

# Council Report

*An update published by the New England Fishery Management Council – January 2002*

This publication summarizes actions taken by the NEFMC at meetings regularly scheduled throughout the New England region. The Council met most recently on January 15-17, 2002 at the Marriott Courtyard Hotel in Portsmouth, NH.

**Issues addressed at this meeting related to marine protected areas, enforcement of fishery regulations, the status of two NEFMC-managed stocks, and to the management of monkfish, scallops, red crab, groundfish and hagfish as well as capacity issues.**

## **MPA Committee Reports on Kickoff Meeting**

The Council received its first briefing on the activities of the newly formed Marine Protected Areas (MPA) Committee. Standing in for Committee Chairman John Nelson, Council member David Pierce described the role of the committee as one of policy development and providing representation to the various groups involved in the MPA process. Specifically, the committee is responsible for developing an official Council strategy on MPAs and will keep the Council informed about various MPA-related activities.

## **Enforcement Guidelines Approved**

The Council's Enforcement Committee reviewed and suggested changes to a list of precepts that will provide guidance to the Council during the development of management measures. The exercise was undertaken in view of the increased workload of both the National Marine Fisheries Service (NMFS) and the Coast Guard as a result of homeland security concerns. By a unanimous vote, the Council approved a document that provides advice on such issues as the use of closed areas and Vessel Monitoring Systems, permit revocation and habitual offenders. Arguably the most useful tool provided to the Council as an outcome of these discussions will be the preparation of enforcement assessments, reviews of proposed measures from an enforcement perspective provided to the Council prior to decision-making on actions under consideration.

## **NMFS Presents Results of 34<sup>th</sup> Stock Assessment Workshop (SAW)**

Dr. Terry Smith of NMFS's Northeast Fisheries Science Center provided an advisory report on the status of two NEFMC-managed species --- monkfish, and Georges Bank winter flounder, as well as Loligo (longfin) squid, which is managed by the Mid-Atlantic Fishery Management Council. According to the report, the good news for Georges Bank winter flounder is that the stock is neither overfished, nor is overfishing occurring, stock biomass has been increasing steadily since 1994 and the stock is 90 percent rebuilt. And while monkfish is overfished in both the northern and southern management areas, biomass indices show an increase in the north. The SAW concluded that it is unlikely the longfin squid stock is overfished.

## **Monkfish Management Moves Forward**

By approving the first framework adjustment to the Monkfish Fishery Management Plan (FMP), the Council proposes to delay the default measures in the FMP that call for elimination of the directed monkfish fishery and drastically reduced incidental catch limits in year four of plan implementation. In keeping with the recommendations of the Monkfish Monitoring Committee and the Monkfish Oversight Committee, the Council voted to replace the default with restrictive trip

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limits in the southern management area and to keep the 40-day cap on monkfish days-at-sea for both the southern and northern management areas. The new measures, which would be in effect for one year, were based on a 19,595 metric ton Total Allowable Catch, a level that reflects the significant overall decline in landings from pre-FMP levels. Pending approval by the Mid-Atlantic Council, the NEFMC will submit Framework 1 to NMFS this February. Meanwhile, the Council has started to work on a monkfish amendment, which, according to present plans, will be in place when the framework expires in 2003.

#### **Progress Continues on Scallop Amendment 10**

As the Scallop Plan Development Team (PDT) continues its work on an analysis of area rotation management strategies for the sea scallop fishery, the Council has continued to develop other aspects of Amendment 10 to the Scallop FMP. Decision-making at this Council meeting focused on approving additional measures for analysis in the Draft Supplemental Environment Impact Statement (DSEIS). These include:

- an alternative to manage scallop fishing while not on a scallop day-at-sea, including designations about access to scallop management areas when closed, open, or under special management after growout; this alternative also would prohibit limited access scallop vessels from targeting scallops under general category rules;
- an alternative to consider equivalent reductions in scallop trawl sweep, comparable with an alternative to reduce the maximum dredge width from 15 to 13-feet (26 feet combined width); and
- a measure requiring adequate observer coverage at a level yet to be determined.

Other alternatives were not approved for further analysis. They will be in the DSEIS as alternatives that were considered and rejected. Among others, these included: a measure to set a minimum 120 days-at-sea allocation for full-time vessels as a guiding principle to set future harvest targets under area rotation policies and a measure that would limit the duration of scallop trips by limited access vessels on a day-at-sea. No final decision was made to require standard bags and bag tags. Decisions on alternatives to reduce habitat impacts, as well as to reduce bycatch and bycatch mortality, were deferred pending the receipt of the results of the January 22-23 joint meeting of the Scallop and Groundfish PDTs with the Council's Habitat Technical Team. The Council will approve the habitat protection and bycatch reduction alternatives at its February 26-27 meeting.

#### **Red Crab Management Measures Approved**

A year after voting to make the Red Crab FMP a priority, the Council approved measures that will govern the operation of the fishery. Decisions concerning the red crab management unit boundaries, timing of the fishing year, minimum size, optimum yield, and an essential fish habitat designation, as well as the number of days-at-sea allowed, trip limits, trap limits and incidental catch limits were voted on in January. The Council adopted the Red Crab Committee's recommendations, with the exception of adding a provision allowing a vessel to qualify for a higher trip limit if it could show documented proof of a trip larger than the baseline trip limit during the controlled access qualification period. Elements of the final document package will be approved by the Council at its late February meeting prior to FMP submission to the Secretary of Commerce.

#### **Capacity Issues to be Addressed**

Agreeing that capacity issues are critical to the development of Amendment 13 to the Northeast Multispecies (Groundfish) FMP, the Council agreed to include measures that will "limit or prevent the use of unused day-at-sea (DAS) in order to achieve all necessary objectives for the management

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of groundfish.” The Council also gave its Capacity Committee guidance for those alternatives that would use a DAS baseline level to accomplish this task by narrowing down to four the number of possible baselines the committee will develop further. Major differences in the options involve the baseline year(s) from which days are counted --- a range between 51,000 and 86,000 days-at-sea of effective effort --- that is, DAS actually used (versus DAS allocated).

#### **Background Presented on Proposed Agreement U.S./Shared Groundfish Resources**

A series of informal meetings between U.S. and Canadian fisheries managers to discuss common concerns about transboundary resources resulted in the formation of the Transboundary Resource Assessment Committee (TRAC) back in 1998. Through TRAC efforts, an informal agreement was struck to better coordinate stock evaluations, use advice based on the best combined information, address operational concerns of the fishery and to minimize differences used to develop management plans in both countries for the purpose of pursuing consistent and coordinated management of cod, haddock and yellowtail flounder. Subsequently, a working group was formed to develop the specific mechanisms that would provide non-binding guidance to the two parties on the most important issue associated with the management of transboundary stocks. The culmination of this work was presented to the Council as a proposed agreement that will now be considered by the fisheries agencies of each country for approval. Important elements include:

- a 10 percent weight to historic landings patterns that favor the U.S.;
- a premium on improving scientific information, particularly about distribution and stock status;
- a call for similar fishing mortality and biomass targets for managing shared resources by both countries; and
- a more integrated forum for discussing transboundary issues.

#### **Hagfish Control Date Tabled**

Pending the availability of further information, the Council agreed to table a motion to establish a control date for the hagfish pot fishery that currently operates in New England waters. Instead, a request was made of the state fisheries agencies to collect information such as numbers of vessels, landings and revenues, and report back to the Council within the next six months.

#### **Groundfish Management Discussed in Closed Session**

The Council held a closed session to discuss potential responses to the Conservation Law Foundation, et al., v. Donald Evans, Secretary of Commerce lawsuit concerning Groundfish Framework Adjustment 33 and the Sustainable Fisheries Act requirements to address overfishing, stock rebuilding and bycatch reduction. After a review of the issues with the Assistant Administrator of Fisheries, Dr. William Hogarth, the Council unanimously expressed its commitment to participate in whatever process is determined by the courts to the extent it is permitted to do so, to work with NMFS as well as the plaintiffs to address the most pressing issues and to complete Amendment 13 to the FMP as soon as possible. To accomplish this task, the Council may break from its traditional committee structure and establish smaller groups to develop management options. Timetables and more specific strategies will be discussed at what will now be a two-day Council meeting scheduled for February 26-27.

***Background documents relating to the Council's management decisions or used during discussions at Council meetings may be obtained by calling the Council office at 978/465-0492.***

## Scheduled Meetings

### **Capacity Committee Meeting**

Tuesday, February 5 at 9:30 a.m.  
Holiday Inn, 31 Hampshire Street, Mansfield, MA

### **Monkfish Committee and Advisory Panel Meeting**

Tuesday, February 12, at 10:00 a.m. – Joint Oversight and Advisory Panel  
Wednesday, February 13, 2002 at 8:30 a.m. – Oversight Committee Only  
Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA

### **Habitat Committee Meeting**

Thursday, February 14 at 9:30 a.m.  
Holiday Inn, 31 Hampshire Street, Mansfield, MA

### **Groundfish Committee Meeting**

Friday, February 22 at 9:30 a.m.  
Holiday Inn, 31 Hampshire Street, Mansfield, MA

### **Joint Skate Committee and Advisory Panel Meeting**

Monday, February 25 at 9:30 a.m.  
Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA

### **Scallop Committee Meeting**

Monday, February 25, time TBA  
Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA

### **Full Council Meeting**

Tuesday and Wednesday, February 26 and 27  
Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA