



Council Report

February 2014

The Council Report summarizes major actions approved at NEFMC meetings or highlights items of interest to stakeholders.

At its January 28-30, 2014 meeting, the Council:

- Took final action on sea scallop, monkfish and skate specifications;
- Voted on the spiny dogfish specifications;
- Approved next steps for Herring Amendment 4;
- Approved elements of Groundfish Amendment 18; and
- Approved the alternatives in the Industry-Funded Monitoring Amendment draft discussion document for analysis

Rules Revised for Scallops, Monkfish, Skates

During its first meeting of 2014, held in Portsmouth, NH on January 28-30, the New England Fishery Management Council took action on rules that will affect the participants in three important east coast fisheries --- the sea scallop, monkfish and skate fisheries.

Below is a brief summary of some, but not all of the changes proposed by the Council to NOAA Fisheries. The agency, on behalf of the Secretary of Commerce, provides final approval and implements all regional council fishery management actions that affect U.S. federal waters.

Projected Scallop Catch Close to Last Year's Level

Specifications for Fishing Years 2014-2015

- Thirty-one days-at-sea in open areas; and
 - * Two 12,000 pound access area trips for full-time vessels. Each vessel would be allocated one trip in the Delmarva Area (in the Mid-Atlantic) and one trip in either the Nantucket Lightship (Lightship) Area or Closed Area II (CAII) to be allocated by lottery.
 - * The trip allocated for Delmarva is voluntary. Full-time vessels can choose to use that access opportunity in the Delmarva Area up to 12,000 pounds, or fish five additional days-at-sea in open areas with no access in Delmarva. If the latter, a full-time limited access vessel would be allocated 36 days-at-sea (thirty-one days plus five days) and one access area trip in either the Lightship Area or CAII.
- Total projected catch from all sources (including set-asides and limited access general category IFQ of about 2.2 million pounds) is 17,254 metric tons, or 38 million pounds. This is about the same projected catch as last year.

Closed Area I Trips

Unused 2012 CAI trips could be used in the CAI access area when it reopens after the EFH Omnibus Amendment is implemented. This opportunity would be limited to vessels that have submitted a broken trip adjustment sheet and qualify for a broken trip only. *Unused 2013 CA I trips* could be used in CAI when it reopens after the EFH Omnibus Amendment is implemented. Vessels do not have to submit a broken trip adjustment sheet for unused 2013 trips.

Windowpane Flounder Accountability Measures

The approved reactive accountability measure (AM), took the form of a seasonal gear restricted area that is expected to address overages of the windowpane flounder annual catch limit. Included are all waters west of 71W, but excluding the scallop access areas. If AMs are triggered and the scallop fishery overage is estimated to be greater than 0 and less than 20%, the AM would be in place for the month of February. An approved proactive measure would prohibit a scallop dredge vessel from having more than seven rows of rings in the apron in all waters west of 71W, again, not including the Mid-Atlantic access areas.

Monkfish is not overfished nor is overfishing occurring. Its tails are prized by U.S. chefs, while the cheeks and livers are popular in Europe and Asia.

If approved, Skate Framework 2 would remove the unclassified skate bait VTR reporting code.

The following VTR and dealer codes would be available for vessels reporting skate bait landings:

1. Winter Skate
2. Little Skate
3. Little/Winter Skate
4. Barndoor Skate
5. Smooth Skate
6. Thorny Skate
7. Clearnose Skate
8. Rosette Skate

Monkfish Framework 8 Moves Ahead

The monkfish resource off the eastern seaboard is jointly managed by the New England and Mid-Atlantic Fishery Management Councils. The Mid-Atlantic Council will take final action this week, on Feb 11-13, 2014, in New Bern, NC. The NEFMC approved the following at its meeting:

- For the Northern Fishery Management Area - 46 days-at-sea with an incidental trip limit when fishing under a groundfish day-at-sea of 600 pounds per day for vessels with C permits, and 500 pounds per day for vessels with D permits.
- For the Southern Fishery Management Area - 32 days-at-sea with a daily landing limit of 610 pounds per day for vessels with A and C permits, and 500 pounds per day for vessels with B, D and H permits.
- A modification to days-at-sea use requirements to allow the use of monkfish-only days at any time during the fishing year in both the Southern and Northern Fishery Management Areas.
- If implemented, permit category H vessels may fish on a monkfish DAS throughout the Southern Fishery Management Area.

Skate Specifications in Framework 2 Approved

The following catches, were approved by the NEMFC for fishing years 2014-2015:

- A revised annual catch limit of 35,479 metric tons or about 78 million-plus pounds;
- A wing possession limit of 2,600 pounds from May 1-August 31, and a limits of 4,100 pounds from September 1-April 30; and
- A 25,000 pound bait possession limit.

The Council also requested that NOAA Fisheries establish a control date for the skate fishery for uses other than bait. Control dates have generally been used to limit speculative entry into a fishery if a limited entry management program were to be adopted in the future.

NEFMC/MAFMC Differ on Dogfish Trip Limit in 2014-2015 Specs

The Council approved the following measures for the 2014-2015 spiny dogfish specs:

- 1) For 2014, an ACL/ACT of 60.695 million pounds and a commercial landings quota of 49.037 million pounds;
- 2) For 2015, an ACL/ACT of 62.270 million pounds and commercial landings quota of 50.612 million pounds;
- 3) To eliminate the 4,000 pound trip limit; and
- 4) To allow up to 3% of the commercial quota in 2014 and 2015 to be allocated to the research set aside program.

In contrast, the MAFMC had recommended keeping the 4,000 pound trip limit with the result that the NMFS Regional Administrator will have to choose between the differing recommendations under the rules in place for the Spiny Dogfish FMP.

Herring Amendment 4 - More Details Approved

The Council approved, for further development, a range of alternatives that will be included in Framework 4 to the Herring FMP. They will address dealer weighing requirements and measures to address net slippage. The intent is to rework measures that had been part of Amendment 5 to the FMP, but were disapproved by NOAA Fisheries last year.

Based on approved Council motions, the dealer weighing provisions call for accurate and verified catch weights, with specific standards, and the development of industry weighing and handling standards to support these alternatives.

The specifics outlined to address net slippage included several “move along” options (i.e. relocate to another area). Exemptions to the requirement were also identified for consideration. At this writing they include safety issues, mechanical failures and encounters with dogfish schools. Several other options were approved for further development; a prohibition on operational discards for midwater and bottom trawl vessels; and trip termination if a non-exempted slippage event occurs. Additionally, the Council will consider whether the Framework 4 measures would apply to: 1) all limited access herring permits; or 2) only Category A and B vessels when on a declared herring trip.

ASMFC Herring Board Initiates New Herring Amendment at its Winter Meeting

The draft amendment is intended to more fully protect spawning herring in Area 1A, located in the inshore Gulf of Maine.

Amendment 18 Issues Clarified

Handgear A Proposal

After several months of discussion, the Council, at its January meeting voted to include several measures in Amendment 18 to the Northeast Multispecies FMP initially proposed by the Northeast Hook Fisherman’s Association (NEHFA). Specifically, it voted to include nine proposal provisions to be analyzed as an alternative in the Amendment, including proactive and reactive accountability measures.

NEHFA members have asked that the cod catch history associated with Handgear A permits be separated into a handgear-specific fishery with its own sub-annual catch limit (sub-ACL). The intent is that the sub-ACL be used by handgear fishermen harvesting in a program distinct from sectors or the common pool, or sector fishermen if using handgear. This separate program would, in part, have an annual vs. the current trimester catch limit for the common pool, and not be subject to the March 1-20 handgear fishing closure. Apart from a grandfathering provision, these measures would ensure that the catch history associated with Handgear A permits would be used by the active handgear fishery.

Permit Banks

In other decision-making, the Council passed a motion “That non-profit entities (private permit banks) holding permits for the purpose of leasing ACE, or annual catch entitlements, to active fishermen be referred to as “non-profit permit banks” thereby distinguishing them from other private entities that lease ACE.” The Council also approved a definition for non-profit permit banks: 1) It is a partnership, voluntary association, or other non-profit entity established under the laws of the U.S.; 2) It is eligible to hold Northeast Multispecies permits/MRIs; 3) It maintains transparent qualification criteria and application processes for the distribution of ACE to fishermen; and 4) It must distribute ACE to at least three distinct business entities in any fishing year.

More on Amendment 18

The Council agreed, via several motions, to develop upgrade restrictions through an omnibus amendment in collaboration with NOAA Fisheries. Consideration will also be given to developing an omnibus action to remove or change vessel length and horsepower provisions under the next priority-setting discussion (November 2014). Meanwhile the Council will raise the issue with its management partners.

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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 commercial and recreational fisheries that operate between three and 200 miles off the region's coastline. NEFMC 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.

Omnibus Amendment for Industry-Funded Monitoring

After reviewing a discussion document, the Council approved draft alternatives for further analysis in this action. These included cost-sharing provisions between the government and fishing industry, a process for prioritizing additional monitoring needs, observer coverage targets for the Atlantic herring and mackerel fisheries, and provisions for approving service providers.

This amendment, which would establish a program for industry-funded monitoring across all federally-managed fisheries in the Northeast Region, is being prepared jointly by the Greater Atlantic Regional Fisheries Office and the New England and Mid-Atlantic Councils.

**Next Council Meeting
February 25-26, 2014
DoubleTree by Hilton Hotel
50 Ferncroft Road
Danvers, MA 01923**

NOAA Fisheries has changed the name of the Northeast Regional Office to the Greater Atlantic Regional Fisheries Office. This action is at the direction of Congress to better reflect the broad extent of the region, which spans from Maine to North Carolina and includes the Great Lakes.