CORRESPONDENCE

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

SEP 27 2016

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

Dear Tom:

We recently completed Northeast (NE) multispecies year-end accounting for the 2015 fishing year, and the final report is attached to this letter.

In fishing year 2015, the total annual catch limits (ACLs) for both northern and southern windowpane flounder were exceeded by more than 20 percent. For both stocks, the overage was greater than the management uncertainty buffers, i.e., catch exceeded the acceptable biological catches (ABCs). As a result, the accountability measures (AMs) for these stocks will take effect in 2017, and are described in more detail below. The total ACL for Atlantic halibut was exceeded by 5 percent, or 5 mt. However, the overage was not greater than the management uncertainty buffer, and therefore the halibut AM is not triggered. Table 1 summarizes these ACL overages.

Table 1. Fishing Year 2015 Windowpane Flounder and Halibut ACLs and Catch

Stock	ABC (mt)	Total ACL (mt)	Catch (mt and percent of ACL or sub-ACL)					
			Total		Groundfish Fishery	Scallop Fishery	State Waters	Other sub-Component
Northern windowpane flounder	151	144	196	136%	75%	-*	84%	275%
Southern windowpane flounder	548	527	643	122%	135%	115%	71%	138%
Atlantic halibut	119	97	102	105%	92%	-	137%	65%

*Scallop catch of northern windowpane flounder is counted toward the other sub-component.

Windowpane Flounder

As you know, the total ACL for northern windowpane flounder has been exceeded for the past 3 fishing years, and as a result the AM for this stock was implemented for the first time in 2014. Unlike previous years, the groundfish fishery did not exceed its sub-ACL for northern windowpane in 2015. Catch from the other sub-component, primarily the scallop fishery, caused the overage. Because no other fishery receives an allocation of this stock, the groundfish fishe

will be held responsible for the overage. The ACL was exceeded by more than 20 percent, and therefore the large AM areas will take effect for all groundfish trawl vessels on May 1, 2017. The Council should consider this information when developing northern windowpane management measures in Framework Adjustment 56 to the NE Multispecies Fishery Management Plan.

The total ACL overage for southern windowpane flounder was due to overages by the groundfish fishery, the scallop fishery, and the other sub-component. Because the ACL was exceeded by more than 20 percent, the large AM areas will take effect on May 1, 2017, for all groundfish trawl vessels, and for non-groundfish trawl vessels fishing with a codend mesh size of 5 inches or greater. The scallop fishery AM restricts the use of dredge gear in the area west of 71° W. longitude, excluding the Mid-Atlantic scallop access areas, for the month of February 2018.

As you know, the size of the windowpane AM area restrictions can be reduced if the stock is rebuilt and the biomass criterion is met. The biomass criterion is defined as the most recent 3-year average of catch per tow from the fall surveys multiplied by 75 percent of F_{MSY} (fishing mortality at maximum sustainable yield). Northern windowpane flounder is not rebuilt, and thus, does not meet the first criterion for this provision. However, because southern windowpane flounder is rebuilt, we reviewed the biomass criterion for this stock. Based on the 2013-2015 fall surveys, the most recent 3-year average catch per tow is 0.32 kg, and when applied to 75% F_{MSY} (1.52), results in 483 mt, which is less than the 2015 catch. As a result, the biomass criterion is not met, and the size of the AM cannot be reduced for southern windowpane flounder at this time. When the 2016 fall survey data become available, we will revisit this determination.

Halibut

The halibut ACL overage is due to catch by non-Federally permitted vessels fishing in state waters, primarily Maine. As the Groundfish Committee has recently discussed, the increasing trend of halibut catch by Maine's state fishery is a concern. We encourage the Council to continue to work with the State of Maine regarding this issue. An overage in the 2016 fishing year is likely if catch increases from 2015 levels. If total catch exceeds the ABC in 2016, it will trigger the AM for the Federal fishery, which includes area restrictions and a prohibition on possession. We will continue to work with the Council on halibut management measures, as well as addressing scientific issues identified in the most recent 2015 operational assessment update.

Sub-ACL Overages

The midwater trawl herring fishery exceeded its sub-ACL for Georges Bank haddock by approximately 4 percent in fishing year 2015. Therefore, the incidental catch cap will be reduced by the overage of 8.5 mt in fishing year 2016.

In fishing year 2015, the recreational sub-ACL for Gulf of Maine (GOM) haddock was exceeded by less than 3 percent. As you know, we already adjusted recreational measures for the 2016 fishing year for GOM cod and GOM haddock. Therefore, this overage does not trigger additional AMs for the recreational fishery.

If you have any questions on the report, please contact Sarah Heil, Groundfish Team Supervisor, at (978) 281-9257.

Sincerely,

John K. Bullard
Regional Administrator

cc: Terry Stockwell, Chair, NEFMC Groundfish Committee
Dr. Jamie Cournane, NEFMC Groundfish Plan Coordinator
Dr. Bill Karp, Director, Northeast Fisheries Science Center

Enclosure

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543-1026

September 23, 2016

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

Dear Tom:

Thank you for highlighting this assessment need. We will discuss the Council's request with the NRCC as part of our joint priority-setting process.

Sincerely,

William A. Karp, Ph.D.
Science and Research Director

cc: R. Beal
C. Moore
J. Bullard

New England Fishery Management Council
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E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

September 16 2016

Dr. William Karp
Science and Research Director
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543

Dear Bill:

On June 22, 2016, the Council passed the following motion:

That the Council ask NMFS to conduct an Atlantic halibut benchmark assessment.

The motion **carried** on a show of hands (14/2/1).

In 2015, the stock assessment model framework for Atlantic halibut was not accepted as best scientific advice by the peer review panel for the groundfish operational assessments. The panel concluded that the Atlantic halibut model used in the 2010 benchmark assessment and 2012 assessment update was no longer acceptable as a scientific basis for catch advice, and that stock status and catch advice should be based on an alternative approach (2015 Halibut Operational Assessment).

Please contact me if you have questions.

Sincerely,

Thomas A. Nies
Executive Director