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New England Fishery Management Council
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John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

MEMORANDUM

DATE: December 22, 2010

TO: Groundfish Oversight Committee

FROM: Groundfish Plan Development Team (PDT)

SUBJECT: **PDT Conference Call, December 9, 2010**

1. The PDT held a conference call to begin work on a framework to address issues related to the herring fishery haddock catch cap. PDT members participating in the call were Tom Nies, Anne Hawkins, and Jess Melgey (NEFMC), Steve Correia (Mass. DMF), Tom Warren (NERO), Paul Nitschke (NEFSC), Sally Roman (SMAST), Kohl Kanwit (Maine DMR), and Rip Cunningham (Groundfish Committee chair). Other participants included Doug Potts, Dan Caless, and Jay Hermsen (NERO), and Matt Cieri (Maine DMR). Two members of the public listened to the call: Steve Wiener and Jud Crawford.

2. The PDT first reviewed the development and provisions of the existing catch cap, first adopted in FW 43. The PDT next reviewed the Council motion on the issue. In order to for the action to take effect in 2011 as per the motion, the first framework meeting needs to be in January and a final vote should occur in April. The Herring Committee and PDT will not be available to assist until they complete work on the herring amendment.

3. PDT members noted that it was unclear what the Council's goal was for this framework. Is it to reduce bycatch of haddock by the mid-water trawl fishery? Is it to reduce constraints on the mid-water trawl fishery caused by the bycatch cap? Clarification from the Committee and Council will be needed as the framework progresses.

4. The PDT discussion focused on three broad questions:

a. What analytic work is needed to determine the appropriate level for a cap?
b. What analytic work is needed to determine the response if a cap is exceeded?
c. What are some preliminary management options the PDT may want to present to the Committee? Do these options suggest other analyses that may be useful?

5. Prior to the call, Council staff discussed estimating catches in the herring fishery using observer data with NEFSC scientists. The genesis for this discussion was the FW 43 provision that only catches that are observed (by at-sea or dockside monitors) are applied against the cap. The NEFSC advised that current observer coverage levels and monitoring practices are believed adequate to estimate total haddock catch in the herring fishery by expanding at-sea observations using the SBRM techniques. This will allow the bycatch cap to be based on an estimate of total catch as contrasted with the current practice of only counting observed catches. To summarize this discussion:

a. Current observer coverage and sampling procedures are adequate to allow observed catch or discard information from herring fishing vessels to be expanded to a total catch estimate. This is the case for haddock and likely the case for all groundfish stocks.
b. Since herring vessels are supposed to land all haddock, dealer records or VTRs may be another source for landings information. Because of the way catch his handled in this fishery it is unlikely this will represent all landings.
c. The in-season cumulative discard ratio estimation method developed for groundfish sectors should work for this fishery (assuming data are available and timely).
d. The NEFSC has already created the necessary code to estimate species catches by the herring fishery, and the NEFSC groundfish PDT rep can coordinate developing those estimates. For haddock, an estimate is desired by the first week of January 2010 but there is some flexibility with this request should other priorities interfere.
e. It is uncertain if future observer coverage levels for this fishery will be adequate to support fishery-wide catch estimates and it would be wise to prepare an alternative approach should observer coverage decline.

6. Based on this information from the NEFSC, the PDT discussed developing cap alternatives that are based on total catch, rather than observed catch. PDT members decided to take a closer look at herring fishing effort and observer data, building from an approach the Herring PDT used to examine river herring bycatch. Information the PDT agreed to examine included:

- Number of trips taken and number observed
- Location of observed trips
- Location of haddock catches on directed herring trips
- Relationship of haddock to herring catch
- Variation in catches
- Size distribution of observed haddock catches
- Location of commercial groundfish haddock catches

7. PDT members also discussed whether an approach could be developed that is similar to that used for determining the yellowtail flounder allocation for the scallop fishery. If an estimate of what the fishery will catch in the future can be developed then a cap could be based on that estimate. Unlike the scallop fishery, it is uncertain whether the information exists to accurately estimate future herring and haddock catches. The PDT may explore this concept further as data is examined. This approach may not be as necessary for GB haddock since the resource is not being fully utilized.

8. The PDT identified possible options that may be pursued. This exercise was used to make sure that the appropriate data was being examined to support option development. If these options are pursued, the PDT will address issues such as what areas should be closed, which vessels are

prohibited from fishing, what reporting requirements will be needed, etc. A short overview of pros and cons of the options is in Table 1. The broad options identified were:

- No action: maintain the existing cap and area closures if cap is exceeded
- No cap, coupled with annual evaluation to monitor catches; haddock catches by this fishery would ne part of the "other subcomponent" category
- Caps based on total haddock catch (not just observed catch), by stock area (separate caps for GOM and GB haddock); cap could be based on past haddock catches by fishery or other approaches
- Caps by stock area based on predicted future haddock and herring catch (if haddock catch can be estimated); this approach would be similar to the way scallop fishery YTF catches are estimated
- Individual trip caps – a limit on haddock that can be caught on an individual trip
- Catch share approach for a haddock cap (e.g. herring haddock bycatch sectors, and ITQ, etc.)

Subsequent to the call, an additional idea surfaced: using the existing cap but redefining the area that is closed if the cap is exceeded.

Table 1 – Preliminary list of possible framework options

Possible Measure	Pros	Cons
No Action	Measure in place Constrains haddock catches Strong deterrent to herring fleet because of closure implications	Potential to lose herring yield Does not account for differences between haddock stocks Only based on observed catches; sensitive to observer coverage levels No spatial sensitivity – the entire cap could be caught on GB and the GOM closes
Existing cap, but revise areas that close if cap exceeded	No changes to existing cap, monitoring provisions Reduced impact on herring fishery	Potential to lose herring yield Does not account for differences between haddock stocks Only based on observed catches; sensitive to observer coverage levels May be easier to implement
No Cap	No loss of herring yield likely Consistent with treatment of other fisheries with small groundfish catches (maybe – depends on estimate of haddock catches in herring fishery) Reduced in-season monitoring requirements	No constraint on haddock catches If catches exceed desired amount, requires a subsequent management action unless preplanned response built-in May be difficult to monitor
Cap based on total haddock catch, by stock area	Accounts for difference between haddock stocks Potentially less constraining to herring fishery Less sensitive to observer coverage levels Amount of cap could be based on past haddock catches or other goals	Potential to lose area specific herring yield May complicate monitoring because of need to track catches in two stock areas

Possible Measure	Pros	Cons
Cap based on total haddock catch; amount of cap based on predicted haddock catch, by stock area (similar to YTF calculations for scallop fishery)	Links cap to changes in herring and haddock stock size	Potential to lose herring yield May complicate monitoring May not be possible to estimate future catches
Individual trip caps	Places responsibility for avoiding haddock on individual vessels	Difficult to monitor and enforce Difficult to hold vessels accountable Difficult to account for unusual events May need haddock stock area specific caps
Catch share approach	Places responsibility for avoiding haddock on individual vessels May allow exchange of haddock between herring and groundfish fisheries	Requires an amendment Requires referendum if structured as an ITQ