



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

At its Sept. 24-26 meeting in Hyannis, MA, the Council:

- ◆ Set the TACs for the U.S./Canada stocks
- ◆ Developed options for Groundfish FW 51
- ◆ Approved catch caps for river herring and shad in the Atlantic Herring fishery
- ◆ Modified Habitat Amendment alternatives
- ◆ Identified alternatives for Scallop FW 25

**Inside this issue:**

FW Adjust. 51 -	2
White Hake -	2
River Herring and Shad Catch Caps -	2
Habitat -	3
Scallop FW 25 -	3
Add'l Council Actions -	4

# Council Report

September/October 2013

## Yellowtail Flounder TAC Approved

While many decisions were made concerning modifications to the package of proposals in Draft Framework Adjustment 51 to the Groundfish FMP, the lengthiest debate at the Council meeting centered on setting Total Allowable Catches (TACs) for stocks harvested in the U.S./Canada Area. These are Eastern Georges Bank cod, Eastern Georges Bank haddock and Georges Bank yellowtail flounder. Council, NOAA Fisheries and Canadian representatives negotiate these TACs or quotas each year as participants as members of the Transboundary Management Guidance Committee (TMGC).

Of critical importance to the U.S. fisheries that catch yellowtail flounder, either as a

targeted or incidentally caught species, was the amount approved for the Georges Bank yellowtail flounder TAC for 2014. Although a higher level was discussed, a 400 metric ton TAC was approved in a 9/7/0 Council vote.

Underlying the difficult decision was reliance on an assessment model that was associated with significant uncertainties. The Transboundary Resources Assessment Committee (TRAC), however, maintained, "the model's conclusion, that stock conditions are poor, is still valid." Accordingly, it "advised that catches well below 500 metric tons [were] likely needed to achieve the harvest strategy." The TRAC is the scientific arm of the TMGC and is comprised of U.S. and

Canadian scientists.

The Council's own Scientific and Statistical Committee (SSC) recommendations were very similar to the TRAC advice --- "an upper limit of 500 metric tons, with a strong recommendation to reduce catch as much as practicable as the best advice the available science will allow." The Council's decision will be included in Framework 51 and forwarded to NOAA Fisheries for approval.

### 2014 U.S./Canada TACs

- ⇒ E. Georges Bank cod, 700 mt
- ⇒ E. Georges Bank haddock, 27,000 mt
- ⇒ Georges Bank yellowtail flounder, 400 mt

## Framework 51 to Include Small Mesh GB Yellowtail AMs

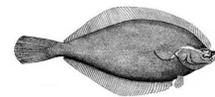
In response to the requirement to develop alternatives for Georges Bank yellowtail flounder accountability measures (AMs) for the small mesh squid and whiting fisheries on Georges Bank, the Council agreed to the following:

- ◆ Include a pound-for-pound payback if the small mesh

yellowtail sub-ACL is exceeded and if the total annual catch limit (ACL) for Georges Bank yellowtail is also exceeded; and

- ◆ Add gear modifications as an AM or technical measure.

The Council also agreed to seek advice from its Whiting Advisory Panel and the Mid-Atlantic Council's Squid Advisory Panel about the above described measures.



**The Details:  
River Herring  
and Shad  
Catch Caps**



**During the next two years, the Gulf of Maine catch cap would apply to midwater trawl gear only and is proposed to be 86 metric tons, or about 189,000 pounds.**

**The catch cap for an area off Cape Cod also would apply only to midwater trawl gear and is proposed to be 13 metric tons or 29,000 pounds.**

**In the Southern New England/ Mid-Atlantic cap area, separate caps by gear type would be set; 124 metric tons or 272,000 pounds for midwater trawls and 89 metric tons or 198,000 pounds for bottom trawl vessels.**

## More Framework 51 News

Other Draft Framework 51 items approved in Hyannis included options to:

- \* Authorize the Regional Administrator (RA) to move Eastern Georges Bank haddock quota from east to west and west to east, as needed;
- \* Give the RA the authority to facilitate transboundary trades of groundfish quota; these trades would be restricted to U.S. groundfish fishery entities trading U.S./Canada stocks;

similarly, the fish received from Canadian entities would accrue only to the groundfish fishery; and

- \* Revisit the stratification of assumed discards for Georges Bank yellowtail flounder in order to establish a new discard strata in statistical area 522, which typically has lower yellowtail flounder discards compared to the rest of the Georges Bank yellowtail flounder statistical areas.

By consensus, the Council also agreed that the distribution of any U.S./Canada quota would be consistent with the current sector sub-ACL distribution process. For traded quota, the Council would consider an allocation strategy that would treat this fish as additional groundfish quota that would contribute to a sector's Annual Catch Entitlement or ACE..

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## Good News for White Hake

In supporting the SSC's 2014-2016 recommendations for white hake, the Council may have given a boost to fishermen who harvest the mild, white, flaky fish that has been appearing more frequently on local restaurant menus.

The ABC set by the Council's SSC is upwards of 4,500 metric tons in each of the three years compared to an ABC of 3,638

metric tons published in the emergency action approved by NOAA Fisheries last spring. A benchmark assessment provided the justification for the increase and determined the stock is neither overfished nor is overfishing occurring.



Removed from further consideration in Framework

51: a.) the "haddock spillover" issue, based on SSC and Groundfish Plan Development Team findings, although the Council did ask its SSC to reconsider the ABC for Gulf of Maine haddock; and b.) the "full retention" option, because no monitoring system was currently ready to characterize all components of the catch without the use of at-sea monitors.

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## River Herring and Shad Catch Caps Approved

Joining other state and federal efforts to protect alewives and blueback herring, collectively referred to as river herring, as well as American and hickory shad, the NEFMC approved the establishment of catch "caps" or limits on the numbers of these species that may be taken as incidental catches in the Atlantic herring fishery during 2014 and 2015.

If finalized by NOAA Fisheries, Atlantic herring midwater and bottom trawl vessels operating outside of state waters and seaward to the U.S. 200 mile limit would be subject to caps that would apply to the four species collectively.

Defined catch cap areas are proposed to close to either or both gear types when 95

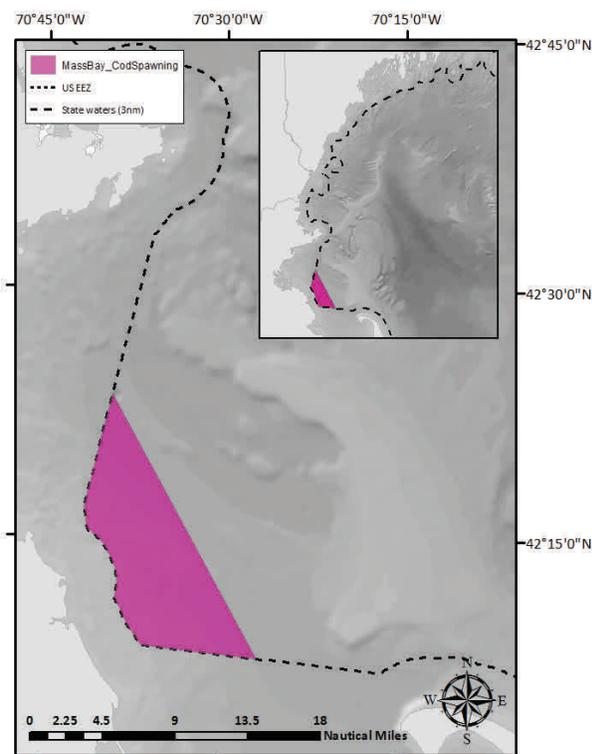
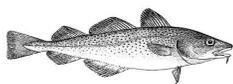
percent of the cap for that gear type is projected to be reached in an area.

The caps would not apply to smaller scale vessels that land less than 6,600 pounds per trip, and no caps are proposed for 2014-2015 in the Georges Bank area due to very low observed interaction with river herring and shad there.

## Habitat Amendment - Range of Alternatives Modified

The NEFMC's Habitat Oversight Committee forwarded and the Council approved several adjustments to the range of alternatives to be analyzed in Omnibus EFH Amendment 2. Most notable was the addition of a groundfish spawning protection area --- a refinement of rolling closure blocks 124 and 125. The new proposed closure would apply from Nov. 1 to Jan. 31. The same gear prohibitions that are now in place for the Whaleback Cod Spawning Closure Area would apply.

The closure would affect both commercial and recreational vessels fishing in the area with gear capable of catching groundfish, including midwater trawls and purse seine gear. To read more about the Whaleback Area details, including exemptions to the closure, possession restrictions and transiting, see the NOAA Fisheries Northeast Regional Office website - <http://www.nero.noaa.gov/regsl/infodocs/multsclosedareas.pdf>.



WGS 1984 UTM Zone 19N projection; map updated Sept 12, 2013

## Scallop FW 25 Measures Identified

The Council continued development of Framework Adjustment 25 to the Scallop FMP and whittled down the number of alternatives to be further analyzed. A final NEFMC vote on this action is scheduled for the November Council meeting. Overall, preliminary analyses suggest that total landings for FY2014 will be lower than FY2013.

Acting on Scallop Oversight Committee recommendations, the Council approved a number of draft alternatives for specifications that would apply to the limited access fleet. One would allow a limited number of trips to be fished throughout the entire Nantucket Lightship (NL) access area; a second would restrict access to the northern portion of the NL access area to protect very high densities of small scallops that were observed in 2013 surveys.

Both options would include a specific number of days-at-sea (DAS) in open areas as well as access area trips in

Closed Area II and the Delmarva Area. Additionally, there is an alternative that would treat NL more like an open area, although details have not been fully developed.

Besides the specifications, Framework 25 addresses scallop industry concerns about unused trips in Closed Area I (CAI), the result of low catch rates reported from the access area. A number of potential solutions were approved for consideration that would allow unused allocation to rollover into future fishing years in either Closed Area I or open areas.

Specs for the Limited Access General Category (LAGC) IFQ fishery as well as accountability measures to address overages of the sub-annual catch limit for Southern New England/Mid-Atlantic windowpane flounder also are included in the scallop action. The latter includes proposals for a seasonal area closure or gear restrictions and would also apply to the LAGC IFQ fishery.

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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 large and small-scale 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.

### **In Other Actions, the Council...**

\* Voted to remove alternatives that would allow permit splitting and potential sector contribution (PSC, or the catch history assigned to each groundfish permit) splitting from further consideration in Amendment 18 to the Groundfish Plan.

\* Approved a range of alternatives for analysis and further consideration in Framework Adjustment 8 to the Monkfish FMP. These include revised specifications of days-at-sea and trip limits for fishing years 2014-2016 and several other modifications that would improve the operations of the current management program.

\* Approved the SSC's ABC recommendation for the red crab fishery for fishing years 2014-2016 --- 1,775 metric tons (expressed in landings of male red crab); completed specifications will now move forward to NOAA Fisheries for final approval.

\* Requested that the SSC reconvene when a quorum is available to review its scallop fishery OFL and ABC recommendations for fishing years 2014 and 2015. The Council specifically requested that the SSC place particular emphasis on the assumptions and methods used for estimating discard and incidental mortality to help the Council better understand those calculations.

\* Approved a request to the NOAA Fisheries Regional Administrator that would add the use of the "orange snow fence" and "orange cargo net" to the current options that would apply trawl gear stowage while vessels transit closed or other restricted areas; the purpose is to enhance vessel safety at sea.

\*\* Last, but not least, NEFMC members elected long-time Vice Chairman Terry Stockwell as its Chairman for 2013-2014.

Mr. Stockwell holds the position of Director of External Affairs with Maine's Department of Marine Resources.

Former MA legislator and relative newcomer John Quinn was elected Vice Chairman.

Three Executive Committee members also were elected at the Hyannis meeting --- NH fishermen Peter Kendall and NH Fish and Game Department Chief Doug Grout, and MA Division of Marine Fisheries Deputy Director Dr. David Pierce.

The Executive Committee oversees the Council budget, appoints advisory panel members and addresses other administrative matters relating to Council operations.

The fall meeting was the first for newly-appointed Council members Ellen Goethel and Dr. Mike Sissenwine.