



New England Fishery Management Council  
 50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
 E.F. “Terry” Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

## MEETING SUMMARY

**Groundfish Committee**  
 DoubleTree by Hilton, Portland, Maine  
 August 3, 2016

The Groundfish Committee met on Aug. 3, 2016 in Portland, Maine to: 1) receive a summary of recommendations from the Recreational Advisory Panel (RAP) meeting on Aug. 2, 2016; 2) discuss Framework Adjustment 56, 3) receive a progress report from the Groundfish Plan Development Team (PDT) on the white paper on monitoring strategies for the Groundfish Monitoring Action, and develop recommendations to the Council; and 4) discuss other business, as necessary.

**MEETING ATTENDANCE:** Frank Blount (Chair), Terry Alexander (Vice-Chair), Melanie Griffin, Libby Etrie, Ellen Goethel, Peter Kendall, Dr. Matt McKenzie, John Pappalardo, Sarah Heil, Howard King (MAFMC) and supported by Dr. Jamie Cournane and Maria Jacob, Council staff. In addition, approximately 16 members of the public attended, including Ben Martens (Groundfish Advisory Panel, GAP, Chair), Jackie Odell (GAP Vice-Chair), Maggie Raymond (GAP member), and Mike Plaia (RAP member).

**SUPPORTING DOCUMENTATION:** Discussions were aided by the following documents and presentations: 1) meeting notice; 2) meeting memo; 3) meeting agenda; 4) Framework Adjustment 56: 4a) Draft action plan for FW 56 version 1, July 22, 2016; 4b) Staff Draft white paper on the recreational management measures process, July 27, 2016; 4c) Presentation: Marine Recreational Information Program, Aug. 2, 2016; 4d) Presentation: PDT report regarding FW 56; 5) Groundfish monitoring action: 5a) PDT Draft Outline for white paper on monitoring strategies, July 21, 2016; 5b) Draft PDT report on dockside monitoring programs, July 6, 2016; 5c) Staff Presentation: PDT report regarding the groundfish monitoring action; 6) Groundfish Committee meeting summary, June 9, 2016; 7) Recreational Advisory Panel meeting motions, Aug. 2, 2016; and 8) Correspondence.

**KEY OUTCOMES:**

- The Groundfish Committee forwarded the Recreational Advisory Panel recommendations regarding the recreational management measures process (motions from the Panel’s August 2, 2016 meeting) to the Groundfish PDT.
- The Groundfish Committee tasked the Groundfish PDT Chair with developing a draft letter articulating Atlantic halibut management concerns.

Mr. Blount briefly introduced the agenda and noted one change to the agenda, adding the discussion of halibut management issue during the discussion on Framework (FW) 56.

### **Agenda Item 1: Recreational Advisory Panel Report**

Mr. Blount provided an overview of the outcome of the Recreational Advisory Panel (RAP) meeting held on Aug. 2, 2016. The RAP is interested in knowing catch estimates earlier rather than later, and many RAP members are interested in reviewing the analysis once it is available, and discussed the process to allow for more flexibility to utilize its catch allocations.

#### **Committee Questions and Discussion**

Ms. Heil asked whether the RAP understood the tradeoffs with the use of preliminary data for setting catch limits, and Mr. Blount affirmed that the RAP is aware that there are tradeoffs to these proposed measures. Mr. Alexander asked whether the RAP understood the limitations to the rollover provisions, and Mr. Blount affirmed, and clarified that this flexibility can also be considered as being similar to an adjustment to the trip limit during the fishing year. Ms. Etrie asked whether more conservative measures in one year can be relaxed when the quota is projected to be under-utilized. This tradeoff should be clearly articulated to facilitate comments from the recreational fishery on the matter. In relation to RAP Motion #2<sup>1</sup>, Ms. Heil stated that the Regional Administrator already has the authority to modify measures in-season.

Mr. Blount also explained some of the issues and upcoming improvements in catch estimates for the recreational fishery, based on the Marine Recreational Information Program (MRIP) presentation given at the RAP meeting on Aug. 2, 2016. In addition, some recreational fishing industry members are using electronic vessel trip reports (eVTR) to report catch, and there are several programs working on the eVTR tool.

### **Agenda Item 2: Presentation on FW 56 Draft Action Plan, Dr. Jamie Cournane**

Dr. Cournane provided an overview of the FW 56 measures, which would likely include catch limits for US/Canada stocks (Eastern Georges Bank cod, Eastern Georges Bank haddock, and Georges Bank yellowtail flounder) in Fishing Year (FY) 2017, catch limits for witch flounder in FY 2017 to 2019, establish a northern windowpane flounder sub-ACL for the scallop fishery, and increase the sub-ACL for Georges Bank haddock for the Atlantic herring mid-water trawl fishery. FW 56 also proposes to revise the recreational management measures process and modify Atlantic halibut management.

#### **Committee Questions on the Presentation**

Mr. Pappalardo asked whether there would be a revised status determination for any of the US/Canada stocks or witch flounder, and Dr. Cournane responded that the witch flounder stock assessment working group would meet in September 2016, and there is no early indication that there would be a change in the witch flounder stock status. In addition, the Committee will likely have recommendations from the Transboundary Management Guidance Committee (TMGC) and the U.S. - Canada Transboundary Resources Steering Committee at its Sept. 12, 2016 meeting. In addition, the quota change model "No Action" run may be completed in time for November 2016 Council meeting. The analysis for witch flounder specifications would be available for the January 2017 Council meeting. The majority of the FW document would be compiled in the meantime.

Dr. Cournane explained that if FW 56 is not implemented by May 1, 2017, there are default specifications for all stocks other than Eastern Georges Bank cod, which means that the area may be closed to fishing in the short term until specifications are executed.

---

<sup>1</sup> RAP August 2, 2016 Motion 2 (Paquette/Plaia): That the Recreational Advisory Panel requests that an alternative be developed in FW 56 that considers if by end of wave 5 (Sept-Oct) that if there is a projected underage of X% that the recreational management measures process allow for an increase in fishing opportunity in wave 2 (Mar-Apr) of the same fishing year. Motion 2 carried 6/2/0.

**Agenda Item 3: Presentation on Recreational Management Process and Measures, Dr. Jamie Cournane**

Dr. Cournane provided an overview of the recreational management process and measures. Ms. Heil suggested that the Groundfish PDT white paper on recreational measures should also include details regarding the history of the recreational management measures and timing, and should look at the recommendations from all bodies including the RAP, and how it aligns with the Committee and Council recommendations.

**Motion 1 (Alexander/Goethel):** To move that the Groundfish Committee accept the Recreational Advisory Panel recommendations regarding the recreational management measures process (motions from the Panel's August 2, 2016 meeting) and forward to the Council.

**Motion 1 as friendly amended:** To forward to the Groundfish Plan Development Team (PDT) the Recreational Advisory Panel recommendations regarding the recreational management measures process (motions from the Panel's August 2, 2016 meeting) for development and for the PDT to report back to the Committee at its September meeting.

Motion 1 as friendly amended **carried** unanimously on a show of hands (9/0/0).

Ms. Etrie stated RAP Motion 2<sup>2</sup> should be removed from the Committee motion because the Regional Administrator already has the authority to address the provisions. Ms. Heil offered to look into the existing measure/authority, and possible modifications that could clarify the process for in-season adjustments, should the Council want to pursue in-season changes. Ms. Heil stated that the changes to recreational measures in-season would require an additional rulemaking and analysis. Mr. Blount asked whether a notice could suffice given days-at-sea trip limit changes through notices. Ms. Heil will look into this question. Mr. Pappalardo asked whether the Council would want to provide more details regarding the provision described in the RAP Motion 2.

**Agenda Item 4: Halibut Management and Maine State Landings**

Dr. Cournane provided an overview of the Groundfish PDT discussion on halibut management measures. Dr. Cournane explained that the Committee will have the opportunity to review the Groundfish PDT memo on halibut management at its September Committee and Council meeting.

Ms. Meredith Mendelson (Maine Department of Marine Resources, DMR) stated that Maine DMR renews its permits in January of each year. Dr. Cournane clarified that the state landings are not yet finalized, and the extent of an overage if any is unknown. The accountability measure (AM) for Atlantic halibut in federal waters is designed to account for an overage up to 20 percent (but not greater than 20%). Mr. Pappalardo raised concern that an overage greater than 20 percent is problematic if these measures are not addressed in FW 56, and Ms. Heil agreed, noting that projections for FY 2017 state waters catch should be considered when setting measures for the overall fishery and its subcomponents. Ms. Heil stated that the adjustment and accounting for expected state waters catch should be done in FW 56. Ms. Heil clarified that the in-season estimates are based solely on observer data, and the Council

---

<sup>2</sup> RAP August 2, 2016 Motion 2 (Paquette/Plaia): That the Recreational Advisory Panel requests that an alternative be developed in FW 56 that considers if by end of wave 5 (Sept-Oct) that if there is a projected underage of X% that the recreational management measures process allow for an increase in fishing opportunity in wave 2 (Mar-Apr) of the same fishing year. Motion 2 carried 6/2/0.

should clarify whether they want this changed. Ms. Goethel stated that the issue with the stock assessment for halibut should be addressed.<sup>3</sup>

#### Public Comment on Halibut Measures

Ms. Maggie Raymond (Associated Fisheries of Maine) raised concern that the information on state landings for halibut has not yet been audited, and regardless of the assessment results, the state will continue to increase catch through its current licensing practices. Ms. Raymond asked if there would be any analysis regarding the economic impacts of loss of revenue when the AM is triggered for the groundfish fishery. The impact to Massachusetts federally-permitted vessels fishing offshore is severe, and inhibits the ability of the groundfish fishery to harvest its ACL for haddock due to the AM measures being triggered. The state's fishing for halibut should be closed when an overage occurs.

#### Committee Discussion

Ms. Heil stated that the future value of the Atlantic halibut fishery for the federal vessels should also be considered if the stock status for Atlantic halibut improves. Dr. McKenzie agreed. Ms. Etrie stated that this issue regarding modifications to the AM has been expressed on multiple occasions, and options to communicate the concerns regarding existing AM measures and lack of control to manage state landings should be explored.

#### Public Comment

Ms. Meredith Mendelson (Maine DMR) stated that Maine DMR is concerned about the issue and impact on the federal fishery, and is exploring ways to address the issue at the state level.

**Motion 2 (Pappalardo/Alexander):** To task the Groundfish Plan Development Team Chair to draft a letter, for the Committee's review at its September meeting, to the State of Maine and Secretary of Commerce (cc GARFO, ASMFC, and states) regarding the directed Atlantic halibut fishery in Maine and its impact on the federal commercial groundfish fishery.

Motion 2 **carried** on a show of hands (7/0/2).

#### Agenda Item 5: Groundfish Monitoring Action

Dr. Cournane provided an overview of PDT work on the white paper for groundfish catch monitoring, including the draft outline made available to the Committee. Dr. Cournane also informed the Committee that the component of the PDT tasking requesting the analysis of data accuracy with respect to dockside monitoring (DSM) is likely going to be a qualitative discussion due to lack of information. Dr. Cournane noted the case studies that use DSM data real-time to monitor quotas.

---

<sup>3</sup> The 2015 stock assessment for halibut was rejected. Therefore, the 2012 stock assessment results are the most-recent assessment results for the halibut stock.

[http://www.nmfs.noaa.gov/sfa/fisheries\\_eo/status\\_of\\_fisheries/archive/2016/first/q1-2016-stock-status-tables.pdf](http://www.nmfs.noaa.gov/sfa/fisheries_eo/status_of_fisheries/archive/2016/first/q1-2016-stock-status-tables.pdf)

### Questions on the Presentation

Ms. Etrie raised concerns with the use of Groundfish PDT time investigating broad stock area fishing. Mr. Pappalardo stated that the fishery has removed much of its management uncertainty buffer, and the fishery cannot support a higher level of monitoring, which many believe is necessary for the fishery. The Committee should have a broader discussion on accurate catch information.

Ms. Griffin stated that achieving accuracy should be prioritized, and Groundfish PDT's work on precision should be set-aside in the short term. Mr. Pappalardo and Ms. Heil agreed. Ms. Heil stated that a focus on accuracy is important, and the other issues could be developed in a second version, with Groundfish PDT focus on section 1 and 2 of the draft outline to the PDT white paper on groundfish monitoring. Dr. Cournane stated that progress on much of the work could be provided in time for the September Committee meeting, but likely the Groundfish PDT would not have recommendations regarding groundfish monitoring. Regarding Appendix B (analysis of misallocation of catches for multi-stock trips), Ms. Griffin stated that this work on the observer bias issue is important as well, and Dr. Cournane explained that the Groundfish PDT has not yet discussed nor seen this work. It may be possible to have the Groundfish PDT report back on the broader scale analysis first, then report back on a finer-scale analysis at a later date.

The Committee also provided feedback on the dockside monitoring document (Appendix G):

- Modifications made administratively are not captured in the administrative record. Therefore, Committee members suggest reaching out to those involved during the development of Amendment 16, and solicit feedback on the outstanding issues identified throughout the Amendment 16 process.
- Ms. Etrie suggested reaching out to the advisors and Mark Grant (GARFO).
- Clearly detail what the problems were during the development of the DSM program, to avoid having similar issues in the future.
- Ms. Goethel stated that the Council's statement that 100 percent DSM was worthwhile lacks proper context.

Dr. Cournane stated that a discussion on context may be biased and problematic. Dr. Cournane offered one option, to use sector reports to summarize these issues that are not captured through the administrative record.

The Committee agreed that the groundfish advisors may have feedback on how and why the DSM program was inefficient. However, the Groundfish PDT work on this should not affect the Groundfish PDT's primary focus on catch accuracy.

Mr. Alexander noted cost-saving measures to avoid redundant data collections (e.g., DSM and ASM/NEFOP monitoring same trip). Dr. Cournane stated that the Committee should identify missing information within the document, and at some point clarify whether there is an interest in pursuing a future DSM program. Mr. Alexander suggested reaching out to observer companies to investigate issue regarding additional insurance to allow dockside monitors to inspect fish holds.

Joshua Wiersma (Environmental Defense Fund) stated that the Canadian dockside program is very different, and he raised concerns with lack of ability to use DSM data for reporting

purposes. Allowing sectors to use this information in a timely manner should be considered if interested in using DSM for the fishery in the future. The DSM program in Canada also conducts biological sampling. One improvement to the management system under DSM is that it could allow for removal of the uncertainty buffers. He raised concerned that the Committee was comparing the costs of the monitoring programs without addressing the data gaps. He questioned the utility of a DSM program, unless the dockside monitor independently collects information using a maximized retention program. In addition, he felt a consideration of costs for dockside monitor in remote ports should be included and that looking at monitoring on a broad scale is necessary.

#### Committee Discussion on Monitoring

Mr. Alexander stated that DSM is a compliance tool, not an information gathering tool. He argued that biological sampling could occur at the docks, but he felt that compliance should be the primary goal for such program. Ms. Heil stated that there is currently a focus on precision, without focus on accuracy, and given resource constraints this may not be the best approach. She felt that prior to identifying potential changes to the program, the Committee should review the Groundfish PDT work, and use this information to recommend changes to the monitoring program.

Ms. Griffin would like to see a discussion on what drives misreporting of catch information. Dr. Courneane clarified that Sections 1 and 2 of the white paper would not address specific motivators for misreporting activity.

**Other Business:** None.

**The meeting adjourned at 12:00 pm.**