



## New England Fishery Management Council

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John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

### MEMORANDUM

**DATE:** August 19, 2020  
**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 2021 and 2022 and (2) Comment on the technical basis of draft rebuilding plan options for white hake**

#### 1. Georges Bank Yellowtail Flounder OFLs and ABCs

##### Terms of Reference

Considering the Council's Risk Policy Statement, provide an OFL and an ABC recommendation for fishing years 2021 and 2022 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 "Summary of Recommendations" section of the SSC's report by the end of the SSC meeting on August 24 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 2020. 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 FY2021- FY2022.

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 FMSY.*
- b. If fishing at 75% of FMSY 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 (Frebuild).*
- c. For stocks that cannot rebuild to BMSY 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. Following the assessment, these were considered unknown. NOAA Fisheries determined that GB yellowtail flounder is overfished, and overfishing is occurring.

See information item #6 for SSC ABC and OFL recommendations and discussion for fishing year 2020.

## **2. Rebuilding Strategies for White Hake**

### **Terms of Reference**

Review the 2019 assessment of white hake 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 white hake. For this meeting, the PDT plans to ask the SSC for feedback on the assumptions, proposed by the PDT, to develop the rebuilding strategies. A more detailed discussion of the draft alternatives under consideration is anticipated to occur at the October SSC meeting.

### **Background**

In a March 5, 2020 letter from GARFO to NEFMC, white hake was identified as making inadequate progress toward rebuilding following the 2019 stock assessment. The letter explains that the Council must implement a new rebuilding plan within 2 years of the date of notice (i.e., by March 5, 2022).

White hake was last assessed during the Groundfish Operational Update Assessments in September 2019. The stock is overfished, but overfishing is not occurring.

### **Information**

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.
2. Presentation: Overview of the 2020 TRAC assessment of GB yellowtail flounder and Groundfish Plan Development Team Report on GB yellowtail flounder (NEFMC staff)

3. Transboundary Resources Assessment Committee (TRAC) Status Report for GB yellowtail flounder for 2020
4. Memo from Groundfish PDT to SSC re GB yellowtail flounder ABCs, including a memo from the Scallop PDT
5. State of the Ecosystem and Current Conditions. NOAA/NEFSC. Available at :  
<https://www.fisheries.noaa.gov/new-england-mid-atlantic/ecosystems/state-ecosystem-reports-northeast-us-shelf>
6. 2020-2021 SSC ABC and OFL recommendations for GB yellowtail flounder (August 28, 2019 Memo from SSC to Tom Nies)
7. Presentation: Groundfish Plan Development Team Report on Rebuilding Strategies for White Hake (NEFMC staff).
8. 2019 Groundfish Operational Update Reports see white hake on pp. 139-150, pre-publication copy, NEFSC (Jan 7, 2020).
9. Memo from Groundfish PDT to SSC re Rebuilding Strategies for White Hake
10. 2020-2021 SSC ABC and OFL recommendations for groundfish stocks (Nov 22, 2019 Memo from SSC to Tom Nies)
11. Letter GARFO to Council re 2019 stock status (March 5, 2020)