



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
 John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

September 19, 2008

Ms. Patricia Kurkul, Regional Administrator
 National Marine Fisheries Service
 One Blackburn Drive
 Gloucester, MA 01930

Dear Pat:

I am writing to convey the New England Fishery Management Council's strong support for groundfish interim action by NMFS pending the completion and implementation of Amendment 16 to the Northeast Multispecies FMP. The Council also appreciates the chance to provide its input on any interim action. At its September 3-4, 2008 meeting, the Council passed a motion to recommend the following measures for an interim rule:

Management Measures:

1. that the TACs for FY 2009 for Georges Bank yellowtail, SNE/Mid-Atlantic yellowtail flounder, Cape Cod/GOM yellowtail, American plaice, witch flounder, Georges Bank winter flounder, GOM winter flounder, redfish, white hake and pollock are the TACs associated with F-rebuild;
2. that the TACs for FY 2009 for Georges Bank cod and GOM cod are the TACs associated with F_{msy} ;
3. a 1,000/5,000 pound day/trip limit on witch flounder;
4. a 5,000 pound trip limit on SNE/Mid-Atlantic winter flounder and that the TAC should be less than that associated with F_{msy} ;
5. implementation of the Amendment 13 default 18% DAS reduction.

Accountability Measures

1. to the extent that the actual catches in FY 2009 exceed the TACs for any stock, such overage shall be deducted from the FY 2010 TACs; except that for Georges Bank cod such deductions in FY 2010 will not apply to the TACs allocated in FY 2010 to existing sectors for overages they were not responsible for in FY 2009;
2. the Council will incorporate a payback method in Amendment.16 to reconcile in FY 2010 any TAC overages that occur in FY 2009.

Mitigation Measures

1. an 18-inch haddock minimum size, extension of the US/CA haddock SAP, expansion of the Closed Area I hook SAP and removal of the tax on DAS transfers.

Also, the Council strongly recommends that interim rule provisions for DAS allocations remain in effect for the duration of FY 2009 and that current members of groundfish sectors be allowed to lease any multispecies days within the length, horsepower baseline requirements.

If you have any questions about the NEFMC's recommendations, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Howard". The signature is written in a cursive style with a large, stylized initial "P".

Paul J. Howard
Executive Director