

New England Fishery Management Council
Joint Groundfish Committee and Groundfish Advisory Panel Meeting

Danvers, Massachusetts

November 25, 2019

Meeting Motions

Framework Adjustment 59

Groundfish Advisory Panel Motions

GAP Motion 1: Raymond/Odell

The Groundfish Advisory Panel recommends to the Groundfish Committee that the Committee recommend that the Council remand back to the Scientific and Statistical Committee the ABC recommendations for plaice, both haddock stocks (GOM and GB), and pollock.

Rationale: Based on the condition of these stocks, the SSC should have used the 75% F_{MSY} projections under the groundfish ABC control rule.

75% F_{MSY} is sufficient scientific uncertainty buffer between OFL and ABC given the status of these stocks:

- GB haddock – not overfished/no overfishing; SSB is 365% of the biomass target
- GOM haddock – not overfished/no overfishing; SSB is 1035% of the biomass target
- Plaice – not overfished/no overfishing; SSB is 116% of the biomass target
- Pollock -not overfished/no overfishing; SSB is 170% of the biomass target

GAP Motion 1 *carried* 6/1/0.

GAP Motion 2: Raymond/Goethel

The Groundfish Advisory Panel recommends to the Groundfish Committee the Committee task the Plan Development Team with developing explicit criteria for use of the constant ABC approach as candidate for OFL/ABC, including rationale for holding the lowest projection constant.

Rationale: The control rule is currently silent on criteria for use of the constant ABC approach yet is being consistently used by the SSC in OFL/ABC recommendations.

GAP Motion 2 *carried* 6/0/0 (one out of room).

GAP Motion 3: Odell/Goethel

The Groundfish Advisory Panel recommends to the Groundfish Committee to the Council to remand the GOM cod catch advice back to the SSC to consider: that the model averaging for GOM cod include the 3 model runs put forward by the Groundfish PDT which include: M=0.2 75% F_{MSY} (843mt), M=0.2 75% F_{msy} Rho Adjusted (526mt) and Mramp=0.4 75% F_{MSY} (577 mt). Model averaging results in an ABC of 649 mt for FY2020-FY2022.

Rationale: Natural Mortality has been and continues to be a big source of uncertainty, yet it is a key component of the rebuilding plan that has been accepted. The peer review did not accept the Rho Adjusted M=0.2 model as a base run. Instead, it recommended the model be put forward to the SSC for a “sensitivity run” only with other model runs. Model averaging using the M ramp is consistent with prior SSC recommendations. The ABC of 649 mt is a reduction from the 2019 ABC of 702 mt. The low quotas do not reflect reality, experience of the fishermen on the water, nor does it reflect the signals generated by the recreational fleet that has caught its sub-ACL in shorter seasons. The fishery is already operating at bycatch only levels. Prior low quotas resulted in exceptionally high discards for the recreational fleet. With MRIP revisions under consideration for GOM cod, this sector may receive a higher percentage of the total catch which will result in higher discards. The increase of GOM haddock for both the recreational and commercial fishery, as well as other ABC increases for groundfish stocks for 2020-2022, requires GOM cod. Monitoring in sector program is 31% 2019, with significantly higher levels being considered under Amendment 23. In addition, the SSC recommendation needs to factor in the Council’s Risk Policy.

GAP Motion 3 *carried* 6/1/0.

GAP Motion 4: Odell/Raymond

The Groundfish Advisory Panel recommends to the Groundfish Committee that under FW 59 in Section 4.1.2.1 (Option A-Recreational Fishery Georges Bank Cod Catch Target) include an option (Option A3) that revises the recreational catch target to 152 mt for FY2020-FY2022.

Calculation: 152 mt represents a 2 x increase from the most recent 2018 fishing year MRIP revised catch estimate of 76 mt.

Rationale: Fishing year 2018 is the most recent fishing year whereby regulatory measures (bag restrictions) were implemented to manage catch. Prior years there were no restrictions on GB cod for the “Other” component of the fishery. The most recent 2019 stock assessment used the 2018 GB cod (catch and discard) MRIP revised estimate of 76 mt. The PDT Memo dated October 23,2019 to the GF Committee notes that: “MRIP estimates of Georges Bank cod catch are highly variable and uncertain. The MRIP catch estimates frequently have high (greater than 50) proportional standard errors (PSE) which means that the estimate is imprecise.” Although this appears as an increase in allowable catch from the 2018 estimate, notably when the GB cod ABC is decreasing in 2020 based on updated stock assessment results (approximately 30% reduction), it should provide room for the uncertainty and variability with MRIP estimates and continue to create a target from which regulations should be developed. Additionally, when considering the PDT sub-component analysis for FW 59, the revised 152 mt catch target would not dramatically

increase the % of the ABC in the “Other” category (includes federal recreational) to levels higher than contemplated under Amendment 16, which served largely as the basis for the development of a catch target. Under the PDT sub-component analysis, the 152 mt would be similar the estimates provided for 138 mt = FY 2019 8.5% to 11% “Other” instead of the RAP recommendation of 288 mt = FY 8.5% to 22% “Other”) as the ABC for GB cod is decreasing in 2020-2020.

GAP Motion 4 *carried* 7/0/0.

GAP Motion 5: Odell/Raymond

The Groundfish Advisory Panel recommends to the Groundfish Committee to (in the next available regulatory action) change the way the Gulf of Maine cod and haddock sub-ACLs be calculated. That is, the recreational sub-ACL should be calculated in the same way the groundfish sub-ACL, after the state waters and other sub-component catch is deducted.

Note: This motion passed the GAP in 2017 after review of the 2017 PDT sub-component analysis and review of ABC distribution process.

GAP Motion 5 *carried* 6/0/1.

GAP Motion 6: Odell/Soule

The Groundfish Advisory Panel recommends to the Groundfish Committee that a revised process be established for the PDT sub-component analysis that expands upon the three-year average catch to include flagging stocks whereby the three-year average catch lies outside of a reasonable range of change in the approved ACL and reported status of the stock.

Rationale: This motion passed the GAP in 2017 after review of the 2017 PDT sub-component analysis. Currently process is disconnected from reported stock status and increases or decreases in ABCs based on status report and rebuilding targets.

GAP Motion 6 *carried* 6/0/1.

GAP Motion 7: Raymond/Odell

The Groundfish Advisory Panel recommends to the Groundfish Committee that if the Council’s remanding back of the GB haddock ABCs to SSC leads to ABCs that are significantly increased, the Committee would need to reevaluate if a 2% sub-ACL for GB haddock in the midwater trawl Atlantic herring fishery would be necessary.

GAP Motion 7 *carried* 6/0/1.



Framework Adjustment 59/Specifications

Groundfish Committee Motions

GF CMTE Motion 1: Etrie/Mendelsohn

For inclusion as a 2020 priority, the Groundfish Committee tasks the Groundfish Plan Development Team with developing explicit criteria for use of the constant ABC approach as candidates for OFLs/ABCs, including rationale for holding the lowest projection constant.

GF CMTE motion 1 *carried* 9/0/1.

GF CMTE Motion 2: Etrie/Mendelsohn

The Groundfish Committee recommends that the Council remand back to the Scientific and Statistical Committee the ABC recommendations for American plaice, both haddock stocks (GOM and GB), and pollock.

GF CMTE Motion 3: Pappalardo/Etrie

Move to table GF CMTE Motion 2 until Council meeting next week.

GF CMTE Motion 3 *carried* by consensus and without objection.

GF CMTE Motion 4: Etrie/Kendell

The Groundfish Committee recommends to the Council to remand the GOM cod catch advice back to the SSC to consider: that the model averaging for GOM cod include the 3 accepted model runs put forward by the Groundfish PDTs which include: $M=0.275\%FMSY$ (843mt), $M=0.275\%Fmsy$ Rho Adjusted (526mt) and $Mramp=0.475\%FMSY$ (577 mt). Model averaging results in an ABC of 649 mt for FY2020-FY2022.

GF CMTE Motion 5: Pappalardo/Bellavance

Move to table until the Council meeting next week.

GF CMTE Motion 5 *carried* by consensus and without objection.

GF CMTE Motion 6: Etrie/Mendelsohn

For inclusion as a priority for 2020, the Groundfish Committee (in the next available regulatory action) consider the way the Gulf of Maine cod and haddock sub-ACLs be calculated. That is, the recreational sub-ACL could be calculated in the same way the groundfish sub-ACL, after the state waters and other sub-component catch is deducted.

GF CMTE Motion 7: Griffin/McKenzie

Move to table GF CMTE Motion 6 until the 2020 priorities discussion today

GF CMTE Motion 7 *carried* by consensus and without objection.

GF CMTE Motion 8: Etrie/Mendelsohn

The Groundfish Committee recommends to the Council that under FW 59 in Section 4.1.2.1 (Option A-Recreational Fishery Georges Bank Cod Catch Target) include an option (Option A3) that revises the recreational catch target to 152 mt (FY2018 recreational catch of 76 mt multiplied by 2) for FY2020-FY2022 for use in the PDT's sub-component analysis (rather than for developing management measure as previously used) and selects this new option (Option A3) as its final preferred alternative, and in Section 4.2 Action 2 – Recreational Fishery Measures for Georges Bank Cod, the Committee recommends to the Council 4.2.1 Alternative 1 – No Action as the final preferred alternative.

GF CMTE Motion 8 *failed* 1/7/2.

GF CMTE Motion 9: Etrie/Griffin

In Section 4.1 Action 1 – Specifications, the Committee recommends to the Council 4.1.2.1 Recreational Fishery Georges Bank Cod Catch Target Option A2: Recreational fishery GB cod catch target as its final preferred alternative.

GF Motion 9 *carried* 4/3/3.

GF CMTE Motion 10: Bellevance/Godfroy

The Groundfish Committee recommends adding an option for consideration in the draft alternatives in Section 4.1.2.1 Option A -Recreational Fishery Georges Bank Cod Catch Target that would update the recreational catch target for GB cod:

- using the post-calibration (new) MRIP data average of recreational catches in CY2012-CY2016 (406 mt) from the 2019 stock assessment,
- then reduce this value by the percent change from fishing year 2019 to proposed fishing year 2020 in the US ABC (a decrease of 29%),
- resulting in a recreational catch target of 288 mt for FY2020-FY2022.

Rationale: This approach was developed with the understanding that an average of more recent data, which includes the post-calibration (new) MRIP data, would likely be used by NMFS when setting Georges Bank cod recreational measures.

GF CMTE Motion 10 *carried* 6/0/4.

GF CMTE Motion 11: Etrie/Bellavance

In Section 4.2 Action 2 – Recreational Fishery Measures for Georges Bank Cod, the Committee recommends to the Council 4.2.1 Alternative 1 – No Action as its final preferred alternative.

GF CMTE Motion 11 *failed* 3/4/3.

GF CMTE CONSENSUS STATEMENT #1:

By consensus to request Council staff review the recent meetings of the advisory panels (Groundfish and Recreational) and identify motions requesting the Committee to task the Groundfish Plan Development Team (PDT). The Committee would discuss the task requests from the advisors at a meeting of the Committee in January/February (early 2020). The tasks would not be new priorities, rather the tasks should fit into the normal PDT/Committee process in 2020.

GF CMTE Motion 12: Griffin/Pappalardo

In Section 4.1 Action 1 – Specifications, the Committee recommends to the Council 4.1.2 Alternative 2 – Revised Specifications as its preferred alternative, with the exception of Gulf of Maine cod, Gulf of Maine haddock, Georges Bank haddock, American plaice, and pollock.

GF CMTE Motion 12 *carried* 9/0/1.

GF CMTE Motion 13: Bellavance/Godfoy

In Section 4.1 Action 1 – Specifications, the Committee recommends to the Council 4.1.2.2 Option B – Allocation between Commercial and Recreational Fisheries for Gulf of Maine Cod and Gulf of Maine Haddock Option B2: Revise the allocation between commercial and recreational fisheries for GOM cod and GOM haddock as its preferred alternative.

GF CMTE Motion 13 *carried* 5/4/1.

GF CMTE 14: Etrie/Mendelson

In Section 4.1 Action 1 – Specifications, the Committee recommends to the Council 4.1.2.3 Option C – Closed Area I Hook Gear Haddock Special Access Program Option C2: Revise the GB cod Incidental Catch TAC to remove the allocation for the CAI HGH SAP as its preferred alternative.

GF CMTE motion 14 *carried* 9/0/1.

GF CMTE Motion 15: Etrie/Bellavance

In Section 4.1 Action 1 – Specifications, the Committee recommends to the Council 4.1.2.5 Option E – Atlantic Sea Scallop Fishery sub-ACL for Southern New England/Mid-Atlantic Yellowtail Flounder Option E2: Set the Atlantic Sea Scallop Fishery Sub-ACL for SNE/MA yellowtail flounder using 90% of projected scallop fishery catch as its preferred alternative and maintain at 2mt for FY2020-FY2022.

GF CMTE Motion 15 *carried* 9/0/1.

Amendment 23/Groundfish Monitoring

Groundfish Advisory Panel

GAP Motion 8: Odell/Goethel

The Groundfish Advisory Panel recommends to the Groundfish Committee to add to A23 an alternative for vessel specific coverage levels, as drafted by Council staff (doc 4d, pp. 2 provided today).

Council Staff Draft: Under this option the target ASM coverage level would be vessel specific, and each vessel within a sector would have the same target coverage for ASM. ASM coverage would be decoupled from NEFOP coverage. Under this alternative, the target monitoring coverage rate selected in Section 4.1.1 would be for ASM coverage only. NEFOP coverage would still take place on trips separate from, and in addition to, ASM, and NEFOP coverage would not count toward the coverage targets under this option. Currently, all other monitoring

standard alternatives under consideration in Section 4.1.1 of A23 have ASM and NEFOP coverage combined to achieve a total coverage rate.

GAP Motion 8 *carried* 6/0/1.

GAP Motion 9: Raymond/Smith

The Groundfish Advisory Panel recommends to the Groundfish Committee that for inclusion in A23, an EM review rate of 15% of trips or 15% hauls/sets.

Rationale: The Canadian west coast groundfish fishery review rate has been 10% since inception of the program. This provides the best-known example of what is considered by Canadian management, enforcement and fishing industry as successful and reliable review rate. Also, information presented at the recent national NOAA EM workshop from GARFO indicated an EM review rate of 15% of hauls/sets could be possible in the groundfish fishery.

GAP Motion 9 *carried* 5/0/1.

GAP Motion 10: Goethel/Soule

The GAP recommends to the Committee that in the event the Council does not elect to do ASM at the vessel-level, then an option be developed to move the ASM to the strata-level (not at the sector-level).

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

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**Amendment 23/Groundfish Monitoring**

**Groundfish Committee**

**GF CMTE Motion 16: Etrie/Mendelsohn**

The Groundfish Committee recommends to the Council to add to A23 an alternative for vessel specific coverage levels, as drafted by Council staff (Doc 4d, pp. 2 provided today).

Council Staff Draft: Under this option the target ASM coverage level would be vessel specific, and each vessel within a sector would have the same target coverage for ASM. ASM coverage would be decoupled from NEFOP coverage. Under this alternative, the target monitoring coverage rate selected in Section 4.1.1 would be for ASM coverage only. NEFOP coverage would still take place on trips separate from, and in addition to, ASM, and NEFOP coverage would not count toward the coverage targets under this option. Currently, all other monitoring standard alternatives under consideration in Section 4.1.1 of A23 have ASM and NEFOP coverage combined to achieve a total coverage rate.

GF CMTE Motion 16 *carried* 7/0/1.



**GF CMTE Motion 17:** Etrie/Mendelsohn

The Groundfish Committee recommends for inclusion in A23, an EM review rate of 15% of trips or 15% hauls/sets as a base rate.

GF CMTE Motion 17 *carried* 7/0/1.

**2020 Council Priorities for Groundfish**

**Groundfish Committee**

To be discussed at Council meeting.

**Additional Information Provided at the Meeting**

**Amendment 16 - Groundfish default ABC control rule**

“The ABC control rules will be used in the absence of better information that may allow a more explicit determination of scientific uncertainty for a stock or stocks. If such information is available – that is, if scientific uncertainty can be characterized in a more accurate fashion -- it can be used by the SSC to determine ABCs. These ABC control rules can be modified in a future Council action (an amendment, framework, or specification package):

- a) ABC should be determined as the catch associated with 75% of  $F_{MSY}$ .
- b) If fishing at 75% of  $F_{MSY}$  does not achieve the mandated rebuilding requirements for overfished stocks, ABC should be determined as the catch associated with the fishing mortality that meets rebuilding requirements ( $F_{rebuild}$ ).
- c) For stocks that cannot rebuild to  $B_{MSY}$  in the specified rebuilding period, even with no fishing, the ABC should be based on incidental bycatch, including a reduction in bycatch rate (i.e., the proportion of the stock caught as bycatch).
- d) Interim ABCs should be determined for stocks with unknown status according to case- by case recommendations from the SSC”

**Council Policy - Council Remands to the SSC**

“The Council may remand back to its Scientific and Statistical Committee the SSC’s recommendations based on the following criteria: (a) failure of the committee to follow the terms of reference provided to it by the Council; (b) an error, in fact or omission, in the materials provided to the committee; (c) an error in fact in the calculations, if any, undertaken by the Committee in developing an ABC recommendation; and (d) failure of the committee to follow its standard operating procedures.”