



New England Fishery Management Council

News Brief

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What Happened at the Council Meeting This Week

Highlights from the New England Fishery Management Council's Discussions

September 25-27, 2012, Plymouth, MA

Newburyport, MA A wide range of issues that will affect the region's fishermen were addressed by the New England Fishery Management Council this week in Plymouth, MA.

Sea Scallops - As recommended by both the Scallop Advisory Panel and the Scallop Committee, the Council agreed to request that Emergency Action be taken by the National Marine Fisheries Service (NMFS) to close the Elephant Trunk Access Area as soon as possible to protect the high level of recruitment that is now occurring there. The area is currently open to scallop days-at-sea fishing. For its part, the agency is very aware of the time-sensitive nature of the Council's request.

U.S./Canada Issues - The Council approved a motion asking the U.S. contingent to the U.S./Canada Steering Committee to negotiate a one-time request to trade some amount of Georges Bank haddock from the 2013 U.S. share in return for an amount of Georges Bank yellowtail flounder from the Canadian's 2013 share. Consideration of any details and final approval of this action will take place at the NEFMC's November 13-15 meeting in Newport, RI.

The Council also approved the 2013 quotas for stocks governed by the U.S./Canada Resource Sharing Understanding for analysis and inclusion in Framework Adjustment 48 to the Groundfish Plan: 1.) Eastern Georges Bank cod - 600 metric tons or mt (U.S. share 96 mt, Canadian share 504 mt), 2.) Eastern Georges Bank haddock - 10,400 mt (U.S. share 3,952 mt, Canadian share 6,448 mt), 3.) Georges Bank yellowtail flounder - 500 mt (U.S. share 215 mt, Canadian share 285 mt). The Scientific and Statistical Committee recommendation of an Acceptable Biological Catch of 1,150 mt for a yellowtail bycatch only fishery also would be included in the Framework 48 analysis.

Groundfish, Framework Adjustment 48 - Under other Framework Adjustment 48 business, the Council voted to include an option that would set the scallop fishery Georges Bank yellowtail flounder sub-ACL between 8 and 16%.

Mitigation measures to offset the projected low 2013 ACLs for stocks of cod, yellowtail flounder and other species in the groundfish complex also were approved for analysis. These included smaller minimum sizes to reduce discards and seasonal openings of three areas that have been previously closed year-round to groundfish fishing. If approved at the November Council meeting these restrictions would provide that:

- Access will only be granted for the parts of areas that are not defined as habitat closed areas, or that have not been identified as potential habitat management areas currently under consideration in a habitat action that is currently in development;
- Access to Closed Area I and Closed Area II (on Georges Bank) will only be granted for the period May 1 through February 15; and
- Access to the Western Gulf of Maine Closed Area (off MA and NH) will only be granted during periods not subject to rolling closures that are applicable to sectors and already specified in the Groundfish Management Plan.

(Groundfish continued on next page)

Please Note - Left out of the NEFMC press release distributed on 9/27/2012 were the following issues that are important to lobstermen as well as groundfish fishermen and were unanimously approved in an additional motion at the meeting. When considering sector requests for access to closed areas, the Council recommended that the NMFS Regional Office include, among other things, consideration of the potential for gear conflicts, shifts in fishing effort out of the closed areas and impacts on protected species and lobsters.

Atlantic Herring - Several approved motions will affect the development of the 2013-2015 herring specifications package. They include adoption of:

- A value for Acceptable Biological Catch and an ABC control rule based on a constant catch strategy; and
- As part of management uncertainty, a deduction of 6,200 metric tons for Canadian catch (the New Brunswick weir fishery) based on a 3-year average catch (2009-2011, rounded to the nearest hundred metric ton), as the preferred alternative in the action.

The following proposed alternatives would adjust accountability measures in the specs package:

1. A proactive accountability measure to close the directed fishery in a given management area when the catch is projected to reach 92% of the area annual catch limits under the following two conditions:
 - a. the stock is overfished or overfishing is occurring and;
 - b. the sub-ACL for a management area has been exceeded in either of the preceding two years.
2. If overfishing is not occurring and the stock is rebuilt (spawning stock biomass exceeds the target), the accountability measure (a pound for pound payback) will not be triggered until the sub-ACL is exceeded by 5% or more.

Habitat - The Council agreed to remove the coral protection alternatives from Habitat EFH Omnibus Amendment 2 and continue to work on the amendment as the highest priority for the Council. This action dovetailed with another motion that directs the staff to schedule a one-day Council meeting (or add a day to the January 2013 Council meeting) following a Habitat Advisory Panel/Plan Development Team meeting to develop and finalize area management alternatives. The goal would be to approve the area management alternatives as soon as possible and schedule public hearings.

Related to the above discussion was the approval of alternatives in the next available framework adjustment to the Scallop FMP that would focus on the potential creation of new access areas in existing habitat closures on Georges Bank, should those areas be modified or eliminated in the Habitat Omnibus Amendment. As stated in the Council motion, this consideration would be based on survey information and would follow the existing protocols for the creation of new rotational access areas and associated allocations.

Spiny Dogfish - The Council approved final measures to be adopted in Amendment 3 to the Spiny Dogfish Plan. Included were: allocations of up to 3% of the commercial quota to fund cooperative research through a research set-aside program; updates to the essential fish habitat definitions; the previous fishing year's management measures, including the quota, until they are replaced via rulemaking; and elimination of the seasonal allocation of the commercial quota. The Mid-Atlantic Council is expected to approve final measures in the joint plan at its October meeting.

Council Management Priorities for 2013 - In addition to the draft management priorities that were provided to the Council at the meeting (see www.nefmc.org, under Council Discussion Documents), two other items were proposed. These call for an amendment to consider limited access in the skate fishery in 2013, and also a 2013 framework adjustment to set fishing year 2014 sea scallop specifications (setting days-at-sea, access area trips, a Northern Gulf of Maine total allowable catch, the limited access general category IFQ, and potential modification of scallop access area boundaries, among other things). Final priorities will be voted on at the Council's November meeting.