



New England Fishery Management Council

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Council Requests Emergency Action for Gulf of Maine Haddock to Prevent Significant Economic and Social Impacts to Fishery

The New England Fishery Management Council is asking NOAA Fisheries to take emergency action under the Secretary of Commerce's authority to address a critical Gulf of Maine haddock situation that is expected to result in significant fishery impacts during the 2023 groundfish fishing year. The new fishing year begins on May 1, less than two weeks after the Council gathered in Mystic, CT for its [April 18-20, 2023 meeting](#).

The crux of the problem is this. Fishermen have been encountering Gulf of Maine haddock at very high catch rates. The proposed 2023 annual catch limit (ACL), however, is extremely low. The Council recently learned of one industry member who, in a single trip, harvested an amount of Gulf of Maine haddock equivalent to what will become his entire allocation for 2023. Several fishermen [expressed concern](#) that an early shutdown of the fishery was highly likely and would have wide-ranging impacts. Even without targeting haddock, fishermen need haddock quota to account for bycatch while harvesting other species.

The proposed low catch limit is part of [Framework Adjustment 65](#) to the Northeast Multispecies Fishery Management Plan ([FMP](#)), which the Council developed to establish catch limits and management measures for 2023-2025. This action is now under review by NOAA Fisheries.

Framework 65 contains an acceptable biological catch (ABC) of 1,936 metric tons (mt) as recommended by the Council's Scientific and Statistical Committee (SSC). The ABC was largely based on results from the [2022 Gulf of Maine Haddock Management Track Stock Assessment](#), as well as other relevant information.

The 1,936-mt ABC led to an annual catch limit that was then divided into several components or sub-ACLs to cover catches from state waters, the recreational fishery, and other categories. The sub-ACL for the groundfish sector and common pool fisheries settled out at 1,149 mt, representing an [84% reduction](#) from the fishing year 2022 sub-ACL (see [slide 49](#) for 2023 sub-ACL breakdown).



Haddock landed in Gloucester, Massachusetts. – NEFMC photo

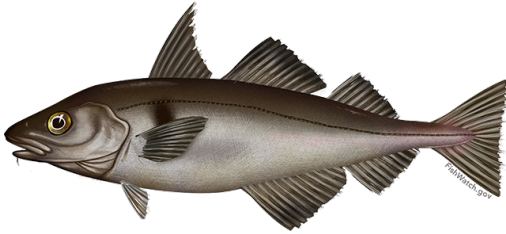


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The steep reduction was deemed necessary because total biomass in the [2022 assessment](#) had declined substantially from the [2019 assessment](#).

In a move to mitigate the anticipated severe social, economic, and community impacts from the low quota, the Council voted to request secretarial emergency action to set the Gulf of Maine haddock ABC at 90% of the fishing mortality rate (F) at maximum sustainable yield (MSY) – known as 90%F_{MSY}. The Council asked NOAA to consider three factors:

- (1) The Council's [Risk Policy](#);
- (2) The National Standard 1 guidelines for phasing-in changes to ABCs; and
- (3) Relevant recent fishery independent and dependent information.



WHAT DOES THAT MEAN? The 1,936-mt ABC in Framework 36 was calculated at 75%F_{MSY}. It resulted in the 27.1% probability of overfishing.

Going to 90%F_{MSY} would potentially result in a 2,281-mt ABC, marking a 345-mt increase over what was submitted in Framework 65. This ABC results in a 40% probability of overfishing.

While 345 mt of additional Gulf of Maine haddock wouldn't be enough to sustain a wide-scale targeted fishery, industry members told the Council it would increase their ability to work on other species longer into the fishing year with more haddock available to cover bycatch or unintentional large haddock tows.

IS THIS JUSTIFIABLE? NOAA Fisheries has established stringent criteria for using emergency action in lieu of going through the standard public process used by [fishery management councils](#) (see box at right).

A High Bar to Meet: When is Emergency Action Justified?

An emergency action may be justified if the situation:

1. Results from recent, unforeseen events or recently discovered circumstances; and
2. Presents serious conservation or management problems in the fishery; and
3. Can be addressed through emergency regulations for which the immediate benefits outweigh the value of advance notice, public comment, and deliberative consideration of the impacts on participants to the same extent as would be expected under the normal rulemaking process.

If #3 is met, then emergency action might be justified under one or more of the following conditions:

- **Ecological:** (A) to prevent overfishing as defined in a Fishery Management Plan (FMP) or as defined by the Secretary of Commerce in the absence of an FMP, or (B) to prevent other serious damage to the fishery resource or habitat; or
- **Economic:** to prevent significant direct economic loss or preserve a significant economic opportunity that otherwise might be foregone; or
- **Social:** to prevent significant community impacts or conflict between user groups; or
- **Public Health:** to prevent significant adverse effects to the health of participants in a fishery or to the consumers of seafood products.



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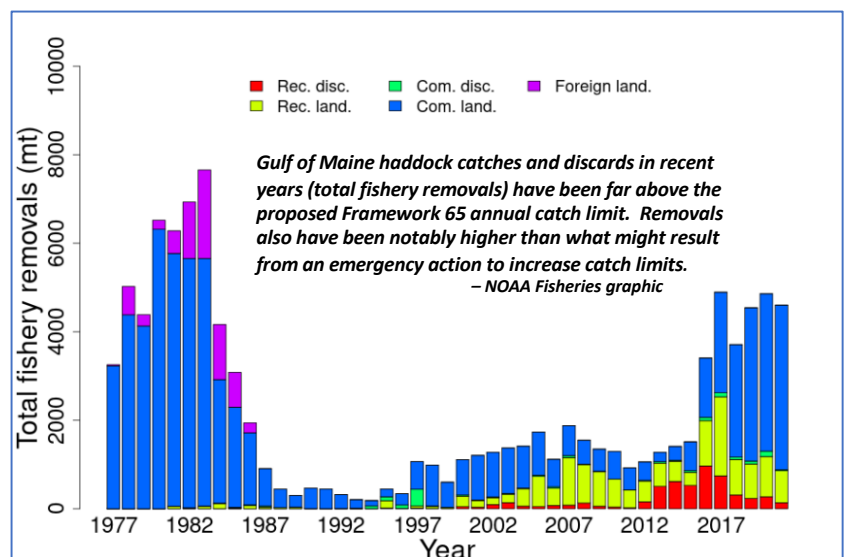
Recognizing this fact, the Council articulated a clear rationale for why emergency action was warranted in this Gulf of Maine haddock situation. The Council said:

- Temporary changes to the Council's risk tolerance will provide much needed economic and social relief for both the commercial and recreational components of the groundfish fishery and their dependent communities for a stock that was last assessed at 270% of its target biomass as described in the [2022 stock assessment](#);
- The presence of a large 2020 year-class of haddock was documented in the assessment, along with the remains of an exceptionally large 2013 year-class, but the increased fishery interactions with the stock were only beginning to surface when the Council concluded its work on Framework 65;
- The Council has since seen newly available information substantiating the increased interactions;
- While overfishing is occurring, the stock, being at 270% of its target biomass, is not overfished;
- The Council explicitly communicated to NOAA Fisheries that it was willing to accept the higher risk tolerance associated with the 90%F_{MSY} ABC to better prevent significant economic loss and community impacts to infrastructure and fishing families;
- Given the new analyses, the Council voted during its April meeting to request emergency action after it became clear that, at recent catch rates, a Gulf-of-Maine-wide fishery closure due to the lack of haddock quota could occur as early as August, just four months into the 2023 fishing year; and
- The Council said it was unwilling to risk a 2023 Gulf of Maine fishery closure simply to conduct its standard rulemaking process given that emergency action in this situation was warranted.

FISHING YEAR 2023 ONLY: The emergency action request is for 2023. The Council will follow its usual process to reassess fishing year 2024 and 2025 ABCs with the SSC.

NOAA Fisheries can implement secretarial emergency measures for six months and extend the action for an additional six months if warranted. After that, the action expires.

Once the Council requests emergency action, the next steps are out of its hands. NOAA may act on the request as submitted, deny the request, or take a different regulatory path to address the problem.



QUESTIONS? Contact Dr. Jamie Cournane, the Council's groundfish plan coordinator, at (978) 465-0492 ext. 103, jcournane@nefmc.org. The [presentation](#) and other documents considered during the Council's haddock emergency action discussion are [posted here](#).