

Groundfish Framework Adjustment 53 Draft Action Plan

Council: New England Fishery Management Council

Fishery: Northeast Multispecies (Groundfish)

Title of Action: Framework Adjustment 53 (FW53)

Scope: To incorporate any status changes for groundfish stocks, set specifications for several groundfish stocks, and adjust management measures for commercial and recreational fisheries that catch groundfish stocks

Problem Statement/Objective of Action: To meet regulatory requirements and adjust management measures that are necessary to prevent overfishing, ensure rebuilding, and help achieve optimum yield in the fishery. These include:

Regulatory Requirements

- Stock status changes, if any
- Specifications for groundfish stocks (GOM and GB winter flounder, pollock, GOM haddock, GOM cod, GB yellowtail flounder, cod and haddock)

Management Measures (list prioritized)

- Allocate windowpane flounder to sub-components and develop corresponding accountability measures, if necessary (applies to both stocks)
- Expand GOM cod inshore spawning closure
- Create a roll-over provision for specifications
- Revise the sector ACE carryover provisions
- Address enforcement concerns of undersized fish through changes in gear regulations
- Modify the process for adjusting recreational management measures prior to each fishing year (placeholder)

Likely Range of Alternatives: *The Council gave the PDT discretion to address the work in order of priority and to discontinue work identified as a lower priority. The PDT may not have sufficient time to develop and analyze all of the potential alternatives listed below in 4.2.*

- 4.1 Updates to status determination criteria, formal rebuilding programs and annual catch limits
 - 4.1.1 Status Determination Criteria
 - 4.1.2 Annual Catch Limits
- 4.2 Commercial and Recreational Fishery Measures
 - 4.2.1 Windowpane flounder sub-ACLs and AMs
 - 4.2.2 GOM cod inshore spawning closure
 - 4.2.3 Roll-over provision for specifications
 - 4.2.4 Sector ACE carryover provisions
 - 4.2.5 Changes to trawl gear regulations
 - 4.2.6 Recreational management measures process

Type of NEPA Analysis Expected (CE/EA/EIS):

This action is expected to require an Environmental Assessment, and this determination will be re-evaluated as the likely range of alternatives is further developed.

Applicable laws/issues:

- Magnuson-Stevens Act: Typical issues and analyses expected
- Administrative Procedure Act: Typical issues and analyses expected
- National Environmental Policy Act: Typical issues and analyses expected
- Regulatory Flexibility Act: Typical issues and analyses expected
- Paperwork Reduction Act: Not applicable; this action is not expected to modify or add any information collection requirements (e.g., reporting requirements)
- Coastal Zone Management Act: NMFS made a general consistency determination for the Groundfish FMP in 2010
- Endangered Species Act: Typical issues and analyses expected
- Marine Mammal Protection Act: Typical issues and analyses expected
- Executive Order 12866 (Regulatory Planning and Review): Typical issues and analyses expected
- Essential Fish Habitat: Typical issues and analyses expected
- Information Quality Act: Typical issues and analyses expected
- Executive Order 13158 on Marine Protected Areas: Not applicable
- Executive Order 12898 on Environmental Justice: Not applicable

Type of Endangered Species Act Consultation Expected (Informal/Formal):

An informal consultation is expected for this action.

Plan Development Team (PDT) and Other Individuals:

PDT Chair/ NEFMC Project Manager: Jamie M. Cournane, PhD

GARFO Project Manager: Sarah Heil

	Organization	Name	Role and Responsibility
Plan Development Team	NEFMC	Jamie Cournane	Chair of Groundfish PDT, Groundfish FMP Coordinator. Collaborate on Biological and Economic Impact Analyses. Oversee document preparation and submission.
	NEFMC	Jonathon Peros	Consultation on development of measures and data analysis. Coordinate updating of the Affected Environment. Complete Protected Species Impact Analyses. Coordinate on Essential Fish Habitat Impact Analyses. Document preparation.
	NEFMC	Rachel Feeney	Collaborate on Social Impact Analyses.
	NEFMC	Michelle Bachman	Complete Essential Fish Habitat Impact Analyses.
	NMFS GARFO Sustainable Fisheries Division	Sarah Heil	Primary point of contact in NMFS for FW53. Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs. Prepare document for rule-making.
	NMFS GARFO Sustainable Fisheries Division	William Whitmore	Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs.
	NMFS GARFO Sustainable Fisheries Division	Michael Ruccio	Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs.
	NMFS GARFO Analysis & Program Support Division	Dan Caless	Support data requests. Identify potential monitoring issues during development and review.
	NMFS GARFO NEPA	Tim Cardiasmenos	Review document for completeness in terms of NEPA requirements during development and review.
	NMFS GARFO Protected Resources Division	Danielle Palmer	Consultation on Protected Species Impact Analyses. Consultation on development of measures and impacts on protected resources
	NMFS NEFSC Population Dynamics Branch	Paul Nitschke	Consultation on development of measures, data analysis, and biological impact analyses.

	Organization	Name	Role and Responsibility
	NMFS NEFSC Social Science Br.	Chad Demarest	Consultation on development of measures. Complete data requests for the PDT. Complete Economic Impact Analyses.
	NMFS NEFSC Social Science Br.	Anna Henry	Consultation on development of measures. Collaborate on Social Impact Analyses.
	Maine DMR	Sally Sherman	Consultation on development of measures and data analysis.
	Mass. DMF	Steve Correia	Consultation on development of measures, data analysis, and biological impact analyses.
Other Individuals	NEFMC	Deirdre Boelke	Support development of any potential windowpane sub-ACLs for the scallop fishery
	NMFS GCNE	Mitch MacDonald	Consultation on potential legal issues and questions.
	NMFS GARFO Habitat Conservation Div.	David Stevenson	Consultation on development of measures and impacts on habitat.

NMFS Implementation Team: This team is responsible for identifying implementation issues and limitations early in the development of this action, including data needs, practicability, compliance, and enforcement.

Implementation Membership:

Organization	Name	Role
NMFS GARFO Sustainable Fisheries Division	Sarah Heil	Project manager
NMFS GARFO Sustainable Fisheries Division	Sector team rep (TBD)	Secondary GARFO point of contact for issues and measures affecting sector operations
NMFS GARFO Analysis and Program Support Division (Statistics)	Dan Caless	Implementation of specifications, new sub-ACLs, and other related catch monitoring issues
NMFS GARFO Protected Resources Division	Danielle Palmer	Consultation on measures and impacts on protected resources
NMFS Northeast General Counsel—Enforcement	Joe Heckwolf	Consultation on development of measures with enforcement considerations including any new area/gear restrictions
NMFS Office of Law Enforcement	Don Frei	Consultation on development of measures with enforcement considerations including any new area/gear restrictions
NMFS Office of Law Enforcement—VMS	TBD	Consultation on development of measures with enforcement considerations including any new area restrictions

PDT Work Schedule (to be completed)

(**Section leads** as indicated.)

First Due Date: Preliminary Draft Impacts

Second Due Date: Final Draft Impacts

Section	Date Due	Council Staff	Other Staff	Estimated Time to Complete (Days)
Review of Alternatives and Discuss Potential Impacts Analysis	2014	<u>Jamie, Jonathon</u>	Groundfish PDT	
Draft Alternatives and Impacts Analysis Template Distributed	2014	<u>Jamie</u>		
Additional Data Requests			<u>Dan</u>	
-			<u>Dan</u>	
-			<u>Dan</u>	
Impacts Analysis				
-Biological Impacts	2014 2014	<u>Jamie</u> , Jonathon, Deirdre	Steve, Paul, Sarah, Sally, Tim	
-Social Impacts	2014 2014	<u>Rachel</u>	<u>Anna</u> , Mike, Tim	
-Economic Impacts	2014 2014	Jamie, Deirdre	<u>Chad</u> , Willie, Mike, Sarah, Tim	
-Habitat Impacts (EFH)	2014 2014	<u>Michelle, Johnathon</u>	Tim	
-Protected Resources	2014 2014	Jamie, <u>Jonathon</u>	Tim, Danielle	
Updating Affected Environment	2014	Jamie, <u>Jonathon</u>	Sarah	
Introduction, Purpose and Need	2014	<u>Jamie</u> , Jonathon	Sarah	
Decision Document	2014 (OSC) 2014 (Council)	<u>Jamie</u> , Jonathon	Sarah	
Applicable Laws	2014	<u>Jamie</u>	<u>Chad</u> , Sarah	
Cumulative Impacts	2014	<u>Jamie</u> , Jonathon	Sarah	
PDT receives full document for review	2014	<u>Jamie</u> , Jonathon	Groundfish PDT	
Review of full document: comments due from PDT	2014	<u>Jamie</u> , Jonathon	Groundfish PDT	
Council Staff Final Review	2014	<u>Jamie</u> , Jonathon, Chris Kellogg		
Preliminary Submission	2014	<u>Jamie</u> , Jonathon		
Formal Submission	2014	<u>Jamie</u> , Jonathon		

Groundfish Draft Implementation Timeline

Milestone	Start Date	End Date	Milestone	Start Date	End Date
NEFMC Meeting (Action initiated)	6.18.2014	6.18.2014	Council staff complete draft document	11.20.2014	12.23.2014
Groundfish PDT Meeting	7.24.2014	7.24.2014	Preliminary submission to NMFS GARFO	12.23.2014	12.23.2014
Groundfish Oversight Committee Meeting	8.4.2014	8.4.2014	NMFS GARFO review of preliminary document (<i>1 month</i>)	12.29.2014	1.16.2015
Operational Assessments (winter flounder and pollock)	8.18.2014	8.20.2014	Formal submission to NMFS GARFO	1.30.2015	1.30.2015
SSC Meeting	8.25.2014	8.26.2014	NMFS Program Planning and Integration review (5 days)	2.2.2015	2.6.2015
SSC Meeting	9.15.2014	9.15.2014	PPI comments incorporated by Council staff, if applicable	2.6.2015	2.13.2015
Groundfish PDT Meeting	9.3.2014	9.3.2014	Resubmission (final), if necessary	2.13.2015	2.13.2015
Groundfish/Recreational Advisory Panels Meeting	9.16.2014	9.16.2014	Proposed rule submitted to NMFS Headquarters	1.23.2015	1.23.2015
Groundfish Oversight Committee Meeting	9.17.2014	9.18.2014	Proposed rule publishes in Federal Register	2.13.2015	2.13.2015
NEFMC Meeting	9.30.2014	10.2.2014	Proposed Rule Public Comment Period (30 days)	3.13.2015	3.13.2015
Groundfish PDT Meeting	9.24.2014	9.24.2014	Final Rule submitted to NMFS Headquarters	3.27.2015	3.27.2015
Groundfish Oversight Committee Meeting	TBD	TBD	Final Rule publishes in Federal Register	4.17.2015	4.17.2015
NEFMC Meeting—Final Action on FW53	11.18.2014	11.20.2014	Approved measures effective	5.1.2015	5.1.2015

<p style="text-align: center;">June 2014</p> <p>S M T W Th F S</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30</p>	<p style="text-align: center;">July 2014</p> <p>S SS MM TT WW Th FF SS</p> <p>1 2 3 4 5 1</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30 31</p>	<p style="text-align: center;">August 2014</p> <p>S M T W Th F S</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30 31</p>	<p style="text-align: center;">September 2014</p> <p>S M T W Th F S</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30</p>	<p style="text-align: center;">October 2014</p> <p>S M T W Th F S</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30 31</p>	<p style="text-align: center;">November 2014</p> <p>S SS MS TS WS Th FS S</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30</p>
<p style="text-align: center;">December 2014</p> <p>S M T W Th F S</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p>	<p style="text-align: center;">January 2015</p> <p>S M T W Th F S</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30 31</p>	<p style="text-align: center;">February 2015</p> <p>S M T W Th F S</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p>	<p style="text-align: center;">March 2015</p> <p>S M T W Th F S</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30 31</p>	<p style="text-align: center;">April 2015</p> <p>S M T W Th F S</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30</p>	<p style="text-align: center;">May 2015</p> <p>S M T W Th F S</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>31</p>

Detailed FW 53 Timeline (*To be completed*)

Assumptions:

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Date	Time Allowance	Action

Version Control:

Version	Date	Author	Change Description
1.1	6/30/14	Jamie Cournane	Initial Version
2	8/3/14	Sarah Heil	Updates for implementation team and timeline
3	9/12/14	Jamie Cournane	Added GOM cod to list of specifications, updated calendar