July 27, 2012

Framework Adjustment 48
To the Northeast Multispecies FMP
Draft Management Measures

These measures are under development and will be modified
July 27, 2012

Prepared by the
New England Fishery Management Council
In consultation with the
Mid-Atlantic Fishery Management Council
National Marine Fisheries Service

Initial Framework Meeting:
Final Framework Meeting:
Date Submitted:

2.0 Contents

2.1 Table of Contents

4.0 Alternatives Under Consideration

4.1 Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

4.1.1 Revised Status Determination Critiera for GOM cod, GB cod, SNE/MA yellowtail flounder, and White Hake

4.1.1.1 Option 1: No Action

If no action is adopted, there will be no revisions to status determination criteria for the Georges Bank and Gulf of Maine cod stocks, the Southern New England/Mid-Atlantic yellowtail flounder stock, or white hake. Please note that this option could be selected for all of these stocks, or only some of these stocks. The following criteria would apply:

Table 1 – No Action status determination criteria

Stock	Biomass Target (SSB_{MSY} or proxy)	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold (F_{MSY} or proxy)
Gulf of Maine Cod	SSB_{MSY}: SSB/R (40% MSP)	½ Btarget	F40%MSP
Georges Bank Cod	SSB_{MSY}: SSB/R (40% MSP)	½ Btarget	F40%MSP
SNE/MA Yellowatil Flounder	SSB_{MSY}: SSB/R (40% MSP)	½ Btarget	F40%MSP
White Hake	SSB_{MSY}: SSB/R (40% MSP)	½ Btarget	F40%MSP

Table 2 – No action numerical estimates of SDCs

Stock	Model	Bmsy or proxy (mt)	F_{MSY} or proxy	MSY (mt)
Gulf of Maine Cod	ASAP	61,218	0,20	10,392
Georges Bank Cod	VPA	148,084	0.25	31,159
SNE/MA Yellowatil Flounder	VPA	27,400	0.25	6,100
White Hake	SCAA	56,254	0.13	5,800

4.1.1.2 Option 2: Revised Status Determination Critiera for GOM cod, GB cod, SNE/MA yellowtail flounder, and White Hake

The M-S Act requires that every fishery management plan specify "objective and measureable criteria for identifying when the fishery to which the plan applies is overfished." Guidance on this requirement identifies two elements that must be specified: a maximum fishing mortality

threshold (or reasonable proxy) and a minimum stock size threshold. The M-S Act also requires that FMPs specify the maximum sustainable yield and optimum yield for the fishery. Amendment 16 adopted status determination criteria for regulated groundfish stocks as determined by the GARM III (NEFSC 2008). Framework 45 updated status determination criteria for Atlantic pollock to reflect the results of an additional assessment conducted in 2010.

The NEFSC conducted new assessment for the GOM cod, GB cod, and SNE/MA yellowtail flounder stock in 2012. An assessment for white hake will be conducted in 2013. This action adopts the revised status determination criteria for these stocks. The review panel recommended the criteria and numerical values in Table 3 and Table 4.

This option considers a range of values since the assessments will not be completed until after the Council vote on this action

Table 3 – Option 2

Stock	Biomass Target (SSB_{MSY} or proxy)	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold (F_{MSY} or proxy)
Gulf of Maine Cod	SSB_{MSY} or a proxy for SSBMSY	½ Btarget	F_{MSY} or a proxy for FMSY
Georges Bank Cod	SSB_{MSY} or a proxy for SSBMSY	½ Btarget	F_{MSY} or a proxy for FMSY
SNE/MA Yellowatil Flounder	SSB_{MSY}: SSB/R (40% MSP)	½ Btarget	F40%MSP
White Hake	SSB_{MSY} or a proxy for SSBMSY	½ Btarget	F_{MSY} or a proxy for FMSY

Table 4 – Option

Stock	Model	Bmsy or proxy (mt)	F_{MSY} or proxy	MSY (mt)
Gulf of Maine Cod	ASAP			
Georges Bank Cod	VPA			
SNE/MA Yellowatil Flounder	ASAP			
White Hake	SCAA			

Rationale:.

4.1.2 SNE/MA Windowpane Flounder Sub-ACLs

More than one alternative to No Action/Option 1 can be adopted from this section.

4.1.2.1 Option 1: No Action

If this option is adopted, there will not be any additional sub-ACLs adopted for SNE/MA windowpane flounder. Only the multispecies fishery will have a sub-ACL for this stock and the AMs for the multispecies fishery must be suffcicient to account for overages of the overall ACL.

4.1.2.2 Option 2: Scallop Fishery SNE/MA Windowpane Flounder Sub-ACL

If this option is adopted, a sub-ACL of SNE/MA windowpane flounder will be allocated to the scallop fishery. The sub-ACL will be based the 90th percentile of the scallop fishery catches (as a percent of the total) for the period calendar year 2001 through 2010. This value is 32 percent (rounded up from 31.9 pct of catches as shown in Table 5). This change reduces the amount allowed for other sub-components.

The Scallop FMP will develop AMs for this sub-ACL.

Table 5 – Limited access scallop fishery dicards of SNE/MAB windowpane flounder, 2001-2010. Landings were less than 1 metric ton in all years.

Calendar Year	Catch	Scallop Dredge/Trawl Discards	Scallop Fishery Catches as Percent of Total
2001	184	7	3.8%
2002	339	50	14.7%
2003	522	73	14.0%
2004	400	44	11.0%
2005	330	103	31.2%
2006	431	63	14.6%
2007	349	41	11.7%
2008	321	53	16.5%
2009	463	55	11.9%
2010	490	187	38.2%
		Average, 2001-2010	16.8%
		90th percentile, 2001-2010	31.9%

4.1.3 Scallop Fishery Sub-ACL for Georges Bank GB Yellowtail Flounder

4.1.3.1 Option 1: No Action

If this option is adopted, there will not be any changes to how the scallop fishery sub-ACL for GB yellowtail flounder is determined. The amount will be determined when groundfish specifications are set and will consider such information as is available and appropriate.

Rationale: Allocations of GB yetllowtail flounder to the scallop fishery would be made each time the scallop management program is established in a framework action. No specific policy would be adopted on the amount that is allocated to each fishery, which would lalow the most flexibility in considering the management of each fishery when setting the allocations.

4.1.3.2 Option 2: Scallop Fishery Sub-ACL for GB Yellowtail Flounder Specified as 90 percent of the Estimated Catch

If this option is adopted, on an annual basis, the Scallop and Groundfish Plan Development Teams will estimate the amount of GB yellowtail flounder that the scallop fishery is expected to catch in the following year while harvesting the available scallop yield. This estimate will be provided to the Council at the *September* Council meeting. The allocation of GB yellowtail flounder to the scallop fishery will be changed to 90 percent of the high amount estimated through a notice action without the need for a Council vote. Should the Council wish to revise this allocation, a change must be adopted through a specification change or other management action.

Rationale: This measure would adopt a standard approach for the amount of GB yellowtail flounder that is allocated to the scallop fishery. As new data is collected on bycatch rates and scallop and GB yellowtail flounder stock size, this measure would create a process to adjust the allocation so the best estimate is used without requiring a specific Council action.

Comment [TAN1]: Is this timing workable in years when the scallop fishery adjusts management measures throug h a framework action voted on at the November Council meeting? Scallop PDT may have difficulty meeting this date given time needed after the scallop survey to develop management options, but a later date gives limited time for the two Committees to reconcile conflicts that may arise (such as if the value is a large proportion of the available quota).

Comment [TAN2]: Suggested text not yet reviewed by Committee. Need to be specific as to which estimate is used if the PDTs provide a range..

4.1.3.3 Option 3: Scallop Fishery Sub-ACL for GB Yellowtail Flounder Specified Based on Catch History

If this option is adopted, the scallop fishery sub-ACL for GB yellowtail flopunder will be specified as a percentage of the U.S. ABC based on recent catch history. Recent catc history is shown in Table 6. There are two sub-options under consideration:

Sub-option A: The percentage would be 7.1 percent, based on the scallop fishery catches of this stock as a percentage of total U.S. catches for the five calendar year period 2002-2011.

Sub-option B: The percentage would be 7.7 percent, based on the scallop fishery catches of this stock as a percentage of total U.S. catches for the ten calendar year period 2007-2011.

Table 6 – Scallop dredge discards of GB yellowtail flounder, 1997-2011. Based on TRAC 2012 assessment of GB yellowtail flounder.

Calendar Year	Landings (metric tons)	Discards (metric tons)	Catch (metric tons)	Scallop Discards (metric tons)	Scallop Landings (metric tons)	Scallop Discards As Pct of Catch
2002	2,476	53	2,529	29	0.2	1.2%
2003	3,236	410	3,646	293	0.1	8.0%
2004	5,837	460	6,297	81	3.0	1.3%
2005	3,161	414	3,575	186	8.1	5.4%
2006	1,196	384	1,580	251	2.6	16.1%
2007	1,058	493	1,551	120	1.5	7.8%
2008	937	409	1,346	128	0.3	9.5%
2009	959	759	1,718	170	1.9	10.0%
2010	654	289	943	8	0.2	0.9%
2011	904	192	1,096	104	8.6	10.3%
				Average, 2002 - 2011		7.1%
				Average, 2007-2011		7.7%

Rationale: This measure would adopt an allocation based on recent catch history. This simplifies determination of the GB yellowtail flounder allocation for this fishery.

4.1.4 U.S./Canada Resource Sharing Understanding TACs

4.1.4.1 Option 1: No Action

If no action is taken on specifications, the recommendations of the TMGC would not be implemented and there would be no TAC for EGB cod, haddock, or GB yellowtail flounder in the U.S./Canada area for FY 2013. Vessels would still be constrained by the other regulations of the FMP, including days-at-sea (DAS), sector regulations, and closed areas.

4.1.4.2 Option 2: U.S./Canada TACs - TBD

This alternative would specify TACs for the U.S./Canada Management Area for FY 2013 as indicated in Table 7 below. These TACs would be in effect for the entire fishing year, unless NMFS determines that FY 2012 catch of GB cod, haddock, or yellowtail flounder from the U.S./Canada Management Area exceeded the pertinent 2012 TAC. If the TAC in a particular fishing year is exceeded, the Understanding and the regulations require that the TAC for the

subsequent fishing year is reduced by the amount of the overage. In order to minimize any disruption to the fishing industry, NMFS would attempt to make any necessary TAC adjustment in the first quarter of the fishing year.

Table 7 - Proposed FY 2012 U.S./Canada TACs (mt) and Percentage Shares

TAC	Eastern GB Cod	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared TAC			
U.S. TAC			
Canada TAC			

A comparison of the proposed FY 2012 U.S. TACs and the FY 2011 U.S. TACs is shown in Table 8. Changes to the U.S. TACs reflect changes to the percentage shares, stock status, and the TMGC recommendations.

Table 8 - Comparison of the Proposed FY 2012 U.S. TACs and the FY 2011 U.S. TACs (mt)

Stock	U.S. TAC		Percent Change
	FY 2012	FY 2011	
Eastern GB cod			
Eastern GB haddock			
GB yellowtail			

Rationale: The U.S. and Canada coordinate management of three stocks that overlap the boundary between the two countries on Georges Bank. Agreement on the amount to be caught is reached each year by the Transboundary Management Guidance Committee (TMGC). This measure would adopt the recommendations of the TMGC. It makes sure that catches are consistent with the most recent assessments of those stocks.

4.1.1 Annual Catch Limit Specifications

4.1.1.1 Option 1: No Action

If the No Action option is selected, the specifications for FY 2013-FY 2014 would remain as adopted by FW 47. For many stocks there would not be any specifications for these years. The FY 2013- FY 2014 ABCs would be as specified in **Error! Reference source not found.**.

Table 9 – No Action/Option 1 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY 2012 (metric tons, live weight). Values are rounded to the nearest metric ton.

(1) Grayed out values may be adjusted as a result of future recommendations of the TMGC. Values shown for GB haddock and cod are preliminary estimates subject to change.

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Prelim-inary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
GB Cod(1)	2013												
	2014												
	2015												
GOM Cod	2013												
	2014												
	2015												
GB Haddock(1)	2013												
	2014												
	2015												
GOM Haddock	2013												
	2014												
	2015												
GB Yellowtail Flounder(1)	2013												
	2014												
	2015												
SNE/MA Yellowtail Flounder	2013												
	2014												
	2015												

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Prelim-inary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
CC/GOM Yellowtail Flounder	2013												
	2014												
	2015												
Plaice	2013												
	2014												
	2015												
Witch Flounder	2013												
	2014												
	2015												
GB Winter Flounder	2013	4,819	3,750	0	188	0	3,384		0	3,361	23	0	3,572
	2014	4,626	3,598	0	180	0	3,247		0	3,225	22	0	3,427
	2015												
GOM Winter Flounder	2013	1,458	1,078	272	54	0	715		0	679	36	0	1,040
	2014	1,458	1,078	272	54	0	715		0	679	36	0	1,040
	2015												
SNE/MA Winter Flounder	2013	2,637	697	195	139	0	337		0	0	337	0	672
	2014	3,471	912	255	182	0	441		0	0	441	0	879
	2015												
Redfish	2013	12,036	9,224	92	369	0	8,325		0	8,285	40	0	8,786
	2014												
	2015												

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Prelim-inary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
White Hake	2013												
	2014												
	2015												
Pollock	2012	19,887	15,400	754	1,370	0	12,612		0	12,518	94	0	14,736
	2013	20,060	15,600	756	1,380	0	12,791		0	12,695	95	0	14,927
	2014	20,554	16,000	760	1,400	0	13,148		0	13,050	98	0	15,308
N. Window-pane Flounder	2013												
	2014												
	2015												
S. Window-pane Flounder	2013												
	2014												
	2015												
Ocean Pout	2013												
	2014												
	2015												
Atlantic Halibut	2013												
	2014												
	2015												
Atlantic Wolffish	2013												
	2014												
	2015												

Table 10 – Option 1 preliminary incidental catch TACs for Special Management Programs (metric tons, live weight). These values may change as a result of changes in sector membership.

	Cat B (regular) DAS Program			CAI Hook Gear Haddock SAP			EUS/CA Haddock SAP		
Stock	**2013**	**2014**	**2015**	**2013**	**2014**	**2015**	**2013**	**2014**	**2015**
GB cod									
GOM cod									
GB Yellowtail									
CC/GOM yellowtail									
SNE/MA Yellowtail									
Plaice									
Witch Flounder									
White Hake									
SNE/MA Winter Flounder									
GB Winter Flounder									
Pollock									

Table 11 – Proposed CAI Hook Gear Haddock SAP TACs, FY 2013-2014

Year	Exploitable Biomass (thousand mt)	WGB Exploitable Biomass	B(year)/B2004	TAC (mt, live weight)
2013- 2014				

4.1.1.2 Option 2: Revised Annual Catch Limit Specifications

If Option 2 were selected, the specifications for FY 2013 through FY 2015 would be as specified in **Error! Reference source not found.**.

Rationale: This measure would adopt new specifications for groundfish stocks that are consistent with the most recent assessment information.

Table 12 – Option 2 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY 2013 – FY 2015 (metric tons, live weight). All ACL values are preliminary and amy change after FY 2012 catches are evaluated. Values are rounded to the nearest metric ton. Specificiations for other stocks await SSC recommendations.

(1) Grayed out values will be adjusted as a result of future recommendations of the TMGC.

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Prelim-inary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
GB Cod[(1)]	2013												
	2014												
	2015												
GOM Cod	2013												
	2014												
	2015												
GB Haddock[(1)]	2013	46,185	35,783	358	1,431	0	31,954		0	31,759	195	333	34,076
	2014	46,268	35,699	357	1,428	0	31,879		0	31,684	195	332	33,996
	2015	56,293	43,606	436	1,744	0	38,940		0	38,702	238	406	41,526
GOM Haddock	2013												
	2014												
	2015												
GB Yellowtail Flounder[(1)]	2013												
	2014												
	2015												
SNE/MA Yellowtail Flounder	2013												
	2014												
	2015												

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Prelim-inary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
CC/GOM Yellowtail Flounder	2012	2013											
	2013	2014											
	2014	2015											
Plaice	2012	2013											
	2013	2014											
	2014	2015											
Witch Flounder	2012	2013											
	2013	2014											
	2014	2015											
GB Winter Flounder	2012	2013	4,839	3,750	0	188	0	3,384		0	3,361	23	0
	2013	2014	4,819	3,598	0	180	0	3,247		0	3,225	22	0
	2014	2015	4,626	0	0	0	0	0		0	0	0	0
GOM Winter Flounder	2012	2013	1,458	1,078	272	54	0	715		0	679	36	0
	2013	2014	1,458	1,078	272	54	0	715		0	679	36	0
	2014	2015	1,458	0	0	0	0	0		0	0	0	0
SNE/MA Winter Flounder	2012	2013	2,336	697	195	139	0	337		0	0	337	0
	2013	2014	2,637	912	255	182	0	441		0	0	441	0
	2014	2015	3,471	0	0	0	0	0		0	0	0	0
Redfish	2012	2013	15,468	10,995	110	440	0	9,923		0	9,875	48	0
	2013	2014	16,130	11,465	115	459	0	10,347		0	10,297	50	0
	2014	2015	16,845	11,974	120	479	0	10,807		0	10,755	52	0

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Prelim-inary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ ACL	Total ACL
White Hake	2012												
	2013												
	2014												
Pollock	2013	20,060	15,600	756	1,380	0	12,791		0	12,695	95	0	14,927
	2014	20,554	16,000	760	1,400	0	13,148		0	13,050	98	0	15,308
	2015												
N. Window-pane Flounder	2013	202	151	2	29	0	112		0	0	112	0	143
	2014	202	151	2	29	0	112		0	0	112	0	143
	2015	202	151	2	29	0	112		0	0	112	0	143
S. Window-pane Flounder	2013	730	548	55	384	0	102		0	0	102	0	540
	2014	730	548	55	384	0	102		0	0	102	0	540
	2015	730	548	55	384	0	102		0	0	102	0	540
S. Window-pane Flounder Scallop Sub-ACL	2013	94	548	55	208	163	102		0	0	102	0	528
	2014	94	548	55	208	163	102		0	0	102	0	528
	2015	94	548	55	208	163	102		0	0	102	0	528
Ocean Pout	2013	313	235	2	21	0	197		0	0	197	0	220
	2014	313	235	2	21	0	197		0	0	197	0	220
	2015	313	235	2	21	0	197		0	0	197	0	220
Atlantic Halibut	2013	164	99	50	5	0	42		0	0	42	0	97
	2014	180	109	55	5	0	47		0	0	47	0	107
	2015	198	119	60	6	0	51		0	0	51	0	116
Atlantic Wolffish	2013	94	70	1	3	0	62		0	0	62	0	65
	2014	94	70	1	3	0	62		0	0	62	0	65
	2015	94	70	1	3	0	62		0	0	62	0	65

Table 13 – Option 2 preliminary incidental catch TACs for Special Management Programs (metric tons, live weight). These values may change as a result of changes in sector membership.

	Cat B (regular) DAS Program			CAI Hook Gear Haddock SAP			EUS/CA Haddock SAP		
Stock	**2013**	**2014**	**2015**	**2013**	**2014**	**2015**	**2013**	**2014**	**2015**
GB cod									
GOM cod									
GB Yellowtail									
CC/GOM yellowtail									
SNE/MA Yellowtail									
Plaice									
Witch Flounder									
White Hake									
SNE/MA Winter Flounder									
GB Winter Flounder									
Pollock									

Table 14 – Proposed CAI Hook Gear Haddock SAP TACs, FY 2010- 2012

Year	Exploitable Biomass (thousand mt)	WGB Exploitable Biomass	B(year)/B2004	TAC (mt, live weight)
2013				
2014				
2015				

4.2 Commercial and Recreational Fishery Measures

4.2.1 Management Measures for the Recreational Fishery

This section consideres changing recreational fishery management measures as necessary to control catches of GOM cod and GOM haddock.

4.2.1.1 Option 1: No Action

TBD

4.2.1.2 Option 2: Revised Measures

TBD

4.2.2 Groundfish Monitoring Program Revisions

4.2.2.1 Option 1: No Action

TBD

4.2.2.2 Option 2: Monitoring Program Goals and Objectives

The goals of the groundfish monitoring program are as follows:

Goal 1: Improve documentation of catch

Objectives:

- Determine total catch and effort, for each sector and common pool, of target or regulated species
- Achieve coverage level sufficient to minimize effects of potential monitoring bias while maintaining as much flexibility as possible to enhance fleet viability
-

Goal 2: Reduce cost of monitoring

Objectives:

- Streamline data management and eliminate redundancy
- Explore options for cost-sharing and deferment of cost to industry
- Recognize opportunity costs of insufficient monitoring

Goal 3: Incentivize reducing discards

Objectives:

- Determine discard rate by smallest possible strata while maintaining cost-effectiveness
- Collect information by gear type to accurately calculate discard rates

Goal 4: Provide additional data streams for stock assessments

Objectives:

- Reduce management and/or biological uncertainty
- Perform biological sampling if it may be used to enhance accuracy of mortality or recruitment calculations

Goal 5: Enhance safety of monitoring program

Goal 6: Perform periodic review of monitoring program for effectiveness

4.2.2.3 Option 3: ASM Coverage Levels

Tentative measure – TBD

4.2.2.4 Option 4: Industry At- Sea Montoring Cost Responsibility

If adopted, this option would make the following distinctions between those aspects of the groundfish monitoring program which the fishing industry could be required to support (partially or entirely) and those programmatic costs that will continue to be funded (permanently and entirely) by the National Marine Fisheries Service. Specifically, the industry shall only ever be responsible for contributing to the funding for direct at-sea monitor (ASM) costs: specifically the daily salary of the at-sea monitor.

Costs of the ASM and monitoring program shall continue to be supported entirely by NMFS. These program elements and activities would include, but are not exclusive to:

- Briefing, debriefing, training and certification costs (salary and non-salary)
- Sampling design development
- Data storage, management and security
- Data quality assurance and control
- Administrative costs
- Maintenance of monitoring equipment
- ASM recruitment, benefits, insurance and taxes
- Logistical costs associated with ASM deployment
- ASM travel and lodging

4.2.2.5 Option 5: At –Sea Monitoring Funding Mechanisms

If this option is adopted, each sector (including the common pool) that incurs monitoring costs will be provided ACE to help defray the costs of sector monitoring programs (i.e. lease only sectors and state permit banks will not be provided additional ACE to defray monitoring costs).

The program will target providing sufficient ACE to cover 100 percent of the direct costs of monitoring as defined in section 4.2.2.4. The additional ACE will be provided from one of two sources:

Sub-Option A: A percentage of the sub-ACL for commercial groundfish vessels
Sub-Option B: A percentage of the difference between the ACL and the ABC for commercial groundfish vessels.

{Need to specify how percentage is determined}

Once the amount of each stock available is determined, it will be distributed to the sectors and common pool in one of the following ways.

Sub Option C: The additional monitoring ACE will be distributed in proportion to each group's ACE. As an example, if a sector received 5 percent of the overall ACE for stock A, it will receive 5 percent of the amount available to defray monitoring costs.

Sub-Option D: The additional monitoring ACE will be distributed in proportion to the distribution of monitoring costs in the previous fishing year. As an example, if a sector incurred 5 percent of the total monitoring costs in the previous fishing year, the sector would receive 5 percent of the amount available to defray monitoring costs.

Sub-Option E: The monitoring cost per pound caught in the previous fishing year will be calculated for each sector (including the common pool). The sectors will be ranked in order of cost per pound with the lowest ranked sector at 1. Each sector (or the common pool) will receive a share for the available ACE calculated as:

Share = Sector Rank/(Sum of all ranks)

Sub-Option F: *TBD. An option designed to incentivize reducing discard; TBD.*

The ACE provided by the sectors will be leased to defray the monitoring costs of the sector. The ACE can be leased within the sector, or can be leased to another sector. Each sector can determine lease prices in any manner chosen by the sector.

In the sector's annual report, a full accounting will be made of all leases of the funding ACE. This report will include the amounts (pounds) of each stock leased, the revenues obtained from that lease, whether the lease was internal or external to the sector, and if an external lease the receiving sector will be identified.

4.2.2.6 Dockside Monitoring Requirements

4.2.2.6.1 Option 1: No Action

TBD

4.2.2.6.2 Option 2: Elimination of Dockside Monitoring Requirement

If adopted, this option would elimainte all dockside monitoring requirements beginning in FY 2013.

4.2.3 Commercial Fishery Minimum Size Restrictions

4.2.3.1 Option 1: No Action

If no action is adopted, there will be no revision to the regulations regarding landings of the allocated regulated groundfish currently managed. The following minimum fish size regulations would apply unless changed in this or a future action.

Table 1 – No Action Minimum Fish Sizes (TL) for Commercial Vessels

Species	Size (inches)
Cod	22 (55.9 cm)
Haddock	18 (45.7 cm)
Pollock	19 (48.3 cm)
Witch Flounder (gray sole)	14 (35.6 cm)
Yellowtail Flounder	13 (33.0 cm)
American Plaice (dab)	14 (35.6 cm)
Atlantic Halibut	41 (104.1 cm)
Winter Flounder (blackback)	12 (30.5 cm)
Redfish	9 (22.9 cm)

Rationale: Since implementation in 1986, the Northeast Multispecies FMP has used minimum size limits in cionjucntion with gear requirements to reduce catches of sub-adult fish. When adopted the purpose of this measure was to provide opportunities for fish to spawn before harvest, as well as to reduce the incentive to use illegal mesh to increase catches.

4.2.3.2 Option 2: Full Retention

If this action is adopted all allocated currently regulated groundfish of all sizes, including cod, haddock, white hake, pollock, Acadian redfish, yellowtail flounder, Georges Bank and Gulf of Maine winter flounder, witch flounder, and American plaice, must be retained by sector vessels, i.e. no discarding of non-prohibited fish. Discarding of non-allocated groundfish species, including those that require no-retention as part of a rebuilding program will continue. Allocated regulated groundfish that are physically damaged, e.g. by predation, must be retained. This action would not alter regulated mesh areas or restrictions on gear and methods of fishing. This measure wouold not change possession requirements for other species that are regulated by other Fishery Management Plans.

Rationale: Full retention may help reduce monitoring costs by facilitating the adoption of electronic monitoring, as there would be less of a need to estimate the weight of groundfish

discards. The amount of data collected by at-sea monitors required for total discard estimation and composition would also be reduced. Discarding is considered to be a wasteful practice. A portion of discarded fish is thrown back dead resulting in economic loss to fishermen and the needless loss of fish to the population.

4.2.4 Commercial Fishery Accountability Measures

4.2.4.1 Option 1: No Action

TBD

4.2.4.2 Option 2: Change to AM Timing for Stocks Not Allocated To Sectors

If adopted, should reliable information be available that an ACL for a stock that has not been allocated to sectors has been exceeded during a fishing year, the respective AM for that stock would be implemented at the start of the next fishing year. The stocks that this measure would apply to as of 2012 are ocean pout, both windowpane flounder stocks, Atlantic wolffish, Atlantic halibut, and SNE/MA winter flounder; this list could change if the stocks that are allocated to sectors are changed.

AMs would not be implemented in the middle of a fishing year. If this action is implemented on or before May 1, 2013, and an ACL of a non-allocated stock is exceeded in FY 2012, then the AM will be implemented on May 1, 2013.

Rationale: This measure would modify the timing of AMs for non-allocated stocks so that when reliable information is available that indicates the ACL has been exceeded, the AMs can be implemented more quickly in order to reduce the risk of overfishing in consecutive years. At the same time, since fishing businesses need to plan their operations for each year, the measure makes it clear that the AMs will only be implemented at the start of a fishing year.

4.2.4.3 Option 3: Area – Based Accountability Measures for Atlantic Halibut, Atlantic Wolffish, and SNE/MA Winter Flounder

Atlantic halibut

The groundfish fishery AM for Atlantic halibut would be implemented if the total ACL (as opposed to the groundfish sub-ACL) is projected to be exceeded by an amount that exceeds the management uncertainty buffer. Should a sub-ACL be allocated to other fisheries and AMs developed for those fisheries, the AMs for either (or both) fisheries will be implemented only if the total ACL for the stock is exceeded. If only one fishery exceeds its sub-ACL the AM will be implemented only for that fishery. Note that for this stock a specific area-based measure becomes effective only if catches exceed the ACL by more than the allowance for management uncertainty. In effect, the area-based measures are effective if the ABC is exceeded.

If the AM is implemented trawl vessels would be required to use approved selective trawl gear that reduces the catch of flounders and retention of Atlantic halibut would be prohibited. Approved gears include the separator trawl, Ruhle trawl, mini-Ruhle trawl, rope trawl, and other gear authorized by the Council in a management action or approved for use consistent with the process defined in 50 CFR 648.85 (b)(6).

If the AM is implemented, sink gillnet and longline vessels would not be allowed to fish in the AM areas described below. Should selective gear be developed that reduces catches of these species then fishing would be allowed in these areas as long as the gear is used. Such gear must be approved through the process used to authorize selective trawl gear before it is authorized for use.

Areas: The areas would be implemented for ACL overages that exceed the management uncertainty buffer. The areas are designed to account for an ACL overage of up to 20 percent. Should an overage exceed 20 percent of the ACL, the AM will be implemented and then this measure will be reviewed in a future action.

The applicable areas where trawl gear restrictions would apply are shown in Figure 1.

The areas where sink gillnet and longline fishing would be prohibited (or if selective gear is developed, where use of the gear would be required) are also shown in Figure 1.

Trawl Gear Halibut AM Area

42-00N 69-20W
42-00N 68-20W
41-30N 68-20W
41-30N 69-20W

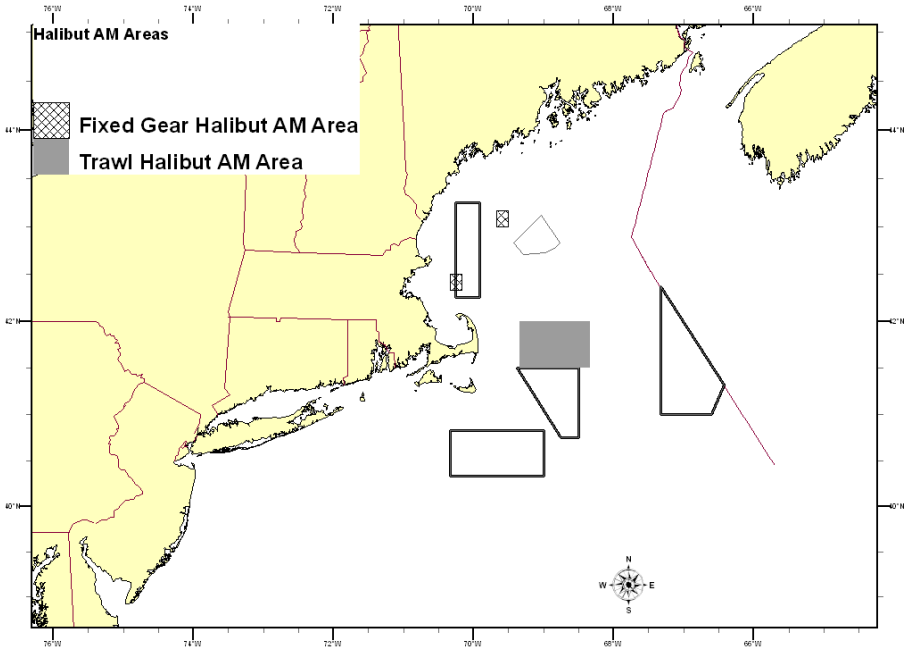
Fixed Gear Halibut AM areas

41-40N 69-40W
41-40N 69-30W
41-30N 69-30W
41-30N 69-40W

And

43-10N 69-40W
43-10N 69-30W
43-00N 69-30W
43-00N 69-40W

Figure 1 – Proposed AM areas for fixed gear and trawl vessels for halibut.



Atlantic Wolffish

The groundfish fishery AM for Atlantic wolffish would be implemented if the total ACL (as opposed to the groundfish sub-ACL) is projected to be exceeded by an amount that exceeds the management uncertainty buffer. Should a sub-ACL be allocated to other fisheries and AMs developed for those fisheries, the AMs for either (or both) fisheries will be implemented only if the total ACL for the stock is exceeded. If only one fishery exceeds its sub-ACL the AM will be implemented only for that fishery. Note that for this stock a specific area-based measure becomes effective only if catches exceed the ACL by more than the allowance for management uncertainty. In effect, the area-based measures are effective if the ABC is exceeded.

If the AM is implemented trawl vessels would be required to use approved selective trawl gear that reduces the catch of demersal species. Approved gears include the separator trawl, Ruhle trawl, mini-Ruhle trawl, rope trawl, and other gear authorized by the Council in a management action or approved for use consistent with the process defined in 50 CFR 648.85 (b)(6).

If the AM is implemented, sink gillnet and longline vessels would not be allowed to fish in the AM areas described below. Should selective gear be developed that reduces catches of these species then fishing would be allowed in these areas as long as the gear is used. Such gear must

be approved through the process used to authorize selective trawl gear before it is authorized for use.

The AM measures would be in effect from May through December, and in April. The measures would not be in effect from January through March because the habits of wolffish make it less susceptible to fishing at that time.

Areas: The areas are designed to account for an AM overage of up to 20 percent. The areas would be implemented for ACL overages that exceed the management uncertainty buffer. Should an overage exceed 20 percent of the ACL, the AM will be implemented and then this measure will be reviewed in a future action.

The applicable areas where trawl gear restrictions would apply are shown in Figure 2.

The areas where sink gillnet and longline fishing would be prohibited (or if selective gear is developed, where use of the gear would be required) are shown in Figure 2.

Trawl Wolffish AM Area

42-30N 70-30W
42-30N 70-15W
42-15N 70-15W
42-15N 70-10W
42-10N 70-10W
42-10N 70-20W
42-20N 70-20W
42-20N 70-30W

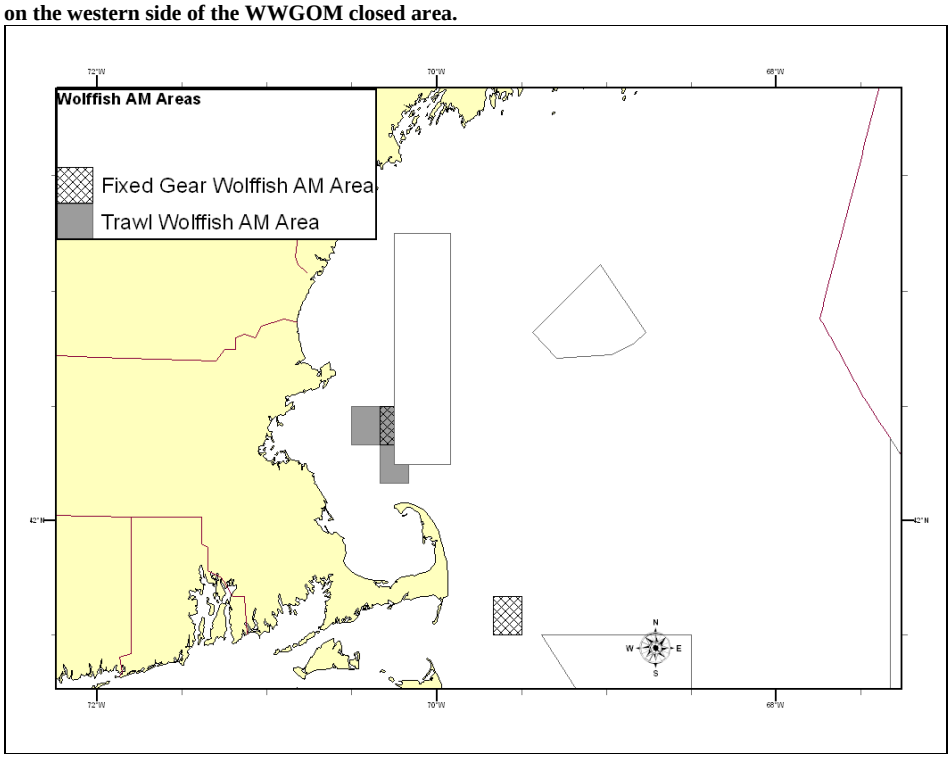
Fixed Gear Wolffish AM Area

41-40N 69-40W
41-40N 69-30W
41-30N 69-30W
41-30N 69-40W

And

42-30N 70-20W
42-30N 70-15W
42-20N 70-15W
42-20N 70-20W

Figure 2 – Proposed AM areas for fixed gear and trawl gear for wolffish. Note the AM areas overlap on the western side of the WWGOM closed area.



SNE/MA Winter Flounder

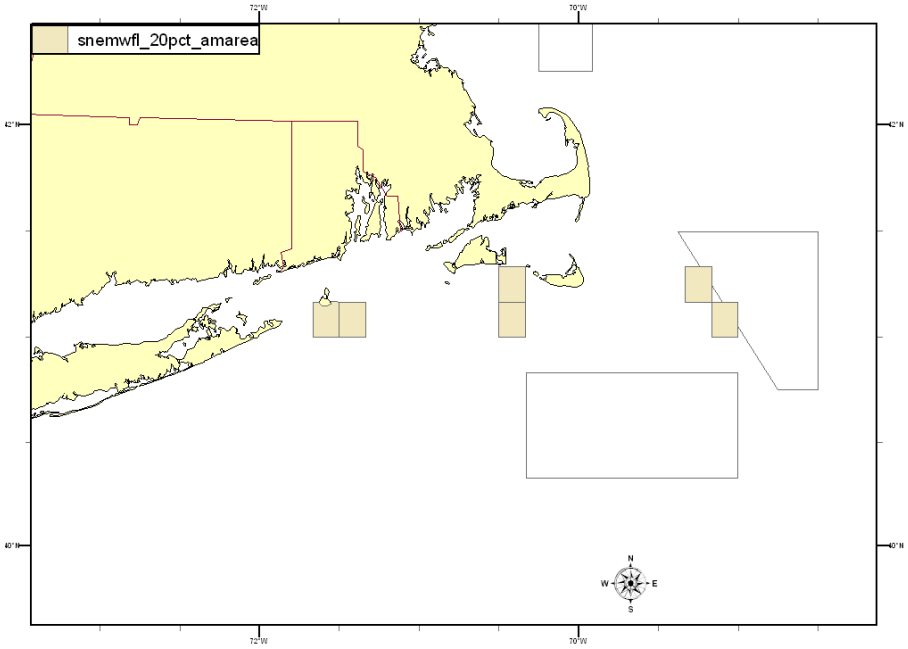
The groundfish fishery AM for SNE/MA winter flounder would be implemented if the total ACL (as opposed to the groundfish sub-ACL) is projected to be exceeded by an amount that exceeds the management uncertainty buffer. Should a sub-ACL be allocated to other fisheries and AMs developed for those fisheries, the AMs for either (or both) fisheries will be implemented only if the total ACL for the stock is exceeded. If only one fishery exceeds its sub-ACL the AM will be implemented only for that fishery. Note that for both stocks, a specific area-based measure becomes effective only if catches exceed the ACL by more than the allowance for management uncertainty. In effect, the area-based measures are effective if the ABC is exceeded.

If the AM is implemented trawl vessels would be required to use approved selective trawl gear that reduces the catch of demersal species. Approved gears include the separator trawl, Ruhle trawl, mini-Ruhle trawl, rope trawl, and other gear authorized by the Council in a management action or approved for use consistent with the process defined in 50 CFR 648.85 (b)(6). There would be no restrictions on longline or gillnet gear.

Areas: The applicable areas where gear restrictions would apply are shown in Figure 3. The areas are designed to account for an AM overage of up to 20 percent. The areas would be implemented for ACL overages that exceed the management uncertainty buffer. Should an overage exceed 20 percent of the ACL , the AM will be implemented and then this measure will be reviewed in a future action.

(Coordinates to be added here)

Figure 3 – Proposed SNE/MA winter flounder AM areas



4.2.5 Trawl Gear Stowage Requirements

4.2.5.1 Option 1 – No Action

If adopted, trawl vessel would be required to stow their gear in the specified way when trasnittignclosed areas.

Rationale: These requirements facilitate enformcent of prohibioits on fishing within closed areas.

4.2.5.2 Option 2 – Removal of Trawl Gear Stowage Requirements

If adopted, this measure would remove the requirement that trawl vessels transitting closed areas stow their gear in manner described by the Regional Administrator. This measure would remiove this requirement for groundfish vessels but does nto modify the requirement imposed by other fisheries.

Rationale: The trawl gear stowage requirements are difficult to define in a manner that appkies to all fishign vessels. In addition, with the adoption of VMS on al lgroundfish fishign vessels, there is less need for mesures that aer intended to make it easier to enforce the transittignrestrictions. Because this requirement has outlived its usefulness it is being removed from the FMP.