

**NEW ENGLAND
FISHERY
MANAGEMENT
COUNCIL**

**NEXT MEETING
JANUARY 29-31, 2013
PORTSMOUTH, NH**

The Council Report summarizes major actions approved at New England Fishery Management Council meetings or highlights items of interest to stakeholders and interested parties.

The NEFMC met most recently in Newport, RI on November 13-15, 2012 and voted on issues related to groundfish, sea scallops, herring and dogfish management.

During the groundfish discussions, its members addressed quotas for shared U.S./Canada transboundary resources, and also set management priorities for 2013.

All discussion documents, audio files, presentations and meeting motions can be found at www.nefmc.org/actions/new_actions.

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Council Report

November 2012

Tough Groundfish Decisions on the Docket in Newport

The New England Council made several important decisions at this meeting that will affect the region's groundfish and sea scallop fisheries. Of critical importance to both was the amount of quota that would be approved for Georges Bank yellowtail flounder. Its deliberations were made more difficult by lack of consensus about the underlying science and an agreement known as the U.S./Canada Sharing Understanding.

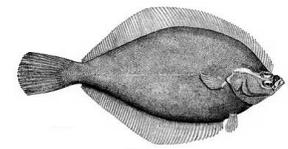
The Council negotiates quotas with its Canadian counterparts for three shared transboundary groundfish resources that are harvested by both countries. These are Eastern Georges Bank cod, Eastern Georges Bank haddock, and Georges Bank yellowtail flounder.

Sea scallopers cannot completely avoid encounters with Georges Bank yellowtail flounder

despite having adopted fishing strategies and gear modifications that have reduced the total amount of yellowtail caught by the fishery. New Bedford is the acknowledged leader for the highest-valued catch in the U.S. largely because of the success of its sea scallop fleet.

The groundfish fishery in the Northeast takes Georges Bank yellowtail because it co-occurs with other species in the groundfish complex (haddock, pollock, and other flatfish) and, historically, Georges Bank yellowtail has been an important component of the groundfish catch.

Without a sufficient amount of Georges Bank yellowtail flounder available to the groundfish fishery, the harvest of more abundant stocks such as haddock could be jeopardized.



The Council's task at this meeting was to accept the recommendations of the U.S./Canada negotiating committee for the three shared stocks, including Georges Bank yellowtail flounder.

It accepted those for Eastern Georges Bank cod and Eastern Georges Bank haddock, but rejected the 500 metric ton (mt) shared TAC for Georges Bank yellowtail; instead a 1,150 mt shared TAC was proposed for this stock.

Final Tally and Allocations

With nine yes and eight no votes, the Council approved the following quotas for the three shared resources for fishing year 2013:

- Georges Bank yellowtail flounder – 1,150 mt (U.S. share 495 mt; Canadian share 656 mt);

- Eastern Georges Bank cod – 600 metric tons (mt) (U.S. share 96 mt; Canadian share 504 mt); and
- Eastern Georges Bank haddock – 10,400 mt (U.S. share 3,952 mt; Canadian share 6,448 mt).

After the Council made its decision on the 2013 yellowtail

quota, it then determined the catch allocation of Georges Bank yellowtail flounder between the sea scallop and groundfish fisheries.

The Council voted to allocate 40 percent of the U.S. yellowtail quota in 2013 to the scallop fleet, and 16 percent to the scallop fleet in both 2014 and 2015.

The 2012 Georges Bank Yellowtail Flounder Assessment

The 2012 yellowtail assessment has been marked by a high level of scientific uncertainty.

As its SSC reported to the Council in August, “The assessment method used in recent years (a split time series based on a Virtual Population Analysis [or modeling technique used to reconstruct historical fish numbers at age]) indicates that the stock is overfished, that overfishing is occurring, and that recent recruitment is weak.

The [current assessment] exhibited a stronger retrospective pattern this year [2012]

than last year. The ratio of catch over survey biomass decreased substantially in 1995 and has remained low since, while estimates of total mortality from the survey have remained high. There are no positive signs that the stock is rebuilding.”

The 2012 Georges Bank yellowtail flounder status report states “Adult population biomass (total of fish at age 3+) increased from a low of 2,100

mt in 1995 to 10,900 mt in 2003, declined to about 2,500 mt in 2006 and 2007, increased to 4,500 mt in 2011, and was 4,300 mt at the beginning of 2012. Spawning stock biomass in 2011 was estimated to be 4,600 mt.” This is mixed news. While the stock increased from 2006 to 2011, it is still half the size it was in 2003.

An unambiguous picture of the overall condition of Georges Bank yellowtail flounder is hampered because the assessment has a strong “retrospective pattern.” This means the assessment tends to over-estimate stock size and under-estimate fishing mortality.

In the words of the status review report, “If the retrospective pattern observed in this assessment continues, the 2011 fishing mortality rate estimate is expected to increase from 0.31 to 0.62, while the 2011 spawning stock biomass estimate is expected to decrease from 4,600 mt to 1,700 mt in future assessments.” The retrospective pattern implies that the stock biomass

increase (or the amount of this increase) from 2006 to 2011 may or may not be real.

The assessment also reports that there are few young fish present in the population; this will constrain rebuilding in the short term. Finally, the assessment notes that Georges Bank yellowtail flounder are currently not as healthy as in the past, as measured by a metric called “condition factor.” This has also been noted by fishermen, who have reported that fish are now thinner than in the past.

At the Fishermen’s Northeast Groundfish Science meeting held very recently in Portsmouth, New Hampshire to discuss fisheries stock assessment science, a frequent comment was that the science needs to be revisited to sort out the disparities and complexities that now beset the effective management of the groundfish fishery.

Although various ideas and suggestions were offered at the meeting to initiate this process, the Council still must make timely decisions based on the best available science, and balance biological, social, and economic information and the competing perspectives of many stakeholders and interested parties.



Yellowtail flounder (Limanda ferruginea). Photo courtesy of NOAA/NEFSC

Herring Specs Package Details Addressed

The Council continued the development of the 2013-2015 herring fishery specifications by approving the range of alternatives to be analyzed in the specifications package.

It added two alternatives for control rules for acceptable biological catch (ABC) for consideration, both of which are based on control rules for other forage fish. The Council also approved a range of alternatives for accountability measures in the herring fishery for further analysis.

As part of the fishery specifications, the total herring annual catch limit is divided into four management areas (sub-ACLs).

The Council discussed the sub-ACLs and agreed that options should be considered to split each seasonally to better distribute the available yield throughout the fishing year.

To establish the mechanism to allow for seasonal splits, the Council initiated a parallel framework adjust-

ment to the Herring FMP. The framework will be developed and submitted with the specifications package and will consider options to allow sub-ACL splitting as well as rollover provisions for ACLs that are not utilized (up to 10 percent).

Final decisions regarding both the 2013-2015 fishery specifications and the framework adjustment are scheduled for the January 2013 Council meeting.

At its November 19, 2012 meeting, the Council's SSC discussed alternative control rules for a herring ABC based on control rules for other forage fish. Its report will be presented to the Council in January.

Higher Dogfish Quota Approved

In a unanimous vote, the Council concurred with the recommendations of the Spiny Dogfish Committee and Mid-Atlantic Council for 2013-2015 specifications.

These specifications, include annual catch limits of approximately 55 million pounds, annual catch targets close to 53 million pounds, and commercial quotas of about 42 million pounds --- an increase of 16 percent from the 2012 quota.

In making its decision, the

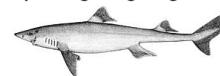
Council considered the most recent scientific and fishery performance information.

The dogfish resource is above the biomass target and overfishing is not occurring. With respect to negative impacts, the Council received input concerning the abundance of spiny dogfish and its possible adverse effects on other commercially important fish stocks on which dogfish prey, especially those under

strict rebuilding programs.

This action represents the first time the specifications have been adopted for three years, rather than one year, to provide a stable planning horizon for fishery participants, including processors. The Council noted that if warranted, these specifications could be adjusted more frequently.

The Council's vote also increased the commercial trip limit from 3,000 pounds to 4,000 lbs. to increase the likelihood that the full quota would be harvested, and to increase the profitability of fishing trips targeting dogfish.



Management Priorities Approved for 2013

A detailed list of priorities for 2013 was unanimously approved by the Council.

The two highest priorities for the Groundfish FMP focus on the Habitat Omnibus Amendment, including possible modifications of the groundfish closed areas and continued development of Amendment 18 to consider fleet diversity and accumulation caps.

Habitat Omnibus Amendment 2 is scheduled for completion and implementation as soon as possible.

Development of Amendment 6 to the Monkfish FMP will continue. The action

to date includes a days-at-sea program with leasing and consideration of catch shares in the form of sectors and IFQs. The Council also will develop fishery specifications for 2014 and 2015

Priorities for sea scallops call for Council staff and plan development team participation in the EFH Amendment development with respect to potential shifts in area closures, specifications for 2014 and participation in a peer review of sea scallop survey methods. An evaluation of the limited access general category vessel IFQ program also is planned.

Following a new herring stock assessment, Council staff will complete a new fishery specifications package for 2013 – 2015 and address river herring catch caps in a framework adjustment. The Council also will develop new specifications for the red crab fishery.

Development of a whiting limited access fishery will continue. An important add-on for 2013 also was approved at the Newport meeting. The Council voted to support the development of a limited access program for the skate fishery.

A more detailed list of the priorities will be posted on the Council's website.

Full-time vessels will receive two trips from four different access areas on Georges Bank and in the Mid-Atlantic — Hudson Canyon, Closed Areas I and II, and the Nantucket Lightship Area.

Additionally, the action would close the Delmarva and Elephant Trunk Areas to protect small scallops until they reach a size at which they are more valuable when harvested.

Scallop Framework Adjustment 24 Moves Ahead

Framework Adjustment 24 to the Sea Scallop Plan was approved at this Council meeting. The action sets specifications that include adjusting the days-at-sea allocations, general category fishery allocations and the area rotation schedule for 2013.

Rules this year were substantially revised because the overall sea scallop catch is expected to be nearly 30 percent lower than in recent years due to lower biomass in the scallop

rotational access areas. While vessels will be allocated similar open area effort levels, 33 days-at-sea for full time vessels, only two access area trips will be allowed at a reduced limit of 13,000 pounds compared to four trips at 18,000 pounds in 2011 and 2012.

On the positive side, the proposal adopted is expected to spread 2013 fishing effort across more access areas and reduce the number of trips allocated to the Hudson Can-

yon area, a measure that should help protect the strong scallop recruitment documented there.

Fewer trips would be allowed in Closed Area II as well, potentially reducing the bycatch of yellowtail flounder. The trips from the Hudson Canyon Area and Closed Area II would shift into the Lightship Area.

Other Framework 24 Elements Move Forward

The Limited Access General Category (LAGC) IFQ fishery will be allocated about 2.4 million pounds of scallops for 2013 or 5.5 percent of the total projected catch. This compares to 3.4 million in 2012 and is similar to the reduction that will affect the overall fishery. In addition, the hard TAC will remain at 70,000 pounds for the Northern Gulf of Maine management area and

an overall 50,000 pound TAC for vessels with incidental catch permits.

The Council approved accountability measures for the LAGC dredge and trawl fisheries if the sub-annual catch limit for yellowtail flounder is exceeded. Both fleets would be subject to different seasonal closures of high bycatch areas based on the overage. Adjustments were made to the

schedule to account for the fact that these smaller vessels are not as mobile as the larger scallop vessels in the limited access fleet.

Adjustments were made to the timing of yellowtail flounder accountability measures, LAGC leasing provisions, and the observer set-aside program.

New Seasons for Scallop Access Areas

The Council also approved changes to the periods during which scallop vessels would access areas on Georges Bank. Currently, areas are closed from February 1 through June 14 to reduce impacts on groundfish. Based on updated research and analysis, the Council decided to modify the seasonal closure for Closed Area II to August 15 through

November 15, the months with highest yellowtail bycatch rates. It further recommended lifting the seasonal restrictions for the Nantucket Lightship Area and Closed Area I.

This particular framework proposes measures for fishing year 2013 only. The Council had initially planned to set specifications for two fishing years (2013 and 2014) with default measures for 2015.

During the development of Framework 24 it decided to limit the action to the upcoming fishing year based on a number of factors: the uncertainty related to the high recruitment levels in the Mid-Atlantic; future Georges Bank yellowtail flounder catch levels, and the status of the EFH Omnibus action; and potential changes in habitat closure boundaries.

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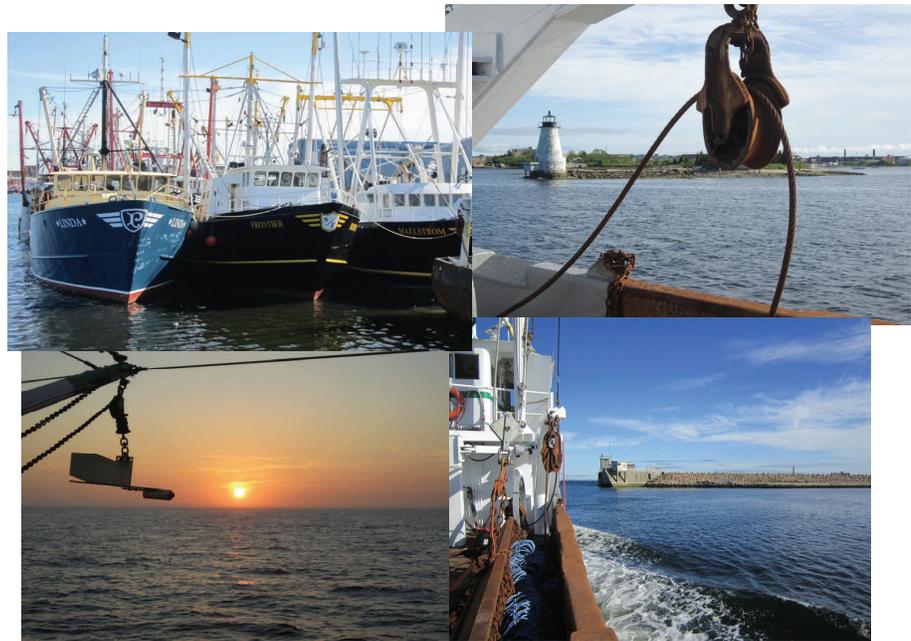
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The New England Fishery Management Council is one of eight regional organizations created by the Magnuson-Stevens Fishery Conservation and Management Act, initially enacted in 1976.

- ◆ **The Council develops rules for both large and small-scale commercial and recreational fisheries that operate between three and 200 miles off the region's coastline.**
- ◆ **Major ports include Portland, ME, Gloucester and New Bedford, MA and Point Judith, RI.**
- ◆ **Its management authority extends to fishing grounds in the Gulf of Maine, Georges Bank and southern New England and overlaps with the Mid-Atlantic Council for some species.**

Please note the special one-day Council meeting on Thursday, December 20, at the Sheraton Colonial Hotel in Wakefield, MA to address groundfish issues.

Sights Along the Way



Photos courtesy of Deirdre Boelke and the captain and crew of the F/V Celtic.