

## PART 1: INTRODUCTION TO THE MANAGEMENT PROGRAM

### §1.1 Purpose and Need for Management

The Council began work on a comprehensive groundfish management plan in May, 1978, following a year of eye-opening experience with single-stock quota management of cod, haddock and yellowtail flounder. Although it was not to be the Council's good fortune to extricate itself from the entanglements of trip limits, vessel class allocations and discard prohibitions until April of 1982, the Council used those four intervening years to lay the conceptual groundwork for the eventual reconciliation of its mandate for fishery management under the MFCMA with the operational and economic realities of a highly complex and dynamic multi-species fishery. This fishery management plan reflects an evolution of ideas and concepts relating to the purpose and scope of management, represents a melding of fishery science with practical experience and knowledge of the fishery, and stands as the most comprehensive basis ever developed for achieving optimum yield from the northeast multi-species finfish fishery.

The development of this FMP was motivated at two distinct levels. First, the limited success of the initial Groundfish FMP in managing the economically important cod, haddock and yellowtail flounder stocks brought into sharp focus the incompatibility of stock-oriented management measures with the operational and economic realities of the multi-species fishery of which these stocks are an important part. In its earliest stages of development, this Multi-Species Finfish FMP benefitted from the Council's realization that economic, biologic and operational linkages exist among the resource components of a fishery that make it difficult and undesirable to try to isolate a stock from its fishery context for management purposes. Further, the Council acknowledged the management imperative that regulatory measures for stocks within one or more fisheries must be established with full recognition of their impacts on the harvesting and utilization of all regulated or non-regulated stocks in that fishery or other associated fisheries.

Having identified as a primary problem the inappropriateness of single-stock management methods for New England's mixed-trawl, multi-species fishery, the Council temporarily set aside development of the multi-species FMP in favor of creating an interim management environment that promoted the conservation of the cod, haddock and yellowtail flounder stocks through basic fishery-oriented methods, encouraged the collection of data and information on the resource and the industry, and most importantly, provided an opportunity for the Council to discuss in detail its goals and objectives of fishery management. The Interim Groundfish FMP became effective in April of 1982, and the Council's attention was immediately drawn to the fundamental management issues that would form the foundation for multi-species fishery management in the New England region. Thus, the second level of motivation for developing this FMP was the identification of problems and needs in the multi-species fishery that could and should be addressed through management action by the Council.

Beginning in the Spring of 1982, the Council sought to achieve a consensus on what considerations and values should ultimately guide the development of the multi-species FMP; that is, agreement on a policy to articulate the

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Council's management intentions. Fundamental to the development of a Council policy was a process of acquainting Council members with the goal-oriented management options available to them, and then eliciting from them their judgement as to which options best represented the Council's management purview for the multi-species fishery. A list of 19 policy considerations was discussed among Council members, advisors and the interested public. These policy considerations ranged from concern for lost resource productivity due to overfishing to lost freedom of choice due to overregulation. The predominant concerns that emerged from the exercise reflected a broad spectrum of goals and interests that would ultimately have to be reconciled in the development of the management policy. Equally important, this exercise delineated the areas in which the Council would not exert an active interest, and thereby clarified the Council's management purview.

Ultimately, the views of the Council regarding the long-term management of the multi-species fishery crystalized into two major concerns:

1. a concern for the long-term viability of valuable, individual fish stocks, with particular reference to recruitment overfishing and the associated prospects for recruitment failure; and
2. a concern that the management program work in concert with the multi-species fishery, providing the opportunity for fishermen to continue to choose among fishing options in response to shifts in species price and availability.

These concerns reflect the Council's perception of existing or developing problems within the fishery. In recent years the Council has witnessed the decline of several major fishery resources, most in the face of intense exploitation. The fishing industry has come to accept the characteristic, cyclical variation of fish stocks, and relies on some stocks becoming increasingly abundant as others may be in natural decline. The Council would view as problematic a situation where the recruitment prospects for a stock were such that that stock could not be expected to provide for some level of fishing opportunity on a continuing basis.

The Council recognizes that the multi-species fishery is the natural adaptation of an industry faced with resource and market uncertainty. The Council believes that industry stability results from its continued ability to take advantage of fishing opportunities on a trip-by-trip, seasonal or annual basis. The Council views as problematic any management action that substantially interferes with the operational flexibility of the fishery in an attempt to secure benefits for a single fish stock. The Council believes that the perspective of management should be through the industry, that benefits must be realized through the industry, and that management actions will be most effective when they are in concert with the natural behavior of the industry. The Council does not intend that its concern for the conduct of the fishery should qualify any concern for the long-term viability of the stocks, but rather, that the long-term viability of the stocks can only be realized through measures that are compatible with the way fishing is conducted in New England.

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## §1.2 Multi-Species Management Policy

The policy for the management of the region's multi-species fisheries that emerged in August of 1983 included the following elements:

1. The Policy is a statement of intent regarding the management of the multi-species fishery; it contains two basic goals for management:
  - a) allow the multi-species fishery to operate and evolve with minimum regulatory intervention, and
  - b) adopt initial measures to prevent stocks from reaching minimum abundance levels (or stock conditions)<sup>1/</sup>.
2. The Policy identifies what shall be considered in the management program:
  - a) minimum abundance levels (or stock conditions) based on an unacceptable risk of recruitment failure;
  - b) minimum disruption of the normal behavior of the multi-species fishery;
  - c) an emphasis on freedom of choice for participants in the various species fisheries;
  - d) avoidance of abrupt economic dislocations;
  - e) acquisition of the best possible data upon which to base fishery management decisions.
3. The Policy defines how the FMP will operate:
  - a) initial measures will be based on relevant biologic, social and economic factors and will be designed only to limit the risk of reaching minimum abundance levels (or stock conditions); stocks below their minimum abundance levels (or in an unacceptable condition) may be immediately subject to restorative measures that will be applied in the context of the fishery.
  - b) modifications of initial measures are possible if changes (which unexpectedly contribute to a deterioration in stock condition) are demonstrated in the biologic, social or economic design factors;
  - c) measures to "restore" a stock which has fallen below its minimum abundance level (or is in an unacceptable condition) will take into consideration impacts on other related fisheries.

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<sup>1/</sup> The terms "stock condition" or "condition" have been purposefully inserted into the discussion to relate the reader more directly to the actual criterion used subsequently in the plan to identify species in need of active management action. The reader is referred to Parts 5 and 6 for a detailed explanation in context.

The actual policy statement adopted by the New England Council in August, 1983, and subsequently concurred with by the Mid-Atlantic Council in April, 1984 is given below.

#### Major Policy

1. The Council shall attempt to provide an environment in which the multi-species fishery can operate and evolve with a minimum of regulatory intervention or restriction of fishery options. Initial management measures shall be designed to prevent stocks from reaching minimum abundance levels of individual species within species groups included in the management plan with due consideration for the overall multi-species fishery.
2. Initial management measures will be designed on the basis of biological, social and economic factors operating at the time and may be modified only if significant changes in these factors are demonstrated.
3. Minimum abundance level is defined as that level of abundance below which there is an unacceptably high risk of recruitment failure (stock collapse). The Council, in establishing minimum abundance levels, shall not consider economic criteria.
4. Minimum regulatory intervention is defined as the use of measures which are only intended to limit the risk of reaching minimum abundance levels.

#### Other Considerations

1. The Council will seek the best possible data upon which to base its management decisions in fulfillment of this policy.
2. The Council shall place an emphasis on freedom of choice for fishermen participating in the various species fisheries so long as those species remain above their minimum abundance levels.
3. Consideration will be given to species not explicitly included in an FMP subject to this policy only if the required measures impact a fishery for those species.
4. If a species within a major species group falls below its minimum abundance level, the impact on the fishery for other species within that species group, as well as on other species groups, will be considered in efforts to restore the species to an appropriate abundance level.
5. The Council shall attempt to avoid or minimize abrupt economic dislocations in implementing this policy; however, in no event shall continued access by individual fleet sectors, net economic impacts on individual fishermen, or impacts on the quality of life be considered in framing management measures developed consistent with this policy.

#### Implications

Initial measures would be modified in response to major changes in the biological, social or economic factors operating within a fishery where those changes were judged to be contributory to abundance declining toward minimum abundance levels.

Initial freedom in the fishery might be restricted by adjustments in management measures dictated by a stock decline to the minimum abundance level.

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