



# Council Report

June/July 2014

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

**At its June 17-19, 2014 meeting in Portland, ME, the Council:**

- **Initiated Framework Adjustment 26 to the Sea Scallop FMP**
- **Worked further on Amendment 18, Approved Framework 52, and initiated Framework 53 to the Ground-fish FMP**
- **Voted to move the Vessel Baseline Amendment forward for public review**

Next Council Meeting  
Sept 30 -  
Oct 2, 2014  
Cape Codder Resort,

## Sea Scallops - Looking Toward 2015

### *Framework 26 Initiated*

The Council considered and approved several important issues under its scallop agenda item in June: Framework Adjustment 26 to the Scallop Fishery Management Plan, research priorities for fishing years 2015-2016, and a report on the performance of the limited access general category (LAGC) IFQ fishery that was authorized by Amendment 11 and has been in place since 2010.

As background, in 2013 the Council set its management priorities for 2014 to include a scallop framework to set specifications for fishing years 2015-2016 (with default measures that would kick in depending on the implementation date of the action). The framework also would have addressed possible changes to the Georges Bank (GB) scallop access areas that could result from actions taken in the NEFMC's Habitat Omnibus Amendment.

Given the timing, the Council instead voted to postpone work on any modified scallop access areas on Georges Bank until after the Omnibus Habitat Amendment is finalized. At that point, a stand-alone action will be considered.

Other measures approved for inclusion in Framework 26 would:

- \* Address fishing in state waters by vessels with federal Northern Gulf of Maine (NGOM) permits after the federal NGOM TAC is reached;
- \* Make the turtle chain mat and turtle deflector dredge requirements consistent in terms of area and season;
- \* Modify the existing area closure accountability measures (AMs) in place for Georges Bank and Southern New England/Mid-Atlantic yellowtail flounder, and consider new AMs for the sub-annual catch for northern windowpane flounder that is being worked on by the Groundfish Committee; and
- \* Consider an inshore corridor for limited access scallop vessels to be off the clock when steaming back to port.

### *Sea Scallop Research Priorities OK'd*

Research priorities were approved for the 2015/2016 scallop fishing years with topics listed in order of importance. They covered scallop resource surveys (for 2015 only), bycatch, and scallop and area management.

Medium level priorities were not approved in order of importance, but covered studies that would:

- \* Investigate loggerhead turtle behavior in the Mid- Atlantic;
- \* Address scallop product quality and marketability;
- \* Characterize habitat, including (but not limited to) video and/or photo transects of the bottom within specified areas; and
- \* Monitor large scallop recruitment events seasonally.

[More scallops/p.2](#)



Photos courtesy of  
NOAA Fisheries

### Potential Sector Contribution

*or PSC is the proportion of the total landings of a particular groundfish stock (in live pounds) associated with an individual permit identifier over a specific time period.*



### ACE

*or annual catch entitlement, with respect to the groundfish fishery, means the share of the annual catch limit (ACL) for each groundfish stock that is allocated to an individual sector or state-operated permit bank, based upon the cumulative fishing history attached to each permit participating in that sector or held by a state-operated permit bank in a given year.*

## More Scallop News

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Other types of research are not listed here, but include studies aimed at addressing relevant issues that were identified as research priorities in the 2010 50<sup>th</sup> Stock Assessment Workshop — longer term projects focused on the impacts of environmental stressors, scallop biology, surveys of areas that have lower coverage, and projects focused on real-time reporting of catch and bycatch. For a more detailed list of the research priorities, click [2014/2015 Atlantic Sea Scallop Research Priorities](#).

## IFQ Report Reviewed

The Council received a report prepared by its Scallop Plan Development Team, who evaluated the performance of the sea scallop day boat fleet that currently operates under an Individual Fishing Quota (IFQ) management program. It was drafted at the Council's direction to monitor trends associated with IFQ management and generated a great deal of interest at the Portland meeting. For an updated, but not yet completely finalized version, click <http://nefmc.org/scallops/index.html>. A summary of the report is also included in a NEFMC press release at <http://nefmc.org/scallops/index.html>.

## Groundfish Actions Move Ahead

### Amendment 18

#### Range of Alternatives Partially Approved

After making minor changes to measures that would apply to Handgear A fishery permits, the Council approved the range of alternatives associated with this issue as well as others that address U.S./CA quota trading. Groundfish Committee and Council work on these elements of A18 is now finished until preparation of the associated environmental documents, public review, and final consideration by the NEFMC.

#### Accumulation Limits Revised

The Council revised three of the Potential Sector Contribution (PSC) accumulation limit alternatives. The modified options would apply to all PSC cap alternatives. For PSC in excess of an established cap, the associated Annual Catch Entitlement (ACE) would be distributed annually to the rest of the fleet in accordance with the method established in Framework Adjustment 45. If an individual or entity held more than the cap as of the control date, they would be grandfathered. And if required to relinquish permits as a result of A18, they would be allowed adequate time to make the transfer.

Following up, the NEMFC also tasked the Groundfish Committee with reviewing the impacts of several issues related to the PSC caps and divestiture. The Committee will report back to the Council in September.

#### Inshore/Offshore Line for GOM Under Consideration

Finally, the NEMFC voted to develop alternatives to address the concentration of fishing effort in the inshore Gulf of Maine (GOM). Discussion centered on an inshore/offshore line based on historical catch patterns or stock distribution. Alternatives would apply to recreational, party/charter, and commercial vessels, and create an annual catch limit for each area. Vessels would be prohibited from fishing in both the inshore and offshore areas on a single trip without monitoring to correctly attribute catch to each area. The gear restricted area in the inshore GOM could be expanded, possibly with time periods in which one would declare in and out.

## *More Groundfish - Frameworks 52 and 53*

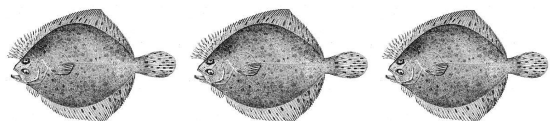
### **Framework 52 Final Action Approved**

Last February, the Council initiated Framework Adjustment 52 to revise the accountability measures (AMs) for the commercial groundfish fishery that catches southern and northern windowpane flounder. The current AMs were triggered for this fishing year because the overall annual catch limits (ACLs) were exceeded in fishing year 2012 for both windowpane stocks.

The AMs for southern windowpane currently require the use of approved selective trawl gear in defined areas to minimize the catch of flatfish in general.

The Council reconsidered the AMs at the June meeting because of concerns that the selective trawl gear virtually eliminates the catch of most flounders. The situation has created negative economic consequences for those who fish for flounders in the southern New England, but cannot avoid catching windowpane flounder (an unmarketable species) at the same time.

In the end, new AMs were approved for both northern and southern windowpane stocks. The measures approved call for 1.) a trigger that incorporates both an evaluation of stock status and biomass, and 2.) consideration of catch performance over the most recent two-year



period, at the time the AMs are implemented. If and when implementation is necessary, the Council requested that NOAA Fisheries first select #1 above, or a combination of both options, to minimize the economic impacts that would likely result. The decision, which was approved by a wide margin, also eliminated further consideration of the northern windowpane flounder seasonal accountability measures.

Meanwhile, it is possible that the southern windowpane AMs, as implemented for fishing year 2014, may be scaled back during this fishing year depending on the implementation date of the Council's proposed action. In-season changes to the northern window-pane flounder AM as implemented this year are not expected.

### **Other Groundfish News**

The Council voted to send a letter to NOAA Fisheries urging them to modify the Gulf of Maine haddock annual catch limit for the 2014 fishing year and to request an in-season adjustment to the recreational fishery accountability measures for Gulf of Maine haddock ---- based on the final results of the recent assessment (SAW/SARC 59) that would result in a quota increase.

### **Framework 53 Issues Identified**

The Council initiated Framework Adjustment 53 at the June meeting. The action will include specifications for several groundfish stocks and a number of management measures. The following issues, listed in order of priority as guidance to the Groundfish Plan Development Team, will be considered:

- \* Further allocate the windowpane flounder ACL to other components of the fishery and develop AMs
- \* Establish spawning closures in the inshore Gulf of Maine for cod;
- \* Incorporate a roll-over provision for specifications;
- \* Revise the carryover measures;
- \* Address enforcement concerns about undersized fish through changes in gear regulations; and
- \* Improve the recreational management measures process.

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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.

## **Vessel Baseline Amendment Forwarded for Public Review**

Following its review of the NOAA Fisheries-developed Vessel Baseline Amendment, the Council approved the action for release to the public so that interested parties may comment. The NEFMC also voiced an interest in pursuing related issues in a follow-on action. Because it also affects Mid Atlantic Fishery Management Council Plans, that group will be reviewing the draft amendment at their August meeting in Washington, DC.

As described in the draft document available to Council members, "the purpose is to simplify and streamline the administration of vessel baselines, upgrades, and replacements for vessel owners and the agency, while maintaining the function they provide for maintaining fleet diversity and limiting capacity." The amendment is also considered necessary to eliminate redundant regulations that may no longer be necessary as a result of the implementation of ACLs and other controls on mortality and effort in the applicable fishery management plans.

During its review, the Council selected Alternative 4 in the document as preferred. In eliminating both tonnage and upgrade limits, members agreed with the rationale that this was a way to provide more flexibility for vessel owners in the selection of replacement vessels and upgrades to existing vessels. Some vessel owners have been constrained by the current one-time limit because they or a previous owner did not maximize the one-time upgrade with a previous vessel replacement, due to cost or availability or for other reasons, and have since been unable to further upgrade the vessel.

Tonnages are considered the most variable of vessel baseline specifications and, therefore, are believed to have little effect on limiting vessel capacity when compared to length and horsepower restrictions.

## **New England Notes**

Congratulations to newly appointed Council member Elizabeth "Libby" Etrie, who will serve as an at-large member from Massachusetts beginning in August, and re-appointed members Tom Dempsey, Peter Kendall, and Mary Beth Nickell-Tooley.

Additional kudos go to current Council member Ellen Goethel, and her husband and former NEFMC member David Goethel, both of whom recently received the Gulf of Maine Industry Award presented by the Gulf of Maine Council on the Marine Environment at a ceremony in Halifax, Nova Scotia. The honor recognizes an individual, company, or organization within the Gulf of Maine that has demonstrated innovation and leadership in efforts to improve the well-being of the Gulf of Maine ecosystem and the communities that call it home.