

PART 4: THE MANAGEMENT UNIT

§4.1 Focus of Fishery Management

Truly effective management of the Northeast Region's multi-species finfish fishery requires that both the individual biological needs of numerous co-distributed stocks and the needs of an industry comprised of sectors with distinct resource dependencies and diverse fishing practices be simultaneously understood and addressed. This has been a longstanding goal of the New England Council, and a major accomplishment of the Interim Groundfish FMP has been to provide the opportunity to acquire the best data and information possible on the multi-species fishery absent major regulatory influence.

From a resource perspective and consistent with the Magnuson Act, the establishment of the fishery management unit requires consideration of two major factors: that to the extent practicable an individual stock of fish be managed as a unit throughout its range and that interrelated stocks be managed in close coordination. Further, the basis for selection of the management unit first involves consideration of the goals of the management program, and then focus is directed at the biologic, economic, geographic and other technical or social factors that compel the final decision.

The Management Policy presented in §1.2, which expresses the fundamental goals and values of this management program, sets forth two basic principles for management:

- 1) allow the multi-species fishery to operate and evolve with minimum regulatory intervention; and
- 2) adopt initial measures to prevent stocks from reaching minimum abundance levels (or stock conditions).

Consequently, the policy requires that the management program focus on the entire northeast multi-species finfish fishery (i.e., the combination of vessels and stocks), and be sensitive to unnecessary curtailment of fishing options within the overall fishery. This mandate necessitates an awareness that the character of the multi-species finfish fishery varies greatly among the Gulf of Maine, Georges Bank and Southern New England areas. The fishery encompasses many industry groups, stocks and patterns of fishing. A number of relatively unique sectors within the overall multi-species fishery can be identified and managed somewhat independently as "industry-resource systems." Characteristics which allow the identification of fishery sectors include:

- the species that are involved in the sector;
- the mode of fishing as it relates to gear, mesh, trip length or type, etc.;
- the similarity or lack thereof in the biological characteristics of the species taken in the sector, such as the size at maturity or the size at maximum yield per recruit;

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- the effectiveness of certain kinds of management measures given the characteristics of the species involved and the consideration to not disrupt other fisheries within the overall fishery.

The fact that sectors within the overall multi-species finfish fishery can be identified provides managers with the opportunity to tailor the management program according to what is feasible and what will work best within individual sectors or across sectors.

§4.2 Definition of the Management Unit

Given the policy of this FMP and with full consideration of biologic, economic and other technical factors discussed in Parts 2 and 3 of this FMP, including the existence of functional sectors within the overall multi-species fisheries, the Council establishes the fishery management unit detailed below.

Management Unit

The management unit is the multi-species (finfish) fishery that occurs from Eastern Maine through Southern New England, encompassing all commercial and recreational harvesting sectors in New England and all fish species that factor into a fishery within a trip, from trip to trip and from season to season, except those species that are subject to other fishery management plans under the Magnuson Fishery Conservation and Management Act.

Multi-species fisheries management is inherently comprehensive in its scope and, consequently, cooperation from all relevant entities (state, regional, federal) is essential for effective achievement of this program's management objectives. Particular measures designed for the fishery (or sector thereof), which may require species regulations for one or more species of mutual interest to the Mid-Atlantic Council shall be determined in consultation with the Mid-Atlantic Council. It is necessary that each species specifically regulated under this FMP shall be regulated throughout its range.

Major species within the fishery that may be subject to specific regulation under this FMP include:

Cod (Gadus morhua)
Pollock (Pollachius virens)
Yellowtail Flounder (Limanda ferruginea)
Redfish (Sebastes marinus)
Haddock (Melanogrammus aeglefinus)
Witch Flounder (Glyptocephalus cynoglossus)
Winter Flounder (Pseudopleuronectes americanus)
White Hake (Urophycis tenuis)
American Plaice (Hippoglossoides platessoides)
Windowpane Flounder (Lophopsetta omarulata)

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This listing is not exclusive. As conditions in the fishery change, other species may assume sufficient importance to also necessitate management measures and regulations directed specifically at such species. For example, species such as wolffish or cusk may at some future time require respecification of the management objectives under one or both of the criteria detailed in §6.3. The Councils intention is that species regulations for any and all species involved in the Northeast multi-species fishery will be possible when determined necessary under the criteria of §6.3 and in accordance with the continuing management/framework procedures specified in §7B4. An absolute listing of all species for which regulations may, at some time in the future, be necessary is not practical while the need for such flexibility is real given the multi-species approach, changing market circumstances, and other industry and fishery developments. This stated intention to establish flexibility within the management unit is qualified by the following exception.

Other species currently subject to regulation under other FMPs or for which FMPs may be under development, that will be considered when establishing management regulations for the fishery (or sector thereof), but will not be specifically regulated under this FMP, without a formal amendment, include:

Bluefish	Scallops
Butterfish	Sea Herring
Lobster	Squid
Mackerel	Summer Flounder
Red Hake	Tilefish
Scup	Weakfish
Sea Bass	River Herring
Shad	Dogfish
Silver Hake	Northern Shrimp
Striped Bass	

§4.3 Relationship to Other Federal Management Plans

Fisheries in the geographic areas covered by this Plan, which are currently under regulation by other fishery management plans include Atlantic Sea Scallops, Surf Clams and Ocean Quahogs, American Lobster, and Squid, Mackerel and Butterfish. Fishermen fishing for the species contained in this Plan are subject to these other plans if their activities are likely to result in the harvest of any of these other species. Similarly, fishing for any of these other species may subject a fisherman to the provisions of this Plan if his activities are likely to result in the harvest of species contained in this Plan.

Interim Groundfish Fishery Management Plan

The Interim Groundfish Fishery Management Plan was implemented on March 31, 1982, and currently regulates the fisheries for cod, haddock and yellowtail flounder. Regulations implementing the Interim Plan are scheduled to expire on April 15, 1985, but will likely be extended by the Secretary pending regulations implementing the Northeast Multi-Species FMP.

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Preliminary Management Plans

Preliminary management plans (PMP's), developed and implemented by the Secretary of Commerce, permit foreign nations to fish in the fishery conservation zone (FCZ) in the absence of FMP's and remain in effect until replaced by approved fishery management plans developed by Regional Fishery Management Councils. A PMP must describe the fishery, provide a preliminary estimate of the optimum yield (OY), and determine the total allowable level of foreign fishing (TALFF), if any. In addition, PMP's contain permit requirements for foreign fishing vessels, as well as data reporting procedures. Regulations implementing PMP's do not affect domestic fishermen.

PMP for the Hake Fisheries of the Northwest Atlantic

Since 1977 this PMP has established the total allowable level of foreign fishing for both silver hake (whiting) and red hake. Amendments to this PMP since 1979 have reduced the levels of foreign fishing in recognition of the expansion of the domestic fishery. Although silver hake and red hake are integral and important components of the northeast mixed species fishery, the Council has decided that they should be managed under the existing PMP until domestic harvesting capacity (DAH) equals the accepted biological catch (ABC). At that time they will be added to the multi-species management unit through a regular plan amendment.

PMP for the Foreign Trawl Fisheries of the Northwestern Atlantic

The harvesting and retention of other finfish (other than finfish regulated under an FMP or PMP) caught incidentally by the foreign trawl fisheries in the Northwest Atlantic are regulated by this PMP. The other finfish group includes some 60 finfish species for which individual species assessments are either unavailable or are available only in preliminary form.

Currently, none of the species included in this other finfish category have been identified (§4.2) for specific regulation under the Northeast Multi-Species FMP. However, it is anticipated that this condition may change and that, as mentioned in §4.2, species such as wolffish, cusk and others may become important and require management attention under the Northeast Region Multi-Species FMP. Therefore, the Council's intention is that specific regulations for species currently included under the other finfish category of this PMP, with the exception of those finfish specifically excluded from management by §4.2 of this FMP, will be possible when determined necessary under the criteria of §6.3 and in accordance with the framework procedures specified in §7B4.

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