



Council Report

An update published by the New England Fishery Management Council – April/May, 2010

The Council Report summarizes major issues voted on or discussed at each regularly scheduled NEFMC meeting. The Council met most recently on April 27-29, in Mystic, CT.

At its April meeting, the Council addressed issues related to skates, monkfish, groundfish, interspecies, red crab, essential fish habitat and herring. It also received a report from its Scientific and Statistical Committee concerning revised skate and red crab ABCs.

Northeast Skate Complex

Council revises Amendment 3 specs, increases wing fishery possession limit for 2010-2011

At its April meeting, the New England Fishery Management Council approved a request to the National Marine Fisheries Service Regional Administrator asking her to raise the skate complex Allowable Biological Catch (ABC) by 34% to 41,080 metric tons and the Total Allowable Landings (TAL) by 51% to 14,277 metric tons. The ABC increase was justified based on a 78 percent increase in the winter skate biomass. Clearnose and little skate biomass also increased by 63 and 37 percent, respectively. The TAL increase was greater than the ABC because skate discards declined in 2008 and more of the limit could be allocated to landings.

Importantly, more restrictive management measures that were scheduled to be on the books soon would be superseded by those agreed to by the Council in April. If approved by NMFS, the new possession limit for skate wings, the larger of the two components of the fishery, would increase from 1,900 to 5,000 pounds of wings per trip, based on an analysis conducted by the PDT using 2009 fishery catch and survey data. The Regional Administrator is authorized to reduce the skate wing possession limit to 500 pounds per trip for the remainder of the fishing year when that fishery lands 80 percent or more of the TAL. Managed through seasonal quotas, bait fishery landings will be raised by 52 percent.

The regulations that implement Amendment 3 will be delayed for a few weeks to allow NMFS time to consider the Council's request. The Council proposed Amendment 3 to rebuild overfished smooth and thorny skates, while setting catch limits at sustainable levels for the other five skate species in the complex, including little and winter skates which are targeted by the fishery.

Monkfish

Amendment 5 measures approved, new alternative to be analyzed and considered in June

Following the recommendations of its Monkfish Committee and Advisory Panel, as well as the actions taken by the Mid-Atlantic Council earlier this month, the NEFMC voted to approve final measures to be submitted to NMFS as part of Amendment 5 to the Monkfish Fishery Management Plan (FMP). The FMP is a joint plan which requires that both Councils approve the management measures before they can be submitted to NMFS for final approval.

The approved measures include new biological and management reference points to bring the plan into compliance with the Magnuson-Steven Reauthorization Act and new National Standard 1

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Guidelines, such as Allowable Biological Catch (ABC), Annual Catch Limits (ACLs), and Accountability Measures (AMs). The Councils also approved the specifications for trip limits and days-at-sea (DAS) allocations for the 2011-2013 fishing years, and several other administrative measures.

The Councils rejected three proposals based on public comment and the recommendations of the committee and its advisory panel. One of those proposals would have allowed monkfish vessels with groundfish DAS to choose when to declare that the vessel is fishing on a combination groundfish/monkfish DAS, or on a monkfish-only DAS only. The current rules, which will remain in place, require such vessels to use the combination DAS first, until the allocation of groundfish DAS is exhausted, at which point, if a vessel has allocated monkfish DAS remaining, it may fish them as monkfish-only DAS.

A second proposal rejected by the Councils would have relieved those same vessels from having to use any of their groundfish DAS if they fish in a groundfish sector (under the newly adopted Amendment 16 to the Multispecies FMP). Instead, they will have to use an allocated groundfish DAS when on a monkfish DAS, even though they are not required to do so under their sector rules.

The third rejected proposal would have required all monkfish limited access vessels to have a Vessel Monitoring System (VMS) onboard, with a provision that the VMS could be powered-down when it is not fishing on a monkfish DAS. This proposal would have affected only vessels (permit categories A, B and H) that are not already required to have VMS under the groundfish or scallop regulations.

The Council also directed the staff to analyze a new catch target option, also known as a pro-active accountability measure, for the Northern Management Area (NMA) that would set the target at 80 percent of the ACL. This proposal would result in an increase in the NMA target from 10,750 metric tons to 13,988 metric tons. The analysis will include projections of catch and its impact on the exploitation rate and biomass of the northern stock component, as well as the trip limits and DAS allocations associated with that catch target.

The Council will review that analysis at its June meeting prior to final approval of Amendment 5 measures. If the Council rejects the increased target proposal, it has approved a default catch target and associated trip limits and DAS allocations for final submission.

Groundfish

Yellowtail flounder, winter flounder and pollock actions identified; party-charter control date discussion moved to June

A number of issues were discussed relative to a groundfish framework adjustment that will be submitted in late 2010 for implementation in fishing year 2011. The Council voted to consider the following options for changing the Georges Bank yellowtail flounder rebuilding strategy: No Action (rebuild by 2014 with a 75 percent probability), and rebuild by 2016 with a 50, 60, or 75 percent probability.

New sector applications will be included in the framework. New applications were due at the Council office before May 1, 2010, for sectors that intend to begin operating May 1, 2011. The framework will consider an exemption that will allow General Category scallop vessels to fish in the Great South Channel in the spring with an end result of opening the area during closure periods.

Several groundfish-related issues raised in April will be discussed at the June 22-24 Council meeting in Portland, Maine:

- Consider re-affirming the control date (March 30, 2006) for party/charter fishing vessels. The Council considered doing so at this meeting but decided that this should be a specific item on the agenda before taking action.
- Discuss asking NMFS to initiate a zero possession limit for Gulf of Maine (GOM) winter flounder, and no allocation to sectors. The intent would be to treat GOM winter flounder similar to Southern New England/Mid-Atlantic winter flounder.

Finally, and of great interest to many, the NMFS Regional Administrator announced the agency is preparing to adjust the pollock catch levels if the June stock assessment results support a change.

Council staff briefed the Council on Magnuson-Stevens Reauthorization Act (MSRA) buyback regulations. Members followed up by voting to send a letter to the Secretary of Commerce stating that the NEFMC recognizes the need for a permit buyback. A second letter to NMFS will request continued groundfish sector monitoring funds.

Joint Groundfish/Scallops

Development of solutions will continue

The Council voted to continue the development of a joint groundfish/scallop amendment that will address mechanisms that facilitate the harvest of optimum yield from the two fisheries. Efforts will focus on examining the potential constraints of the groundfish stock allocations and reducing the bycatch of groundfish by scallops vessels.

Interspecies

Allocative effects and excessive shares of fishing privileges to be examined

The Council voted unanimously to support an Interspecies Committee recommendation to pursue consolidation of the Northeast Multispecies (Groundfish), Skate and Monkfish Fishery Management Plans in order to streamline management, given the large degree of overlap in these fisheries. The FMP consolidation exercise was considered by many Council members to be a “trial” process.

Acting on a second Interspecies Committee recommendation, the Council again voted unanimously, this time directing the Groundfish Committee to address the allocative effects and excessive control of fishing privileges by persons that hold ownership in permits, or by a sector as a result of its Annual Catch Entitlement, or ACE. Emphasis was placed on consistency with the social and economic objectives of the fishery management plan, the Council’s sector management policy, the national policy on catch share management and requirements of National Standard 4 in the MSRA.

Council staff was also directed to develop a white paper that will provide definitions of fleet diversity used in other fisheries, including examining the results of the Northwest Atlantic Marine Alliance’s Fleet Vision Project, outline baselines and potential measures for the multispecies fishery, and provide an analysis of the potential outcomes of accumulation limits. The white paper is meant to support and enhance discussions about allocative effects and excessive shares of catch in the groundfish fishery.

Red Crab

ABC revised

The Council’s SSC reported to the Council that after reviewing new information from the Red Crab

Plan Development Team, the red crab acceptable biological catch (ABC) should be increased to 1,775 metric tons. This was a substantial increase from the SSC's previous ABC recommendation of 1,284 metric tons recommended last September. The Council adopted the revised ABC and passed a motion requesting that the NMFS Regional Administrator make in-season adjustments to red crab management measures that would be consistent with an increase in the new ABC.

Habitat

Update on the Omnibus Amendment

The Habitat Committee Chair and Council staff gave an update on Essential Fish Habitat Omnibus Amendment 2. At a recent joint meeting, the committee, along with its advisory panel, and Plan Development Team met to review the Swept Area Seabed Impact model and applications to the development of management alternatives to minimize the adverse effects of fishing on EFH.

At that meeting, the committee tasked the PDT with developing recommendations for new or modified vulnerable habitat areas that might be candidates for management measures and the development of practicability metrics that will guide the Council in weighing the tradeoffs between habitat protection and fishery production. The committee also solicited recommendations for new or modified Habitat Areas of Particular Concern (HAPCs) and deep-sea coral protection zones. At the Council meeting, there was some discussion of the relationship between HAPCs and emerging non-fishing uses of the marine environment, particularly as the marine spatial planning efforts gain traction.

Herring

Herring stock assessment scheduled for 2012; ASMFC coordination requested

The Council agreed with the Northeast Fisheries Science Center that the comprehensive herring "benchmark" assessment should occur in June 2012. Convincing arguments included the incorporation of new and more robust information and the exploration of new assessment models that may help resolve previous issues associated with providing management with accurate estimates of biomass and other information.

The Council also agreed to send a letter to the Atlantic States Marine Fisheries Commission concerning Addendum III to the states' Atlantic herring plan. At issue is an ASMFC action that would allocate additional access to small mesh bottom trawl fishermen (Category C and D) through differential effort controls or the allocation of a percentage of the Total Allowable Catch in Herring Management Area 1A --- which is set by the Council. While the Council expressed its support for ASMFC efforts to develop complementary measures for the species, Council members were concerned about creating incentives for increased participation in the fishery. The NEFMC maintained that the management of federal fisheries, including allocations of catch, must be developed by the regional Councils in accordance with the Magnuson-Stevens Act National Standards.

Materials on the Web

Meeting materials related to the above issues and PowerPoint presentations that accompanied the briefings provided to the Council in April are located on the Council's website www.nefmc.org. Audio files of the full meeting discussions are posted at <http://www.nefmc.org/actions/index.html>.

Next Council Meeting –June 22-24, 2010. Eastland Park Hotel, Hotel, Portland, ME