



New England Fishery Management Council

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 E.F. "Terry" Stockwell, Chairman | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: September 26, 2014
TO: Groundfish Committee
FROM: Groundfish Plan Development Team (PDT)
SUBJECT: **Development of Framework Adjustment 53 (FW 53) to the Multispecies (Groundfish) Fishery Management Plan**

The Groundfish Plan Development Team (PDT) met via webinar on September 24 to discuss the development of Framework Adjustment 53 (FW 53).

Attached to this memo are the *Draft Alternatives Under Consideration, Section 4* in FW 53. The PDT developed these draft alternatives based on the outcomes of the recent Groundfish Committee (Committee) meeting on September 17. The PDT raised additional questions and discussed additional analyses that it will complete to further develop these draft alternatives and address the Committee's motions. Please also refer to the PDT memo to the Committee dated September 12, 2014 on the development of FW 53 for additional considerations.

4.1 Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

- **Scallop Fishery GOM/GB Windowpane Flounder Sub-ACLs (4.1.3)**
 - Based on Committee motion #9, recent scallop fishery catches of northern windowpane flounder, including the 90th percentile, median, and mean, are provided for consideration of a range of fixed percentage values that could be allocated to the scallop fishery.
 - The current alternative uses recent catch history as the basis of the allocation, which is consistent with the development of the GB yellowtail flounder and southern windowpane flounder sub-ACLs for the scallop fishery.
- **GOM/GB and SNE Windowpane Flounder Groundfish sub-ACLs for sector and common pool (Not Developed Yet)**
 - The PDT does not have existing analyses to develop alternatives for this section. This is a new concept based on Committee motion #8.
 - FY 2010- FY 2013 catch information of windowpane flounder is available by sector and common pool components of the groundfish fishery.

- **GOM/GB Windowpane Flounder Bycatch Limit for Sectors (Not Developed Yet)**
 - The PDT does not have existing analyses to develop alternatives for this section. This is a new concept based on Committee motion #5.
 - Based on discussion at the Committee meeting, it is not certain whether this issue could be considered in a Framework Action or if it is best suited for an Amendment. If this issue cannot be considered in FW 53, the PDT noted concerns for how much time it should devote to developing this concept. Additional feedback would be helpful.
 - The PDT did note that the regulations state the following items can be adjusted in a framework: *identifying and distributing ACLs and other sub-components of the ACLs among various segments of the fishery; ...sector allocation requirements and specifications, including the establishment of a new sector, the disapproval of an existing sector, the allowable percent of ACL available to a sector through a sector allocation, and the calculation of PSCs.* 50 CFR 648.90(a)(2)(iii)

4.2 Commercial and Recreation Fishery Measures

- **GOM Cod Inshore Spawning Area Closures (4.2.1)**
 - The PDT drafted Option 2 based on Committee motion #11.
 - The Committee’s approach combines options for spawning closures developed by the PDT in the memo dated 9/12, in which CATT proposed spawning closure areas were examined as directed by the Council at its June meeting.
 - The PDT requests to continue discussing this approach with the Committee in order to refine (e.g., consider gear restrictions, discuss interactions with other inshore closures, etc.) and develop additional recommendations on these measures, including:
 - To which gears or components of the fishery would these alternatives apply? The CATT recommended that spawning area closures should apply to all gear capable of catching groundfish.
 - How does this alternative interact with or replace other similar inshore closures (i.e., Whaleback, rolling closures, WGOM)?
 - For example, the WGOM area closure is a habitat and mortality closure for commercial vessels. Also, if it is extended to the recreational fishery:
 - Should it be considered a mortality or spawning closure?
 - Should there be a seasonal component?
 - In Tables 1– 5, the PDT summarizes existing inshore closures relative to the proposed inshore spawning closures for the commercial and recreational fisheries.
- **Additional Measures for GOM Cod (4.2.2)**
 - The PDT drafted an alternative on trip restriction on trips in the GOM based on Committee motion #13. Does the alternative as drafted captures the Committee’s intent?
 - The PDT has initial concerns that prohibiting fishing unless there is an observer onboard in certain cases could create a bias in the observer data (i.e., requiring observers on particular trips deviates from the stratified random design of the observer program by introducing selection bias to the sampling), and additional

monitoring strata. The existing observer program is resource-limited (i.e., a new program may create additional observer costs beyond the cost of the observer including shore-side data processing. The PDT also recognizes that observers should not be used for enforcement.

- **Rollover of Groundfish Specifications (4.2.3)**
 - The PDT drafted an alternative based on Committee motion #4.
 - The Committee allowed the PDT to examine other alternatives less than 80%. The PDT did not have time to develop additional alternatives at less than 80% and will complete this work in time for the next Committee meeting.

- **Sector ACE Carryover (4.2.4)**
 - The PDT drafted Alternative 2 based on Committee motion #10.

Table 1- Comparison of the time and area of the existing GOM cod spawning closure (Whaleback) and Option 2: Proposed GOM cod spawning closures, with respect to the commercial and recreational fishery.

<i>No Action: Existing Gulf of Maine Cod Spawning Closure (Whaleback)</i>													
Area(s)	Months Closed												
	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
<i>Whaleback</i>													
Commercial	1	Closed	1										Closed
Recreational	3	1	1										1
Note: The Whaleback Cod Spawning Closure Area is located entirely in Block 133, which is closed to all commercial groundfish fishing in April and May by the GOM Rolling Closure.													
<i>Option 2: Proposed Gulf of Maine Cod Spawning Closures</i>													
Area(s)	Months Closed												
	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
<i>30-Minute Block</i>													
124	6	1						1	1	1		1	1
125	6	1						1	1	1		1	1
132	4	1	1									1	1
133	4	1	1									1	1
139	2	1	1										
140	2	1	1										
147	1		1										
All 30-Minute Blocks are west of 70W.													
Option 2 also closes the WGOM Closed Area to Recreational Groundfish Fishing													

Table 2- Comparison of the time and area of the GOM cod and haddock recreational fishing seasons (months that possession is prohibited in FY 2014), the existing GOM cod spawning closure (Whaleback) and Option 2: Proposed GOM cod spawning closures,with respect to the recreational fishery.

Gulf of Maine Cod and Haddock Recreational Fishing Seasons													
Months that Possession is Prohibited in FY2014													
Species	Total Months Possession Prohibited	May	June	July	August	September	October	November	December	January	February	March	April
Cod	7.5					1	1	1	1	1	1	1	0.5
Haddock	3					1	1					1	1
<i>No Action: Existing Gulf of Maine Cod Spawning Closure (Whaleback)</i>													
Months Closed													
Area(s)	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
Whaleback													
Recreational	3	1	1										1
<i>Option 2: Proposed Gulf of Maine Cod Spawning Closures</i>													
Months Closed													
Area(s)	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
30-Minute Block													
124	6	1						1	1	1		1	1
125	6	1						1	1	1		1	1
132	4	1	1									1	1
133	4	1	1									1	1
139	2	1	1										
140	2	1	1										
147	1		1										
All 30-Minute Blocks are west of 70W.													
Option 2 also closes the WGOM Closed Area to Recreational Groundfish Fishing													

Table 3- Comparison of the time and area of the GOM rolling closure areas, sector exemption rolling closure areas, and Option 2: Proposed GOM cod spawning closures, with respect to the commercial fishery.

<i>Option 2: Proposed Gulf of Maine Cod Spawning Closure Areas</i>													
Months Closed													
30-Minute Block	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
124	6	1						1	1	1		1	1
125	6	1						1	1	1		1	1
132	4	1	1									1	1
133	4	1	1									1	1
139	2	1	1										
140	2	1	1										
147	1		1										
All 30-Minute Blocks are west of 70W.													
Option 2 also closes the WGOM Closed Area to Recreational Groundfish Fishing													
GOM Rolling Closure Areas													
Months Closed													
30-Minute Block	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
121	2											1	1
122	2											1	1
123	2											1	1
124	4	1					1	1					1
125	4	1					1	1					1
129	2	1											1
130	2	1											1
131	2	1											1
132	3	1	1										1
133	3	1	1										1
136	1	1											
137	1	1											
138	1	1											
139	2	1	1										
140	2	1	1										
141	1		1										
142	1		1										
143	1		1										
144	1		1										
145	1		1										
146	1		1										
147	1		1										
152	1		1										
Rolling Closure Areas for Groundfish Sectors													
Months Closed													
30-Minute Block	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
124	1												1
125	1												1
132	2	1											1
133	2	1											1
138	1	1											
139	2	1	1										
140	2	1	1										
145	1		1										
146	1		1										
147	1		1										
152	1		1										

Table 4- Comparison of the GOM rolling closures overlaid with Option 2: Proposed GOM cod spawning closures, and the fishery components to which they apply.

Proposed GOM Cod Spawning Closure Areas (Option 2) and GOM Rolling Closures													
Area(s)	Months Closed												
30-Minute Block	Total Months Closed	May	June	July	August	September	October	November	December	January	February	March	April
121	2											1	1
122	2											1	1
123	2											1	1
124	7	1					1	1	1	1		1	1
125	7	1					1	1	1	1		1	1
129	2	1											1
130	2	1											1
131	2	1											1
132	4	1	1									1	1
133	4	1	1									1	1
136	1	1											
137	1	1											
138	1	1											
139	2	1	1										
140	2	1	1										
141	1		1										
142	1		1										
143	1		1										
144	1		1										
145	1		1										
146	1		1										
147	1		1										
152	1		1										

<i>Proposed GOM cod spawning closure areas</i> : 30-Minute Blocks closed to all groundfish fishing (commercial and recreational):	
GOM rolling closure 30-minute blocks closed to sector and common-pool vessels (May, 138):	
GOM rolling closure 30-minute blocks closed to common-pool vessels only:	

Table 5- Comparison of the current rolling closure for common pool (C-P) and sector vessels with Option 2, by block and month in the Western Gulf of Maine only.

30-Minute Block Closures (Rolling and Spawning) by Block and Month for Common-Pool, Sectors, and Option 2

All blockas are west of 69 30'W
Common-Pool is abbreviated C-P

Block 147			
	C-P	Sectors	Option 2
May			
June	1	1	1
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			
April			

Block 146			
	C-P	Sectors	Option 2
May			
June	1	1	
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			
April			

Block 140			
	C-P	Sectors	Option 2
May	1	1	1
June	1	1	1
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			
April			

Block 139			
	C-P	Sectors	Option 2
May	1	1	1
June	1	1	1
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			
April			

Block 138			
	C-P	Sectors	Option 2
May	1	1	
June			
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			
April			

Block 133			
	C-P	Sectors	Option 2
May	1	1	1
June	1		1
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			1
April	1	1	1

Block 132			
	C-P	Sectors	Option 2
May	1	1	1
June	1		1
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			1
April	1	1	1

Block 131			
	C-P	Sectors	Option 2
May	1		
June			
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March			
April	1		

Block 125			
	C-P	Sectors	Option 2
May	1		1
June			
July			
August			
Sept.			
Oct.	1		
Nov.	1		1
Dec.			1
Jan.			1
Feb.			
March			1
April	1	1	1

Block 124			
	C-P	Sectors	Option 2
May	1		1
June			
July			
August			
Sept.			
Oct.	1		
Nov.	1		1
Dec.			1
Jan.			1
Feb.			
March			1
April	1	1	1

Block 123			
	C-P	Sectors	Option 2
May			
June			
July			
August			
Sept.			
Oct.			
Nov.			
Dec.			
Jan.			
Feb.			
March	1		
April	1		

4.0 DRAFT Alternatives Under Consideration

Under the provision of the M-S Act, the Council submits proposed management actions to the Secretary of Commerce for review. The Secretary of Commerce can approve, disapprove, or partially approve the action proposed by the Council. ~~In the following alternative descriptions, measures identified as Preferred Alternatives constitute the Council's proposed management action.~~

4.1 Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

4.1.1 Revised Status Determination Criteria

4.1.1.1 Option 1: No Action

If no action is adopted, there will be no revisions to the status determination criteria for the GB yellowtail flounder stock. The following criteria would apply:

Table 1 – No Action status determination criteria

Stock	Biomass Target (SSB _{MSY} or proxy)	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold (F _{MSY} or proxy)
Gulf of Maine Cod	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP
Gulf of Maine Haddock	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP
Gulf of Maine Winter Flounder	Unknown	Unknown	F40% MSP
Georges Bank Yellowtail Flounder	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP
Georges Bank Winter Flounder	SSB _{MSY}	½ Btarget	F _{MSY}
Pollock	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP

Table 2 – No action numerical estimates of SDCs

Stock	Model	B _{MSY} or Proxy (mt)	F _{MSY} or Proxy	MSY (mt)
Gulf of Maine Cod	ASAP 0.2	54,743	0.18	9,399
	ASAP M-ramp	80,200	0.18	13,786
Gulf of Maine Haddock	ASAP	4,904	0.46	1177
Gulf of Maine Winter Flounder	Area Swept	NA	0.23 exploitation rate	NA
Georges Bank Yellowtail Flounder	VPA	43,200	0.25	9,400
Georges Bank Winter Flounder	VPA	11,800	0.42	4,400
Pollock	ASAP	91,000	0.41	16,200

4.1.1.2 Option 2: Revised Status Determination Criteria

The M-S Act requires that every fishery management plan specify “objective and measurable criteria for identifying when the fishery to which the plan applies is overfished.” Guidance on this requirement identifies two elements that must be specified: a maximum fishing mortality threshold (or reasonable proxy) and a minimum stock size threshold. The M-S Act also requires that FMPs specify the maximum sustainable yield and optimum yield for the fishery.

The NEFSC conducted update assessments in 2014 for the GOM cod, GOM winter flounder, GB winter flounder, and pollock, and a benchmark assessment for GOM haddock. The 2014 GOM haddock benchmark assessment determined that the stock is not overfished and overfishing is not occurring in 2013. Status determination criteria for these stocks remain the same.

The TRAC conducted an assessment in 2014 for GB yellowtail flounder. During the 2014 GB yellowtail flounder assessment, the TRAC agreed to no longer use the VPA assessment model. Because a stock assessment model framework is lacking for this stock, no historical estimates of biomass, fishing mortality rate, or recruitment can be calculated. As well, status determination relative to reference points is not possible because reference points cannot be defined. These are now considered unknown (Table 3).

The 2012 assessment of GOM cod produced two models, M=0.2 and M-ramp. Numerical estimates from both models are provided, based on the updated 2014 assessment (Table 3).

The peer review panels recommended updated numerical values are provided in Table 4 for these stocks.

Rationale: This option would update the status determination criteria for GB yellowtail flounder to reflect the best available scientific information.

Table 3 – Option 2 status determination criteria

Stock	Biomass Target (SSB_{MSY} or proxy)	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold (F_{MSY} or proxy)
Gulf of Maine Cod	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP
Gulf of Maine Haddock	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP
Gulf of Maine Winter Flounder	Unknown	Unknown	F40% MSP
Georges Bank Yellowtail Flounder	Unknown	Unknown	Unknown
Georges Bank Winter Flounder	SSB _{MSY}	½ Btarget	F _{MSY}
Pollock	SSB _{MSY} : SSB/R (40% MSP)	½ Btarget	F40% MSP

Table 4 – Option 2 numerical estimates of SDCs

Stock	Model	B_{MSY} or Proxy (mt)	F_{MSY} or Proxy	MSY (mt)
Gulf of Maine Cod	ASAP 0.2	47,184	0.18	7,753
	ASAP M-ramp	69,621	0.18	11,388
Gulf of Maine Haddock	ASAP	4,108	0.46	955
Gulf of Maine Winter Flounder	Area Swept	NA	0.23 exploitation rate	NA
Georges Bank Yellowtail Flounder	Empirical Area Swept	NA	NA	NA
Georges Bank Winter Flounder	VPA	8,100	0.44	3,200
Pollock	ASAP	76,900	0.42	14,800

4.1.2 Annual Catch Limits

4.1.2.1 Option 1: No Action

If the No Action is selected, the specifications for FY 2015-FY 2016 would remain as adopted by FW 51. For GOM winter flounder, GB winter flounder, GB yellowtail flounder, and pollock there would not be any specifications for these years. The FY 2015 - FY 2016 ABCs would be as specified in Table 5.

If this option is selected, there would be no FY 2015 quotas specified for the transboundary Georges Bank stocks, which are managed through the US/CA Resource Sharing Understanding. These quotas are specified annually.

Rationale: Because there would not be any specifications for some stocks under this action, it would not address M-S Act requirements to achieve OY and consider the needs of fishing communities.

**Table 5 – No Action/Option 1 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY 2015 (metric tons, live weight).
 Values are rounded to the nearest metric ton.**

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Ground-fish Sub-ACL	Comm Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-Sector Ground-fish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
GB Cod	2015	4,191	2,506	25	100	0	2,262		0	2,223	39	0	2,387
	2016												
	2017												
GOM Cod	2015	2,639	1,550	103	51	0		830	486	812	18	0	1,470
	2016												
	2017												
GB Haddock	2015	56,293	43,606	436	1,744	0	38,940		0	38,814	126	406	41,526
	2016												
	2017												
GOM Haddock	2015	561	435	6	9	0		280	111	278	2	4	412
	2016												
	2017												
GB Yellowtail Flounder	2015												
	2016												
	2017												

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Formal Rebuilding Programs and Annual Catch Limits

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Ground-fish Sub-ACL	Comm Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-Sector Ground-fish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
SNE/MA Yellowtail Flounder	2015 2016 2017	1,056	700	7	28	64	566		0	471	95	0	665
CC/GOM Yellowtail Flounder	2015 2016 2017	1,194	548	33	11	0	479		0	466	13	0	523
American Plaice	2015 2016 2017	2,021	1,544	31	31	0	1,408		0	1,383	25	0	1,470
Witch Flounder	2015 2016 2017	1,846	783	23	117	0	610		0	599	11	0	751
GB Winter Flounder	2015 2016 2017												
GOM Winter Flounder	2015 2016 2017												
SNE/MA Winter Flounder	2015 2016 2017	4,439	1,676	235	168	0	1,210		0	1,074	136	0	1,612
Redfish	2015 2016 2017	16,845	11,974	120	239	0	11,034		0	10,990	44	0	11,393

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Formal Rebuilding Programs and Annual Catch Limits

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Ground-fish Sub-ACL	Comm Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-Sector Ground fish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
White Hake	2015	6,237	4,713	47	94	0	4,343		0	4,312	31	0	4,484
	2016	6,314	4,645	46	93	0	4,280		0	4,250	30	0	4,420
	2017												
Pollock	2015												
	2016												
	2017												
N. Window-pane Flounder	2015	202	151	2	44	0	98		0	0	98	0	144
	2016												
	2017												
S. Window-pane Flounder	2015	730	548	55	186	183	102		0	0	102	0	527
	2016												
	2017												
Ocean Pout	2015	313	235	2	21	0	197		0	0	197	0	220
	2016												
	2017												
Atlantic Halibut	2015	198	119	48	6	0	62		0	0	62	0	116
	2016												
	2017												
Atlantic Wolffish	2015	94	70	1	3	0	62		0	0	62	0	65
	2016												
	2017												

4.1.2.2 Option 2: Revised Annual Catch Limit Specifications

The annual specifications for FY2015 through FY2016, and FY 2015 through FY 2017 for Pollock, GOM winter flounder, GB winter flounder, GOM haddock, GOM cod would be as specified in Table 8. For all other stocks, except the transboundary Georges Bank stocks, the specifications included in Table 5 are the values previously adopted in FW 50 and FW 51 and would be the same as those included in the No Action Alternative. Table 9 provides the preliminary common pool incidental catch TACs for Special Management Programs, based on the ACLs provided in Table 8, and Table 10 provides the Closed Area I Hook Gear Haddock SAP.

U.S./Canada TACs

This alternative would specify TACs for the U.S./Canada Management Area for FY 2015 as indicated in Table 6 below. If NMFS determines that FY 2014 catch of GB cod, haddock, or yellowtail flounder from the U.S./Canada Management Area exceeded the respective 2014 TAC, the U.S./Canada Resource Sharing Understanding and the regulations require that the 2015 TAC is reduced by the amount of the overage. Any overage reduction would be applied to the components of the fishery that caused the overage of the U.S. TAC in 2014. In order to minimize any disruption to the fishing industry, NMFS would attempt to make any necessary TAC adjustment in the first quarter of the fishing year.

Table 6 – Proposed FY 2015 U.S./Canada TACs (mt) and Country Shares

TAC	Eastern GB Cod	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared TAC	650 mt	37,000 mt	354 mt (Total ABC)
U.S. TAC	124 mt	17,760 mt	248 mt (US ABC)
Canada TAC	526 mt	19,240 mt	106 mt

A comparison of the proposed FY 2015 U.S. TACs and the FY 2014 U.S. TACs is shown in Table 7. Changes to the U.S. TACs reflect changes to the percentage shares, stock status, and the Transboundary Management Guidance Committee (TMGC) recommendations.

Table 7 – Comparison of the Proposed FY 2015 U.S. TACs and the FY 2014 U.S. TACs (mt)

Stock	U.S. TAC		Percent Change
	FY 2015	FY 2014	
Eastern GB cod	124 mt	154 mt	-19.5 %
Eastern GB haddock	17,760 mt	10,530 mt	+ 68.7 %
GB yellowtail flounder	248 mt	328 mt	-34.5 %

Rationale: This measure would adopt new specifications for groundfish stocks that are consistent with the most recent assessment information. For all stocks, only one alternative to No Action is shown. This is because these catches represent the best scientific information, as determined by the Council’s Science

and Statistical Committee, and the M-S Act requires that catches not be set higher than these levels. Any catches below these levels would not mitigate economic impact on fishing communities.

The U.S. and Canada coordinate management of three stocks that overlap the boundary between the two countries on Georges Bank. Agreement on the amount to be caught is reached each year by the TMGC. This measure considers the recommendations of the TMGC that are consistent with the most recent assessments of those stocks.

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Table 8 – Option 2 Northeast Multispecies OFLs, ABCs, ACLs and other ACL sub-components for FY 2015 – FY 2017 (metric tons, live weight). Values are rounded to the nearest metric ton. Sector shares based on 2014 PSCs. Only stocks that are underlined are proposed to be adjusted. Other stocks are provided for informational purposes. Grayed out values will be adjusted as a result of future recommendations of the TMGC. The SSC will be meeting in October to recommend ABCS/OFLs for GOM winter flounder, GB winter flounder, and pollock stocks and this table will be updated accordingly prior to Final Action.

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Ground-fish Sub-ACL	Comm Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-Sector Ground-fish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
<u>GB Cod</u>	2015	4,191	2,506	25	100	0	2,262		0	2,223	39	0	2,387
	2016												
	2017												
<u>GOM Cod</u>	2015	514	200	13	7	0	170	107	63	105	2	0	190
	2016	514	200	13	7		170	107	63	105	2		
	2017	514	200	13	7		170	107	63	105	2		
<u>GB Haddock</u>	2015	56,293	24,366	244	975	0	21,759	21,759		21,608	150	227	23,204
	2016												
	2017												
<u>GOM Haddock</u>	2015	1,871	1,454	21	32	0	1,309	938	372	928	9	14	1,376
	2016	2,270	1,772	26	39		1,596	1,143	453	1,131	11	16	1,677
	2017	2,707	2,125	31	46		1,914	1,370	543	1,357	14	20	2,010
<u>GB Yellowtail Flounder</u>	2015		248		5	38	192	192		189	3	5	240
	2016		354		7	55	275	275		270	4	7	343
	2017												

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Formal Rebuilding Programs and Annual Catch Limits

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Ground-fish Sub-ACL	Comm Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-Sector Ground-fish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
SNE/MA Yellowtail Flounder	2015	1,056	700	7	28	64	566	0	471	95	0	665	
	2016												
	2017												
CC/GOM Yellowtail Flounder	2015	1,194	548	33	11	0	479	0	466	13	0	523	
	2016												
	2017												
American Plaice	2015	2,021	1,544	31	31	0	1,408	0	1,383	25	0	1,470	
	2016												
	2017												
Witch Flounder	2015	1,846	783	23	117	0	610	0	599	11	0	751	
	2016												
	2017												
<u>GB Winter Flounder</u>	2015												
	2016												
	2017												
<u>GOM Winter Flounder</u>	2015												
	2016												
	2017												
SNE/MA Winter Flounder	2015	4,439	1,676	235	168	0	1,210	0	1,074	136	0	1,612	
	2016												
	2017												
Redfish	2015	16,845	11,974	120	239	0	11,034	0	10,990	44	0	11,393	
	2016												
	2017												

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Formal Rebuilding Programs and Annual Catch Limits

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Ground-fish Sub-ACL	Comm Ground-fish Sub-ACL	Rec Ground-fish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non-Sector Ground fish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
White Hake	2015	6,237	4,713	47	94	0	4,343		0	4,312	31	0	4,484
	2016	6,314	4,645	46	93	0	4,280		0	4,250	30	0	4,420
	2017												
<u>Pollock</u>	2015												
	2016												
	2017												
N. Window-pane Flounder	2015	202	151	2	44	0	98		0	0	98	0	144
	2016												
	2017												
S. Window-pane Flounder	2015	730	548	55	186	183	102		0	0	102	0	527
	2016												
	2017												
Ocean Pout	2015	313	235	2	21	0	197		0	0	197	0	220
	2016												
	2017												
Atlantic Halibut	2015	198	119	48	6	0	62		0	0	62	0	116
	2016												
	2017												
Atlantic Wolffish	2015	94	70	1	3	0	62		0	0	62	0	65
	2016												
	2017												

Table 9 – Option 2 Preliminary Common Pool Incidental Catch TACs for Special Management Programs (metric tons, live weight). These values may change as a result of changes in sector membership. White hake is no longer a stock of concern and has been removed.

Stock	Regular B DAS Program		Closed Area I Hook Gear Haddock SAP		Eastern U.S./Canada Haddock SAP	
	2015	2016	2015	2016	2015	2016
GB cod	0.3	-	0.1	-	0.2	-
GOM cod	-	-				
GB yellowtail flounder	0.03	0.04			0.03	0.04
CC/GOM yellowtail flounder	0.2	-				
American Plaice	1.3	-				
Witch Flounder	0.6	-				
SNE/MA winter flounder	1.5	-				

Table 10 – FY 2015-2016 CAI Hook Gear Haddock SAP TACs (to be updated)

Year	Exploitable Biomass (thousand mt)	WGB Exploitable Biomass	B(year)/B2004	TAC (mt, live weight)
2015				
2016				

4.1.3 GOM/GB Windowpane Flounder Sub-ACLs

4.1.3.1 Option 1: No Action

There would not be any additional sub-ACLs adopted for GOM/GB windowpane flounder. Only the multispecies fishery would have a sub-ACL for this stock and the AMs for the multispecies fishery must be sufficient to account for overages of the overall ACL.

Rationale: This option would not distribute the ACL for GOM/GB windowpane flounder to other fisheries. This option would simplify accounting, but would mean that the groundfish fishery would be responsible for any overages of the ACL.

4.1.3.2 Option 2: Scallop Fishery GOM/GB Windowpane Flounder Sub-ACL

If this option is adopted, a sub-ACL of GOM/GB (northern) windowpane flounder would be allocated to the scallop fishery based on recent scallop fishery catches (as a percent of the total) for the period calendar year 2001 through 2010. The selected percentage of the ABC would be used to determine the scallop fishery sub-ABC, and then adjusted for management uncertainty to get the scallop fishery sub-ACL. Catches of this stock by scallop vessels would no longer be counted as part of the “other sub-components” category of the ACL, and the amount set-aside for the other sub-components would be reduced.

Prior to 2004, there was limited observer coverage of the General Category scallop dredge fleet, and discards from this fleet were not included in the 2012 Assessment Update for GOM/GB windowpane flounder. From 2004 to 2011, the average General Category catch of this stock was 4 mt, and this catch assumption was added to the scallop fishery catch values for each year from 2001 through 2010.

Based on these updated catches for calendar year 2001-2010 (see Table 11):

- The 90th percentile would be 14 % (rounded up from 13.7%) of all catches for this stock.
- The median would be 8% (rounded up from 7.6%) of all catches for this stock.
- The mean would be 8% (rounded up from 7.8%) of all catches for this stock.
- The range would be 2 % (rounded down from 2.2%) to 14% (rounded up from 13.9%) of all catches for this stock.

Specific scallop fishery AMs would be adopted by the scallop FMP within one year of the implementation of this sub-ACL. Any scallop fishery overage in FY 2015 would be subject to the AMs that are adopted. Consistent with the approach adopted in Framework 47 for the scallop fishery, any scallop fishery AMs for this sub-ACL would only be triggered if: 1) the scallop fishery sub-ACL is exceeded and the total ACL is also exceeded; or 2) the scallop fishery sub-ACL is exceeded by more than 50 percent.

Rationale: The scallop fishery catches of this stock are large enough that the effectiveness of the AM system could be undermined if those catches are not constrained and subject to an AM. In addition, adopting an allocation for the scallop fishery would also ensure the groundfish fishery is not negatively affected by any overage caused by the scallop fishery. The scallop fishery is virtually the sole contributor of the other sub-component catches. For these reasons, only this component was pursued for development of an allocation at this time.

Table 11– Limited access scallop fishery discards of GOM/GB windowpane flounder, 2001-2010.
Landings were less than 1 metric ton in all years. Catch from Table I2 in the 2012 GF Updates pp. 571.
LA Scallop Dredge from Table I5 in the 20112 GF Updates pp. 573-574. Gen Cat estimated at 4 mt,
average of 2004-2011 discards using the same method as the in the 2012 GF Updates.

Calendar Year	Catch (mt)	Limited Access Scallop Dredge (mt)	Limited Access Scallop Fishery Catches as Percent of Total	General Category Scallop Fishery Catch Assumption (mt)	Total Scallop Fishery Catch As Percent of Total
	A	B	B/A	C	(B+C)/(A+C)
2001	229	22	9.6%	4	11.2%
2002	176	21	11.9%	4	13.9%
2003	377	13	3.4%	4	4.5%
2004	328	7	2.1%	4	3.3%
2005	968	17	1.8%	4	2.2%
2006	683	73	10.7%	4	11.2%
2007	1091	98	9.0%	4	9.3%
2008	376	43	11.4%	4	12.4%
2009	440	15	3.4%	4	4.3%
2010	236	9	3.8%	4	5.4%
		Mean (average), 2001-2010	6.7%		7.8%
		Median, 2001-2010	6.4%		7.6%
		90th percentile, 2001-2010	11.9%		13.7%

4.2 Commercial and Recreational Fishery Measures

4.2.1 GOM cod spawning area closures

4.2.1.1 Option 1: No Action

The No Action alternative maintains the current GOM cod spawning protection area management measures in the inshore GOM for commercial and recreational vessels.

GOM Cod Spawning Closure Area (Whaleback)

The Whaleback closure area is defined by the following coordinates and illustrated in Figure 1.

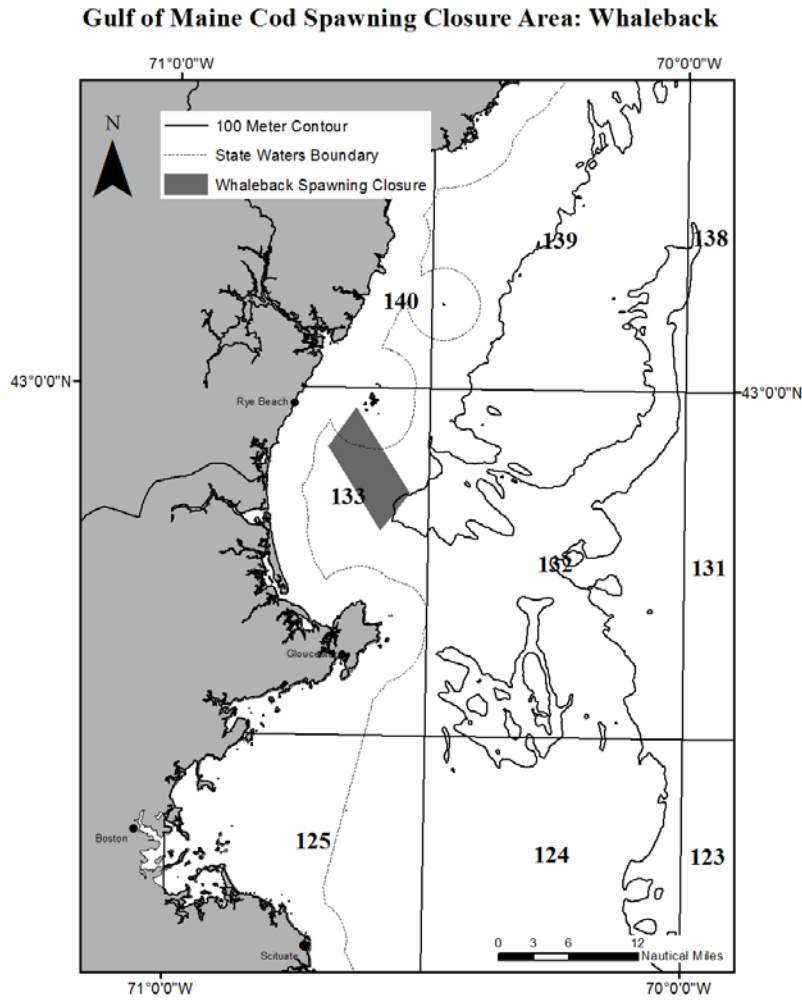
42-50.95 N	70-32.22 W
42-47.65 N	70-35.64 W
42-54.91 N	70-41.88 W
42-58.27 N	70-38.64 W

Provisions that apply to the area:

- All commercial fishing vessels using gear capable of catching groundfish are prohibited from fishing in the area from June 1 through June 30. Only fishing with exempted gear (that is, gear deemed not capable of catching groundfish as defined by 50 CFR 648.2) is allowed in the area.
- Recreational fishing vessels (including party-charter vessels) are subject to the following restrictions:
 - All recreational fishing vessels using gear capable of catching groundfish are prohibited from fishing in the area from April through June. Only pelagic hook and line gear, as defined in the commercial fishing exempted gear regulations, is allowed for use in the area.
- A fishing vessel (commercial or recreational) may transit the area as long as gear is properly stowed in accordance with regulations promulgated by the Regional Administrator.
- The take or possession of any groundfish species by vessels using exempted gear in this area from April through June is prohibited.

Rationale: This measure restricts commercial and recreational fishing in an inshore area in the GOM that has been identified as being important for cod spawning. This closure is designed to reduce fishing impacts on spawning cod and thus contribute to be further rebuilding of the GOM cod stock. The area is intended to provide protection to spawning cod by limiting fishing at times and areas when catch rates are high, by reducing targeting of large repeat spawners, and by preventing fishing from interfering with spawning activity.

Figure 1- Existing Gulf of Maine Cod Spawning Closure Area (Whaleback) is shown in gray located within Block 133.



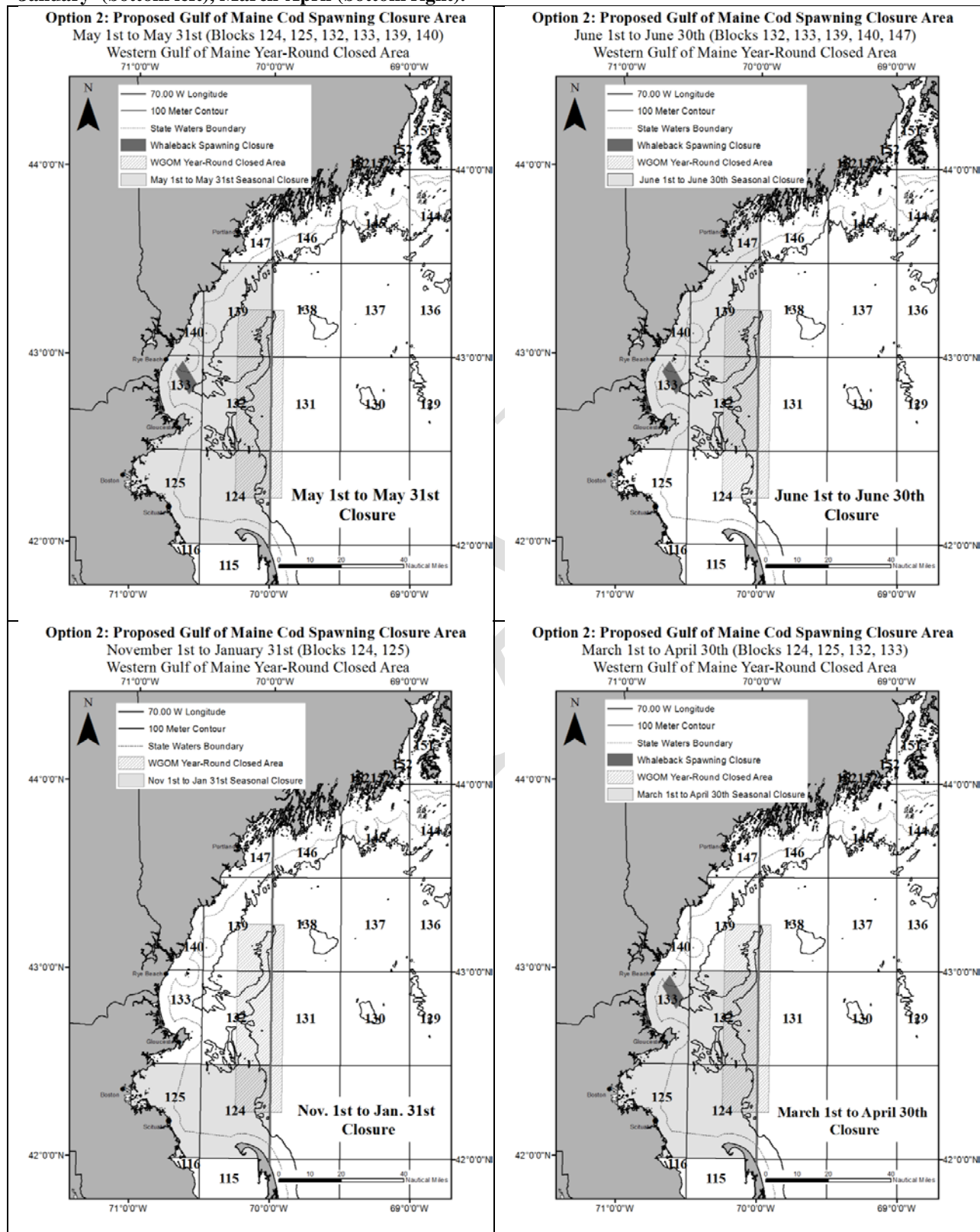
4.2.1.2 Option 2: Adopt additional inshore spawning closures for GOM cod

If selected, this option would add additional GOM cod spawning closures in the Gulf of Maine for commercial and recreational groundfish fisheries. GOM cod spawning area closures would be created in discreet 30-minute blocks in March, April, May, and June as suggested in the CATT peer-reviewed analysis. Blocks 124 and 125 would be closed from November 1st to January 31st, based on recent studies that identify spawning aggregations of GOM cod. The area covered by the existing Western Gulf of Maine (WGOM) Closed Area would also be closed- due to spawning considerations – to recreational groundfishing (this area is already closed to commercial groundfish fishing). The proposed GOM cod spawning areas coincide with other management measures in time and space (i.e., rolling closures, WGOM, Whaleback).

All commercial and recreational groundfish fishing would be prohibited in the following 30-minute blocks (Figure 2):

- May: 124, 125, 132, 133, 139, 140
- June: 132, 133, 139, 140, 147
- November – January: 124-125
- March-April: 124, 125, 132, 133

Figure 2: Option 2 proposed GOM cod spawning closure areas in May (top left), June (top right), November-January (bottom left), March-April (bottom right).



Rationale: This measure would restrict commercial and recreational fishing in inshore areas in the GOM that have been identified as being important for cod spawning by the CATT and recent studies. This alternative is designed to reduce fishing impacts on spawning cod and thus contribute to rebuilding the GOM cod stock. Fishing can interfere with spawning success and therefore productivity in a number of ways including: removal of spawning fish before they have had the opportunity to spawn, dispersal of spawning fish, and disruption of spawning behavior. The closure areas are intended to provide protection to spawning cod by limiting fishing at times and areas when cod are in spawning condition, and by preventing fishing from interfering with spawning activity.

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4.2.2 Additional Measures for GOM cod

4.2.2.1 Option 1: No Action

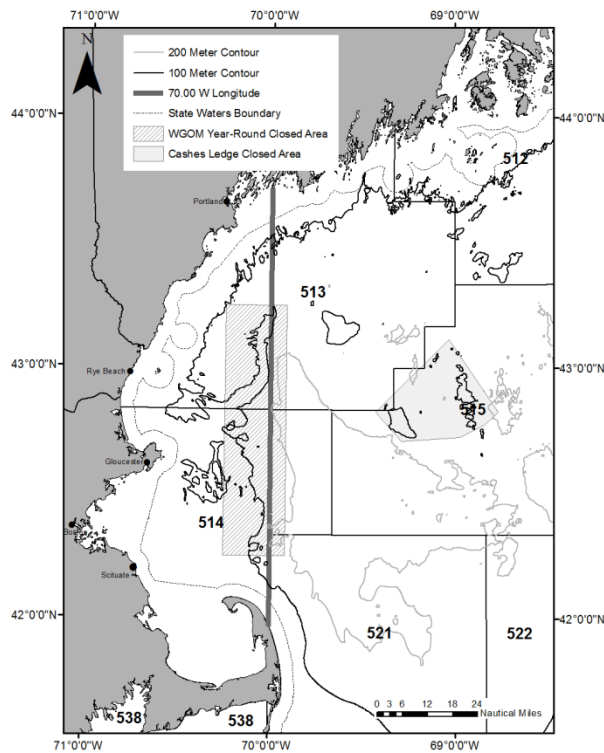
Commercial vessels are permitted to fish throughout the Gulf of Maine, and in multiple broad stock areas on a given trip, provided they comply with all applicable federal reporting requirements. Vessels would not be subject to any additional restrictions based whether or not there is observer onboard on a given trip.

4.2.2.2 Option 2: Restrictions on trips in the GOM

If selected, Option 2 would prohibit commercial vessels fishing west of 70° W longitude from also fishing east of 70° W longitude, or in another broad stock area, on the same trip, unless carrying an observer (Figure 3). Vessels fishing east of 70° W longitude in a one broad stock area (i.e., GOM or GB) may not fish west of this line or in another broad stock area (i.e., GOM or GB) on the same trip without an observer.

Rationale: This measure aims to improve catch accounting by restricting where commercial vessels can fish when not carrying an observer. Vessels carrying an observer would not be restricted by this measure.

Figure 3- Map of the 70° W longitude reporting line.



4.2.3 Rollover of Groundfish Specifications

4.2.3.1 Option 1: No Action

In the event of a rulemaking delay, there would be no fishing for stocks without specifications in place on May 1, nor any fishing for other groundfish stocks that share the same Broad Stock Area as stocks with no specifications.

Rationale: Because the fishing year may not start on time, it would not address M-S Act requirements to achieve OY and consider the needs of fishing communities.

4.2.3.2 Option 2: Percentage Rollover Provisions for Specifications

A percentage of the prior year's ACL would be rolled over in the absence of specifications at the start of the fishing year due to a delay in rule making. A percentage less than 100% of the prior year's ACL reflects a more precautionary approach to rollover provisions than carrying forward 100% of the prior year's specifications. Rollover specifications would be replaced by OFL, ABC, and ACL values upon rulemaking. Catches occurring while rollover specifications are in place (after May 1st through final rulemaking) would be counted against the updated ACL for the FY.

At the start of the fishing year, 20% of Sector's ACE is withheld for the first two months of the FY (61 days) to account for any overages in the previous year as catch numbers are finalized. While this is a precaution taken to address compliance with catch limits for the previous FY, the reduction in available ACE does build in additional precaution against enabling overfishing during the following FY. The common-pool operates under a trimester regime in which a stock's TAC area is closed when the fishery Trimester TAC is caught. Accounting occurs within the fishing year by reducing the Trimester 3 TAC by the overage in Trimester 1. Overages of non-allocated stocks are not subject to in-season accountability measures.

Sub-Option 2A: 80% Rollover of all groundfish stocks to the following FY.

If selected, this approach would allow for an 80% rollover of the prior year's ACL for all groundfish stocks for the start of the following FY.

Rationale: This measure would allow a directed groundfish fishery to begin on-time in the event that specifications were not in place in time for the start of the fishing year. Reducing the allowable catch in the fishery by 20% builds in precaution to protect stocks whose status may have changed. The total ACL would be reduced by 20%, but nothing in this measure would change the distribution of the commercial (sector and common pool) and recreational fishery allocations.

4.2.4 Sector ACE Carryover

4.2.4.1 Option 1: No Action

The no action alternative would continue to allow groundfish sectors to carry over 10% of their unused ACE, despite a ruling from the U.S. District Court for the District of Columbia that invalidated and vacated carryover provisions in Framework Adjustment 50. The ruling specified that the value of the stock-specific ACL plus the carryover of unused ACE may not exceed the following year's ABC.

4.2.4.2 Option 2: Modification to Sector ACE carryover

This option would cap the maximum available unused sector ACE carried over from the previous fishing year (e.g., FY 2014) at the ABC level minus the ACL for the fishing year in which the carryover will be landed (e.g., FY 2015). In addition, this alternative includes the previously used accountability measure criteria developed for the June 2014 emergency action: sectors would continue to be required to pay back carried over catch used only when both the sector sub-ACL and total stock ACL are exceeded.

Rationale: This option addresses the U.S. District Court for the District of Columbia's April 4, 2014 ruling on NMFS' carryover-related Framework Adjustment 50 measures. The ruling invalidated and vacated the fishing year 2013 carryover measures. The ruling also specified that a 'total potential catch' – the stock level ACL plus 10% unused ACE carryover – cannot exceed Acceptable Biological Catch (ABC) for any stock. NMFS has indicated that adopting Option 2 is an essential requirement for the FMP and should be addressed in FW 53 to ensure optimal public process. If the Council does not take action to modify the carryover-related measures in conjunction with FW 53, NMFS would likely be required to take unilateral action.

A revision to the Groundfish FMP implemented through a regulatory change is necessary to cap the amount of carryover that can be harvested to ensure that the 'total potential catch' (i.e., total ACL + max. carryover) does not exceed the ABC for the fishing year in which the carried over ACE may be harvested.