



Council Report

An update published by the New England Fishery Management Council – September 2008

The Council Report summarizes major issues voted on or discussed at each regularly scheduled meeting of the NEFMC. On September 3-4, 2008 the Council held a special meeting to review the results of the third Groundfish Assessment Review Meeting, or GARM III, and discuss the impact of those findings on the development of Amendment 16 to the Groundfish Fishery Management Plan.

GARM III Results

Starting at the point at which the Council began its September 4 meeting discussions following receipt of the GARM report --- the following is a brief recap of some of the most recent news on groundfish stock status. The staff provided an overview to promote a better understanding of the GARM results beyond simply whether overfishing is occurring or whether a stock is overfished, and to help put future Council actions in context.

- The very good news was that redfish, American plaice, Georges Bank haddock and Gulf of Maine haddock are not overfished nor is overfishing occurring, and increased stock growth is occurring in southern windowpane flounder.
- The Gulf of Maine cod spawning stock biomass is at least as high, or higher, than it has been in 30 years; and while overfishing is still occurring, this stock is no longer overfished.
- Cape Cod yellowtail flounder has shown some rebounding in the last several years. Large relative increases also occurred in other yellowtail flounder stocks (Southern New England/Mid-Atlantic and Georges Bank).
- The September 3 briefing did not change the GARM results previewed at the June Council meeting in Portland, ME --- that all of the yellowtail and winter flounder stocks are at very low biomass levels and that pollock, northern windowpane, witch flounder, and ocean pout have deteriorated in status.

A stock that is subject to overfishing has a fishing mortality (harvest) rate above the level that provides for maximum sustainable yield. A stock that is overfished has a biomass level below its prescribed biological threshold.

Despite some positive outcomes since the implementation of Amendment 13 to the Groundfish Plan, many Council members expressed concern at the meeting that with fishing mortality still very high in a number of cases, many stocks are not rebuilding in accordance with the timeframes called for in the Magnuson-Stevens Fishery Conservation and Management Act.

Next Steps

With the above stock status information in mind, the Council deliberated on proposals to be included in draft Amendment 16. These included effort control measures to:

- permanently have an 18-inch minimum size for haddock;
- allow vessels to fish in the Yellowtail Special Access Area on eastern Georges Bank with haddock separator trawls, eliminator trawls, five point trawls and hooks to catch haddock;
- continue development of effort control measures to address GARM III results and recommendations and avoid options that will promote a shift of fishing effort inshore and/or increase discarding;

-
- encourage the harvest of healthy stocks; and
 - develop an alternative that relies on differential counting of days-at-sea and does not include any trip limits.

Members also voted to include the following recreational fishery measures in the draft amendment:

- if fishing mortality has to be decreased, size limits will be adjusted, followed by changes in bag limits, followed by changes in the season; if mortality can be increased, the reverse order will be used;
- recreational fishery accountability measures (AMs) will be adjustments to minimum sizes, bag limits, and/or seasons set for the following year to account for previous years overages of recreational fishery annual catch limits (ACLs), using a three-year running average of MRFSS data (or its replacement system);
- recommend that for any stock not fully utilizing the ACL after deduction for state landings, and/or any stock where recreational catch is less than five percent, the Council should not implement a commercial/recreational allocation at this time;
- in those cases that meet the five percent requirement for an allocation, consider a range of options for years to determine the allocation;
- for evaluating recreational ACLs, calculate the three-year average of ACL and compare it to the three-year running average of catch; and
- when setting ACLs, there would be no deduction for state waters catch by federally-permitted commercial and federally-permitted party/charter vessels.

The Council also voted on a number of sector policy measures that were adopted for purposes of further analysis in Amendment 16:

- all Amendment 16 sector policy revisions would be implemented in fishing year 2010;
- sectors would be prohibited from landing ocean pout or windowpane flounder;
- sectors would not be required to adhere to additional mortality controls adopted in Amendment 16, such as year round and seasonal closed areas, gear requirements and differential days-at-sea counting;
- the assumed discard rate will be derived from the latest assessment, by gear type, and the discard rate will be added to the landings for each trip to track the sector's catch of its annual catch entitlement; an additional option also was added --- (using the available observer data) observed trips would be used to calculate a sector-specific discard rate.

Interim Rule

Following the development of sector monitoring proposals, members turned their attention to a request for implementation of an interim rule to meet the Amendment 13 requirement for a "mid-course correction" based on the findings of the 2008 GARM report. With several months of work on Amendment 16 still ahead, the Council availed itself of the Magnuson-Stevens Act provision that allows NMFS, at the request of the Council, to put interim measures in place to reduce overfishing. Although the agency, on behalf of the Secretary of Commerce is the decision-maker on the specifics of any interim rule, the Regional Administrator sought Council input which focused on days-at-sea cuts and trip limits. If implemented, an interim rule is expected to remain in place at least through fall 2009.

Materials on the Web

Meeting materials related to the above issues and other agenda items may be found on the Council's website www.nefmc.org. Presentations not discussed in this report, as well as materials related to decision-making are included. Audio files of the full meeting discussions are posted at <http://www.nefmc.org/actions/index.html>.

Next Council Meeting: October 7-9, 2008, Hilton Hotel, Mystic, CT