New England Fishery Management Council
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DRAFT MEMORANDUM

DATE: August 7, 2018

TO: Scientific and Statistical Committee (SSC)

FROM: Tom Nies, Executive Director

SUBJECT: **Terms of Reference – 1) Specify overfishing levels (OFLs) and develop acceptable biological catch (ABC) recommendations for Georges Bank yellowtail flounder for fishing years 2019 and 2020. 2) Comment on the technical basis of draft rebuilding plans for several groundfish stocks**

1. Georges Bank Yellowtail Flounder

Terms of Reference

Considering the Council's Risk Policy Statement, provide an OFL and an ABC recommendation for fishing years 2019 and 2020 that will prevent overfishing and meet the management objective to rebuild the stock, and that are consistent with the Council's ABC control rule for groundfish stocks.

The Council requests that the SSC provide a final report by noon on August 27, 2018 so that it can be considered in developing recommendations for the US/Canada Transboundary Management Guidance Committee meeting.

(See list of documents for the assessment summary and Groundfish Plan Development (PDT) report under Information below).

Background

Georges Bank (GB) yellowtail flounder was recently assessed by the Transboundary Resources Assessment Committee (TRAC) in July 2018. This stock is assessed annually by the TRAC and the Council needs the SSC to recommend an OFL and ABC for each year to enable it to set annual catch limits for FY2019- FY2020.

ABC recommendations are to be based on the fishing mortality strategies approved by the Council in Amendments 13 and 16 and related management actions. Status determination criteria should be used that are specified in Amendment 16 or subsequent actions. The general control rule for groundfish stocks that has been adopted is:

"These 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."*

During the 2014 GB yellowtail flounder assessment, the TRAC agreed to no longer use the VPA assessment model, and instead, to use an empirical approach based on resource survey catches as the basis of catch advice. Because a stock assessment model framework is lacking for this stock, no historical estimates of biomass, fishing mortality rates or recruitment can be calculated although past estimates from earlier approved models are available. As well, status determination relative to reference points is not possible because reference points cannot be defined. These are now considered unknown. Therefore, the SSC will have to recommend an interim ABC for this stock under the provision in paragraph "d" above. See information item A.9 for SSC ABC and OFL recommendations and discussion for fishing year 2018.

In 2016, The SSC recommended the formation of an SSC sub-group to develop alternatives for quantitative metrics that would trigger an upward or downward adjustment of the ABC. The sub-group met twice in 2017 by conference call. See information item A.10 for a summary of the work and information item A.9 for subsequent SSC discussion in 2017.

2. Rebuilding Strategies for Several Groundfish Stocks

Terms of Reference

Review the 2017 assessments of ocean pout, GB winter flounder, witch flounder, Northern windowpane flounder, and Southern New England/Mid-Atlantic (SNE/MA) yellowtail flounder and comment on the rebuilding alternatives under development. The SSC is requested to advise on the technical basis (i.e. is it technically sound and reasonable?) for the rebuilding strategies developed by the PDT for several groundfish stocks.

Stocks with projections:

The PDT constructed rebuilding plan options for stocks with projections (GB winter flounder and SNE/MA yellowtail flounder) building off the approach outlined in Framework Adjustment 51 (i.e., Gulf of Maine cod and American plaice rebuilding plans– see information item A.14) and updated National Standard 1 guidelines. Revisiting changes to the ABCs from 2019 to 2020 is not warranted for the development of new rebuilding plans. Two rebuilding schedules alternatives were developed for each stock:

1) The target time to rebuild the stock under a 75%F_{MSY} projection with a 50% probability of success.
2) The maximum time of 10 years with a 50% probability of success.

Stocks without projections:

Three stocks, (ocean pout, witch flounder, and Northern windowpane flounder) of the five stocks do not have a projection model. In the absence of projections, the PDT developed one option for each stock with a *rebuild-by* date of 10 years, the maximum time permitted in such circumstances. By comparison for stocks with projections under the groundfish control rule, most stocks would be expected to rebuild in 10 years according to the projections when fishing at $75\%F_{MSY}$.

Background

In an August 31, 2017 letter from GARFO to NEFMC, several stocks were identified as making inadequate progress toward rebuilding following the 2016/2017 stock assessments: ocean pout, GB winter flounder, witch flounder, Northern windowpane flounder, and SNE/MA yellowtail flounder. The letter explains that the Council must implement a new or revised rebuilding plan for these stocks within 2 years of the date of notice (i.e., by August 31, 2019).

Ocean pout, GB winter flounder, witch flounder, Northern windowpane flounder, and SNE/MA yellowtail flounder were last assessed during the Groundfish Operational Assessments in September 2017.

Information

A.1 The Council's Risk Policy Road Map (2016), that includes the Risk Policy Statement and Implementation Plan, see pp. 4-5 and 10-12.

A.2 Presentation: Overview of the 2018 TRAC assessment of GB yellowtail flounder (NEFSC staff)

A.3 Presentation: Groundfish Plan Development Team Report on GB yellowtail flounder (NEFMC staff)

A.4 DRAFT TRAC Stock Assessment of GB yellowtail flounder for 2018 (July 2018), *the final version may be distributed if available*

A.5 Transboundary Resources Assessment Committee (TRAC) Status Report for GB yellowtail flounder (expected July/August 2018), *to be distributed.*

A.6 Memo from Groundfish PDT to SSC re GB yellowtail flounder ABCs, including a memo from the Scallop PDT (August 6, 2018)

A.7 Risk policy matrix for GB yellowtail flounder (August 6, 2018)

A.8 Background: Memo from Groundfish PDT to SSC re GB yellowtail flounder ABCs for FYs 2018 and 2019, including a Memo from the Scallop PDT (August 4, 2017)

A.9 Background: 2018-2019 SSC ABC and OFL recommendations for GB yellowtail flounder (August 14, 2017 Memo from SSC to Tom Nies)

A.10 Report from the SSC Sub-Group on Quantifying Substantial Change in the GB yellowtail flounder empirical assessment (August 4, 2017)

A.11 Presentation: Groundfish Plan Development Team Report on Rebuilding Strategies (NEFMC staff).

A.12 2017 Groundfish Operational Update Reports for ocean pout, GB winter flounder, witch flounder, Northern windowpane flounder, and SNE/MA yellowtail flounder (2017).

A.13 Memo from Groundfish PDT to SSC re Rebuilding strategies for several groundfish stocks (August 6, 2018).

A.14 Background: Memo from Groundfish PDT to SSC re Groundfish ABCs and rebuilding plans (August 9, 2013).

A.15 Background: American Plaice and Gulf of Maine Cod Rebuilding Strategies (September 3, 2013 Memo from SSC to Tom Nies).