status of the resource and overages should be considered. Anecdotal information indicates that the biomass of halibut is improving, and we should discuss a different management approach given this information.

Public comments:

Maggie Raymond stated that the state of Maine is not required to report their catch in a reasonable timeframe (i.e., before end of fishing year). Managers can address non-compliance with ACLs through Magnuson-Stevens Act authority.

Mr. Stockwell indicated that the concern with exceeded overage relates to the 2015 fishing year (data not yet complete), because the state does not require harvesters to report until when they renew harvester permits.

Mr. Stockwell explained that the NRCC discussed stock assessment timing for scallops and herring, and additional stock assessments in the near future is likely not going to take place.

Consensus Statement 2:

By consensus, the Groundfish Committee recommends that the Council initiate Framework Adjustment 56 to include:

- Specifications
- Establish a scallop fishery sub-ACL for northern windowpane flounder
- Modify the Atlantic herring sub-ACL for GB haddock *and possibly the AM (to be discussed at Council meeting)*
- Modify Atlantic halibut management

Motion # 12 (Goethel/Pappalardo): The Groundfish Committee requests that the Council asks NMFS to conduct an Atlantic halibut benchmark assessment.

Rationale: Industry raised concerns that halibut have increased in abundance in recent years. Furthermore with the rejection of the Atlantic halibut assessment at the 2015 groundfish operational assessments, the Groundfish Committee is concerned that the FY 2016- FY 2018 OFLs and ABCs are based on catch advice from the rejected benchmark model (i.e., based on the 2015 OFL and ABC).

Motion #12 **carried** on a show of hands (9/0/2).

Motion #13 (Heil/Goethel): To task the PDT to evaluate recent state landings of halibut through FY 2015, and including FY 2016 preliminary catch information, if available, as well as the number of Maine state permits issued from 2010-2016, to inform whether Atlantic halibut management should be adjusted.

Rationale: The federal commercial groundfish fishery is fully accountable for any overages of the total ACL of Atlantic halibut and subject to accountability measures. An examination of the impact of the state waters fishery for halibut in Maine is needed to understand how the directed fishery in Maine might be impacting the federal commercial groundfish fishery.

Motion #13 **carried** on a show of hands (9/0/1).

Committee discussion:

Ms. Heil stated that management must account for catch by the other components, which are not allocations because there are no AMs. The Council must account for catches within state waters in its ACL (i.e., catches that occur outside Council-managed harvesters).

Mr. Blount explained a few options for consideration while waiting for an updated stock assessment, by communicating to the state fishery agency that their fishery is impacting federal permit holders.

Ms. Heil suggested that prior to Committee direction for action to address this problem, first consider the available data.

Public comment:

Ms. Jackie O'Dell (Northeast Seafood Coalition) asked whether proactive measures could be developed for future fishing years, to prevent the federal fishery from being held accountable when the state fishery exceeded their allowed catch limit.

Ms. Heil stated that the ACL is meant to account for all activity for a particular stock. The component of the fishery with an allocation (i.e., not state fishery) would be held accountable to the overage.

Ms. Jackie O'Dell (Northeast Seafood Coalition) asked whether it possible to modify how the AM applies. Dr. Cournane explained that the windowpane AM discussion was changed to provide some relief to the fleet. However, it is not yet certain that an overage has occurred. FW 48 says if you go over greater than 20% of the ACL, that the AM could be re-evaluated at that time.

Other Business: Development of feedback on enforcement priorities

Mr. Goodreau briefly addressed the Committee, seeking feedback on the enforcement priorities. Mr. Alexander stated that JEAs seem to focus on lobster enforcement in Massachusetts. However, VTR

compliance and dockside monitoring of the fishery is important. Ms. Goethel asked for increased enforcement of illegal gear used to harvest lobsters. Ms. Etrie asked whether there is an evaluation of monitoring activity at the docks, which may be possible.

The meeting adjourned at 3:40pm.