

Amendment 19 decision document

Proposed management alternatives recommended by the Whiting Oversight Committee

1) ACL framework and specifications (2012-2014)

a) Allowable biological catch (ABC)

Intent is to take into account scientific uncertainty and risk tolerance that the ABC may cause overfishing. Lower ABCs imply less risk. The ABCs are expressed as a percentile of the overfishing level (OFL) distribution that estimates quantifiable scientific uncertainty, with the 50th percentile being risk neutral. The ABCs would apply to the 2012-2014 fishing years.

i) Red hake (northern and southern stocks, individually)

(1) 2012-2014 ABC set at 25th percentile of OFL to account for scientific uncertainty (Motion 1)

222.6 mt (71% of OFL; 72% of 2010 catch) north;

2954 mt (86% of OFL; 218% of 2010 catch)) south

(2) 2012-2014 ABC set at 30th percentile of OFL to account for scientific uncertainty (Motion 1)

243.7 mt (78% of OFL; 78% of 2010 catch) north;

3063 mt (89% of OFL; 226% of 2010 catch)) south

(3) 2012-2014 ABC set at 35th percentile of OFL to account for scientific uncertainty (Motion 1)

266.5 mt (85% of OFL; 86% of 2010 catch) north;

3189 mt (92% of OFL; 236% of 2010 catch)) south

ii) Silver hake (northern and southern stocks, individually)

(1) 2012-2014 ABC set at 25th percentile of OFL to account for scientific uncertainty (Motion 2)

13,177 mt (53% of OFL; 532% of 2010 catch) north;

32,635 mt (52% of OFL; 459% of 2010 catch)) south

(2) 2012-2014 ABC set at 35th percentile of OFL to account for scientific uncertainty (Motion 2)

17,300 mt (70% of OFL; 698% of 2010 catch) north;

43,090 mt (69% of OFL; 606% of 2010 catch)) south

iii) Offshore hake

- (1) Increase silver hake southern stock ABC by 4% to account for estimated historic catches of offshore hake and monitor silver and offshore hake together in southern stock area (SSC recommendation). This would increase the 2012-2014 southern silver hake ABCs to 33,995 and 44,885 mt, respectively.

b) Annual Catch Limit (ACL)

The intent of the ACL is to set a catch limit that will account for management uncertainty. This is the amount of catch that would trigger accountability measures. The ACLs would apply to the 2012-2014 fishing years.

- i) Red hake (northern and southern stocks, individually): 95% of the above ABCs to account for management uncertainty (Motion 3).

- ii) Silver hake (northern and southern stocks, individually), combined with offshore hake in the southern stock area: 95% of the above ABCs to account for management uncertainty (Motion 4).

c) Total Allowable Landings (TAL)

The intent of the TALs is to monitor landings, rather than catch, to determine when more restrictions are needed during the season to avoid exceeding the ACL. Monitoring landings is less expensive than the at-sea monitoring that would be required to monitor catch. In-season accountability measures may be triggered when landings reach a certain percentage of the TALs. The TALs may also be allocated by area or season to ensure equitable access. TALs are derived from the ACL after setting aside amounts to account for projected discards and state water landings, based on recent fishery characteristics.

The TALs would apply to the 2012-2014 fishing years and landings made after April 30, 2012 and before implementation of Amendment 19 would count against the 2012 TALs (i.e. retroactively).

i) Northern stocks (red and silver hake individually)

After accounting for assumed discards and state landings, an annual red hake TAL would be 86.2-103.2 mt (37-64% **above** 2010 landings) and an annual silver hake TAL would be 9,107-11,956 mt (473-657% **above** 2010 landings)

- (1) Assume that 2012-2014 discards will be equal to the most recent (2008-2010) three year moving average of the estimated red (58%) and silver (25%) hake discard rate (Motion 5)
- (2) Set aside 3% of the TAL to account for state water landings (Motion 6)
- (3) Annual TAL by stock area (Motion 7)
- (4) Allocate fishing year TALs in three area management groups (see maps), according to historic (2004-2010) landings proportions (Motion 8)
 - (a) Cultivator Shoals (Map 1), under harvests to be rolled into the allocations for
 - (b) at the end of the Cultivator Shoals exemption season (Motion 9)

- (b) All other exempted fishery areas (Map 1)
- (5) Gulf of Maine/Northern Georges Bank exemption area (Map 2)

ii) Southern stocks (red hake, silver and offshore hake combined)

After accounting for discards and state landings, an annual red hake TAL would be 980-1058 mt (88-103% **above** 2010 landings) and an annual silver hake TAL would be 27,254-35,985 mt (358-504% **above** 2010 landings)

- (1) Assume that 2012-2014 discards will be equal to the most recent (2008-2010) three year moving average of the estimated red (64%) and silver (13%) hake discard rate (Motion 5)
- (2) Set aside 3% of the TAL to account for state water landings (Motion 6)
- (3) Annual TAL by stock area (Motion 7, Motion 10)
- (4) Annual TAL, triggered quarterly (fishing year) allocation if previous year's (Y+0) landings are more than 2/3rds of the following year's (Y+2) TAL. Quarterly allocations, if triggered, would roll over unlanded amounts into the next quarter, except the first quarter would roll unlanded amounts into the third quarter. All overages of quarterly TALs would be deducted from the fourth fishing year quarter. (Motion 11).
 - (a) To be applied individually by stock area (Motion 12)
 - (b) To be applied by stock and species (Motion 12)
 - (c) Quarterly fishing year TAL allocations, regardless of relationship to current landings. (Motion 12)
 - (i) To be applied individually by stock area
 - (ii) To be applied by stock and species

iii) In-season accountability measures

The intent of in-season accountability measures is to limit landings and discourage trips targeting red, silver, and offshore hake when landings reach a high proportion of the TAL and catches might exceed the ACL. When this occurs, it would trigger an automatic reduction in the possession limit for that stock or area to incidental catch limits, which will be defined through further analysis in the draft amendment.

(1) Northern stock area (red and silver hake individually)

When the Regional Administrator projects that 90% of stock TAL is reached (and if action is not taken the TAL is projected to be exceeded by landings), the possession limit for that stock would be set at a (to be determined based on analysis) lb. incidental limit for the remainder of the fishing year (Motion 13), except for (2) Cultivator Shoals.

(2) Cultivator shoals (Motion 14)

The intent of the special accountability measures for Cultivator Shoals is that it is an exempted area where vessels specifically target silver hake and during certain times can avoid catching red hake while targeting silver hake. Exceeding the silver hake TAL in Cultivator Shoals would be unlikely to cause catches for the northern stock area to exceed the ACLs.

- (a) For red hake, when the Regional Administrator projects that **90%** of stock TAL is reached (and if action is not taken, the TAL is projected to be exceeded by landings), the red hake possession limit for Cultivator Shoals fishing would be set at a (to be determined based on analysis) lb. incidental limit for the remainder of the fishing year.
- (b) For silver hake, when the Regional Administrator projects that **100%** of stock TAL is reached (and if action is not taken the TAL is projected to be exceeded by landings), the silver hake possession limit for Cultivator Shoals fishing stock would be set at a (to be determined based on analysis) lb. incidental limit
- (c) If 100% of the TAL has been taken of either species, **all** vessels using less than regulated large mesh (currently 6.5 inches) would be prohibited from fishing in Cultivator Shoals.

(3) No in-season accountability measures (No Action)

iv) Southern stock area (red hake, silver and offshore hake combined)

- (1) When the Regional Administrator projects that 90% of stock TAL is reached (and if action is not taken, the TAL is projected to be exceeded by landings), the possession limit for that stock would be set at a (to be determined based on analysis) lb. incidental limit for the remainder of the fishing year (Motion 15).
- (2) No in-season accountability measures (No Action)

d) Post season accountability measure (for each stock)

The intent of post season accountability measures are to make up for prior years when the catch exceeds the ACL.

- i) Pound for pound payback provision to apply in year 2, following a year when catches exceed the ACL (Motion 16).
- ii) Reduce the incidental possession limit trigger (see (ii)(2) above) in year 2, following a year when catches exceed the ACL (Motion 16)
- iii) No post-season accountability measures (No Action)

e) TAL monitoring, in addition to existing reporting requirements

Additional monitoring will be needed to make timely assessment of landings to stock or management area.

- i) Vessels taking small mesh multispecies trips and landing red, silver, or offshore hake would be required to make weekly VTR reports to assign dealer-reported hake landings to stock area. (Motion 17)
- ii) Only silver hake landings reported by vessels using small mesh (including shrimp trawls) would be counted against the TALs for Cultivator Shoals and other exempted areas (Map 1). Landings by all other gears, including but not limited to large mesh trawl, gillnets, and herring trawls would be counted against the Gulf of Maine/Northern Georges Bank exemption area (Map 2) TAL. (Motion 18)

- iii) No additional monitoring (No Action) – landings assigned to stock area on an annual basis using existing NEFSC area allocations procedures that use Vessel Trip Reports (VTRs).

2) **Specification process**

The intent of the specification process is to allow for adjustment of various specifications, including but not limited to ACL specifications and possession limits. These adjustments would respond to changes in resource conditions indexed by the survey and/or estimated by an assessment as well as changes in fishery conditions, such as discarding.

- a) Council and NMFS staff will work together to draft a three-year specification process (with annual monitoring, if necessary) derived from ones used for other FMPs (Motion 19).
- b) No Action (no specification process – all changes to be done by amendment or framework action).

3) **Other management measures**

The intent of other management measures are to reduce the potential for the season to end early, reduce the risk that catches may exceed the ACL or landings exceed the TAL, and/or improve size selectivity.

a) Northern stock area

i) Red hake

- (1) Establish a red hake possession limit by cod end mesh size in the northern stock area, similar to the provision for silver hake (Motion 20). Possession limits to be analyzed in Draft Amendment 19 document.
- (2) Red hake possession limit for vessels fishing in the northern area while using less than 2.5 inch mesh of 100, 200, and 500 lbs. (Motion 21)
- (3) Incidental limit to be determined by analysis in the draft amendment (Motion 15)
- (4) No Action – no additional possession limits

ii) Silver hake

- (1) Incidental limit to be determined by analysis in the draft amendment (Motion 15)
- (2) No Action – no additional possession limits

b) Southern stock area

i) Red hake

- (a) 7,500 lb. possession limit (Motion 22)
- (b) 2,500 lb. possession limit for vessels using trawls with mesh < 2.5 inches, 5,000 lb. possession limit for vessels using trawls with mesh 2.5-3.0 inches, 7,500 lb. possession limit for vessels using trawls with mesh > 3.0 inches (Motion 22)
- (c) No Action – no additional possession limits

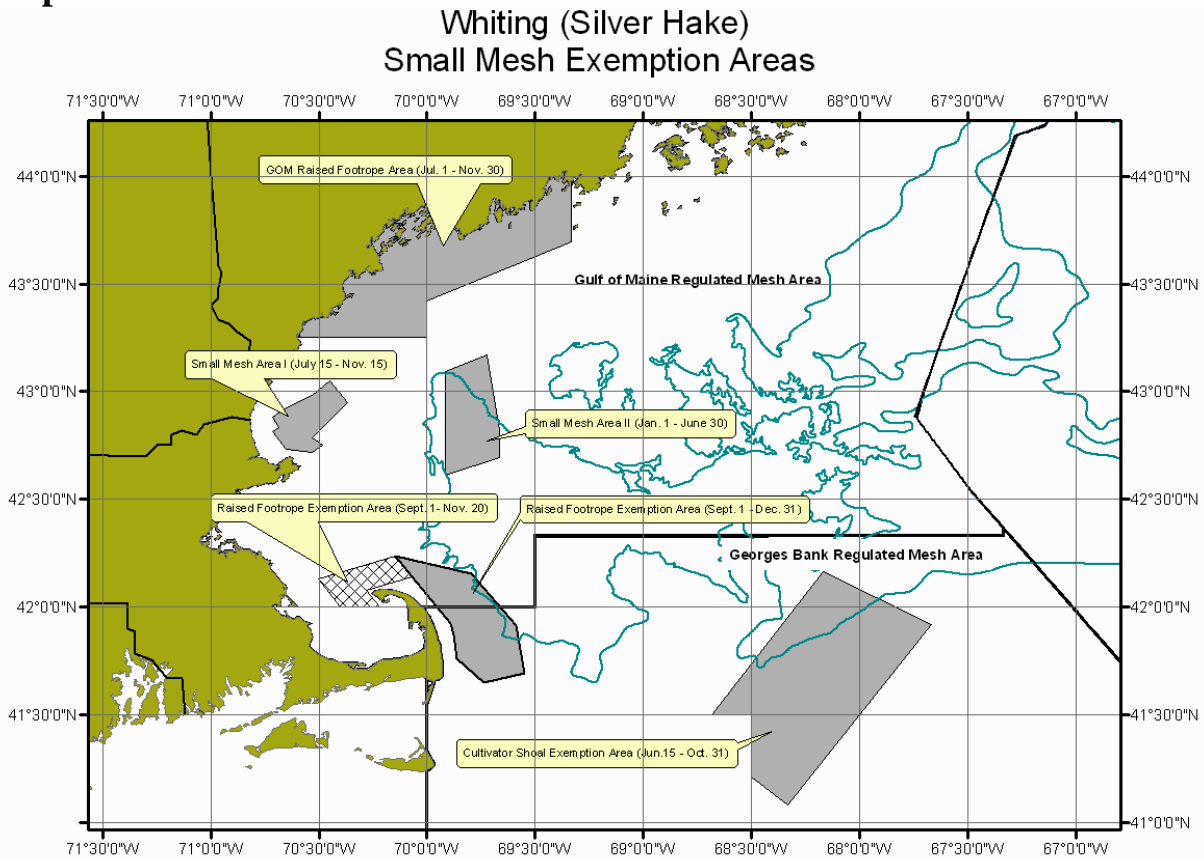
ii) Silver hake

- (1) Incidental limit to be determined by analysis in the draft amendment (Motion 15)
- (2) No Action – no additional possession limits

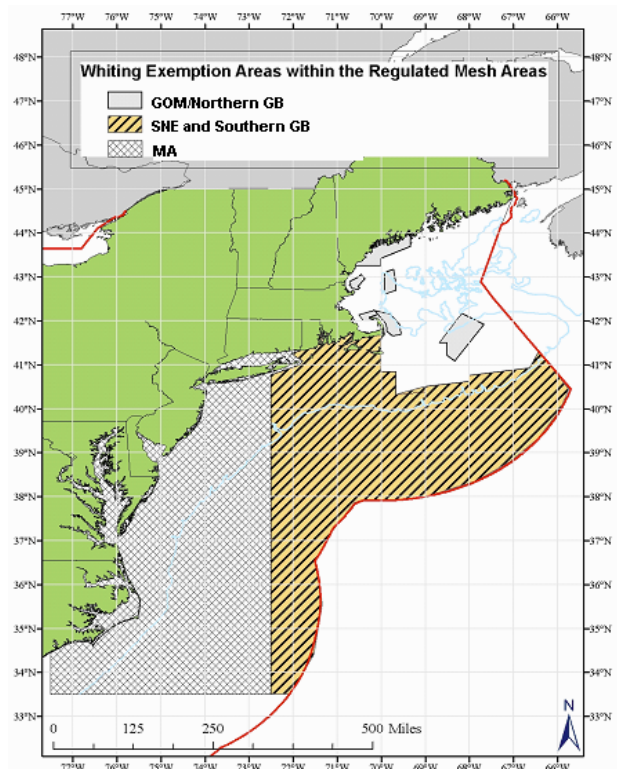
Range of potential ACL specifications recommended by the Whiting Oversight Committee

	Red hake		Silver and offshore hake		
	Northern	Southern	Northern	Southern	
25th percentile of OFL	ABC (mt)	222.6	2,954	13,177	33,995
	OFL percentile	0.25	0.25	0.25	0.25
	Percent of ABC=OFL	71%	86%	53%	55%
	ACL (mt)	211.5	2,806	12,518	32,295
	2010 catch (mt)	311.0	1,352	2,478	7,110
	Difference	-32%	108%	405%	354%
	2008-2010 Discard rate	58%	64%	25%	13%
	Assumed discards (mt)	122.7	1,796	3,130	4,198
	State landings	3%	3%	3%	3%
	Federal TAL (mt)	86.2	980	9,107	27,254
	2009 landings (mt)	82	654	1,007	6,408
	TAL Difference	8%	55%	832%	338%
	2010 landings (mt)	65	536	1,639	6,140
	TAL Difference	37%	88%	473%	358%
35th percentile of OFL	ABC (mt)	266.5	3,189	17,300	44,885
	OFL percentile	0.35	0.35	0.35	0.35
	Percent of ABC=OFL	85%	92%	70%	72%
	ACL (mt)	253.2	3,029	16,435	42,641
	2010 catch (mt)	311.0	1,352	2,478	7,110
	Difference	-19%	124%	563%	500%
	2008-2010 Discard rate	58%	64%	25%	13%
	Assumed discards (mt)	146.9	1,939	4,109	5,543
	State landings	3%	3%	3%	3%
	Federal TAL (mt)	103.2	1,058	11,956	35,985
	2009 landings (mt)	82	654	1,007	6,408
	TAL Difference	29%	67%	1124%	479%
	2010 landings (mt)	65	536	1,639	6,140
	TAL Difference	64%	103%	652%	504%

Map 1



Map 2



Whiting Oversight Committee motions:

Motion 1:

Motion on behalf of the Whiting Oversight Committee to consider 25, 30, and 35 percentile of the OFL as the basis for setting northern and southern red hake ABCs.

Motion 2:

Motion on behalf of the Whiting Oversight Committee to consider 25 and 35 percentile of the OFL as the basis for setting northern and southern silver hake Allowable Biological Catch (ABC).

Motion 3:

Motion on behalf of the Whiting Oversight Committee to set the red hake ACL at 95% of the ABC to account for management uncertainty.

Motion 4:

Motion on behalf of the Whiting Oversight Committee to utilize a 5% management uncertainty buffer for setting silver hake Annual Catch Limits (ACLs).

Motion 5:

Motion on behalf of the Whiting Oversight Committee to use a three year moving average (2008-2010) of estimated discard rate to set red and silver hake 2012-2014 TALs.

Motion 6:

Motion on behalf of the Whiting Oversight Committee that Amendment 19 assume a 3% TAL set aside to account for state water landings of all four whiting stocks.

Motion 7:

Motion on behalf of the Whiting Oversight Committee to include as an alternative an annual TAL by species for each stock area.

Motion 8:

Motion on behalf of the Whiting Oversight Committee to include as an Amendment 19 alternative an allocation of northern area TALs into 3 area groups (Cultivator Shoals, Other Exempted Areas, Gulf of Maine/Georges Bank exemption area), according to historic (2004-2010) proportions.

Motion 9:

Motion on behalf of the Whiting Oversight Committee to include a rollover provision, so that underages in Cultivator Shoals are allocated to other Gulf of Maine exempted areas during the fishing year.

Motion 10:

Motion on behalf of the Whiting Oversight Committee that the draft amendment consider two additional alternatives: no sub-allocation of the annual TAL and another implementing a

quarterly TAL allocation regardless of relationship between landings and TAL.

Motion 11:

Motion on behalf of the Whiting Oversight Committee that Amendment 19 include an alternative that would set an annual Total Allowable Landings (TAL) for southern whiting stocks. If the previous year's landings are greater than $2/3^{\text{rds}}$ of the TAL, via authority given to the Regional Administrator, the plan would trigger an allocation of the TAL to fishing year quarters in the following year according to 2008-2010 proportions. The allocation procedure would include a provision to roll over underages to the next quarter and overages to be deducted from the fourth fishing year quarter. First quarter underages would roll over to the third quarter (winter), instead of the second quarter.

Motion 12:

Motion on behalf of the Whiting Oversight Committee to include two options in the alternatives to apply separately by species, or to implement a quarterly allocation at the same time for red and silver hake.

Motion 13:

Motion on behalf of the Whiting Oversight Committee to include an alternative that the TAL trigger in for all areas except Cultivator Shoals would be 90% for silver hake or red hake, each triggering a reduction to an incidental possession limit for that species for all vessels.

Motion 14:

Motion on behalf of the Whiting Oversight Committee to include an alternative that the TAL trigger in Cultivator Shoals area would be 100% for silver hake and 90% for red hake, both triggering a reduction to an incidental possession limit for that species for vessels fishing in the exempted areas. If 100% of the TAL has been taken of either species, vessels using less than regulated large mesh would be prohibited from fishing in Cultivator Shoals.

Motion 15:

Motion on behalf of the Whiting Oversight Committee to include in Amendment 19 alternatives that when the Regional Administrator projects that 90% of each stock TAL is reached, the possession limit for that stock would decline to a (TBD) incidental limit.

Motion 16:

Motion on behalf of the Whiting Oversight Committee to include in Amendment 19 two alternatives for reactive accountability measures. One alternative would be a pound for pound payback provision to apply to year 2, following the year of an overage. Another alternative would reduce the incidental limit trigger to apply to year 2, following the year of an overage.

Motion 17:

Motion on behalf of the Whiting Oversight Committee that Amendment 19 include an alternative to require weekly VTR reporting to monitor areas fished for assigning dealer-reported hake catches to stock area.

Motion 18:

Motion on behalf of the Whiting Oversight Committee that only silver hake landings reported by vessels using small mesh (including shrimp trawls) should be counted against the TALs for the Cultivator Shoals and other exempted areas. Landings by all other gears, including but not limited to large mesh trawl, gillnets, and herring trawls should be counted against the Gulf of Maine/Northern Georges Bank exemption area TAL.

Motion 19:

Motion on behalf of the Whiting Oversight Committee to direct staff to work with the Regional Office staff to develop a specification process for Amendment 19.

Motion 20:

Motion on behalf of the Whiting Oversight Committee to include in Amendment 19 an alternative that would establish a red hake possession limit by cod end mesh size in the northern stock area, similar to the provision for silver hake.

Motion 21:

Motion on behalf of the Whiting Oversight Committee that for mesh less than 2.5 inch mesh, Amendment 19 would include alternatives with an incidental red hake limit of 100, 200, 500 lbs. for vessels fishing in the northern stock area.

Motion 22:

Motion on behalf of the Whiting Oversight Committee to include in Amendment 19 one alternative with a 7,500 possession limit for southern red hake and another alternative with a 2,500, 5,000, and 7,500 lbs. red hake possession limit by mesh size limits defined for southern silver hake.