

**Draft Amendment  
16  
Decision  
Document**



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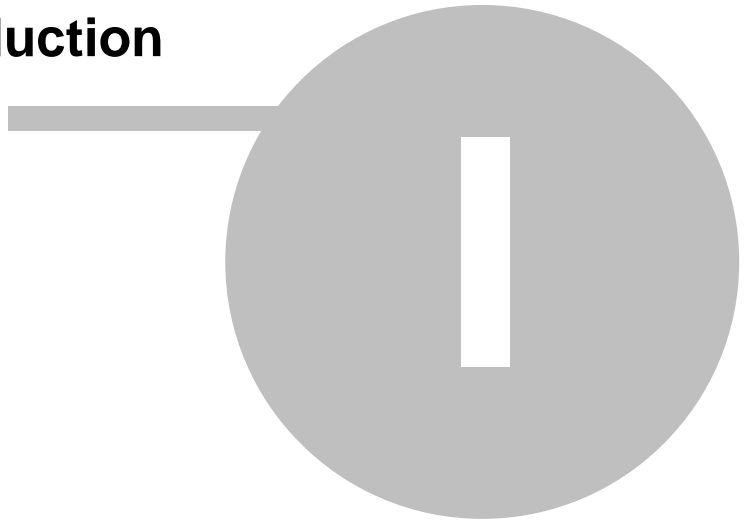
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**Introduction**



## Introduction

This document is intended to help guide NEFMC decisions on Amendment 16. The Council will choose a proposed action at the June 2009 Council meeting.

The Table of Contents lists the major management measures in the amendment in the order they will be considered by the Council. Clicking on a topic will provide a brief summary of each measure that needs a decision. If there are errors in the summary of measure, the text in Draft Amendment 16 is the correct version.

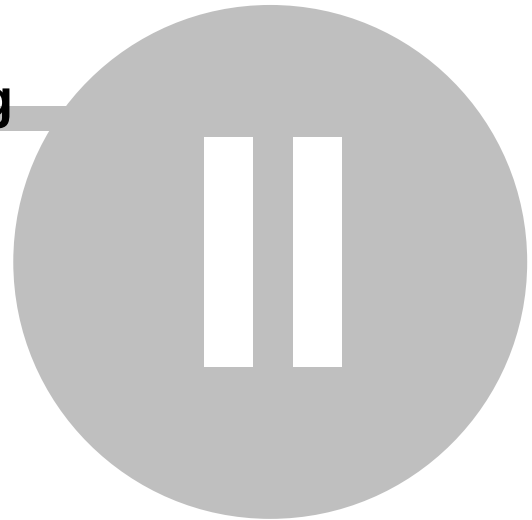
Council decisions must be made for items that are in red.

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## **4.2 Revised SDCs/Rebuilding Programs**



## 4.2 Revised SDCs/Rebuilding Programs



### 4.2.1 Status Determination Criteria

This measure updates the Status Determination Criteria to be consistent with the best available science as determined by GARM III and the Data Poor Working Group.

#### Option 1 - No Action

The fishing mortality limits (FMSY or its proxy) and the target biomasses (BMSY or its proxy) will not be updated and will remain as adopted by Amendment 13. The resulting targets can be found at [A<sup>38</sup>](#).

#### Option 2 - Revised Status Determination Criteria

The fishing mortality limits (FMSY or its proxy) and the target biomasses (BMSY or its proxy) will be updated to adopt the recommendations of the GARM III/DPWG panels.

The resulting targets can be found at [B<sup>39</sup>](#).

### 4.2.2. Revised Mortality Targets for Rebuilding Programs

This measure considers revised mortality targets for existing rebuilding programs and adopts formal rebuilding strategies for newly overfished stocks.

#### Option 1 - No Action

The fishing mortality targets for formal rebuilding programs remain as estimated in Amendment 13 and FW 42. In addition, new rebuilding programs are not adopted for stocks recently determined to be overfished. A13 mortality targets can be found at [1<sup>40</sup>](#).

#### Option 2 - Revised Rebuilding Mortality Targets

This option revises mortality targets for formal rebuilding programs. For existing programs, new mortality targets are calculated using the rebuilding strategies (probability of success and ending date) adopted by Amendment 13 or FW 42. Revised targets can be found at [2<sup>41</sup>](#).

For existing programs, three stocks are worth noting:

GAP recommends asking NERO if rebuilding period can be extended (one dissent).

SNE/MA Winter Flounder: The stock cannot rebuild by 2014 at  $F=0$ . The proposed program is to target a fishing mortality as close to 0 as possible.

Atlantic Halibut: When Amendment 13 adopted a rebuilding program for this stock, the assessment did not support a defined period. The GARM III assessment now supports a preliminary strategy to rebuild by 2055.

GB Yellowtail Flounder: This stock is presently assessed annually through the TRAC, and is managed by a hard TAC with in-season changes of fishing areas, gear, and trip limits to control catch. Amendment 16 proposes to adjust the target

fishing mortality as suggested by the TRAC results.

This section also adopts the following revised rebuilding programs for stocks that were determine to be overfished by GARM III.

Witch flounder: Fishing mortality that will rebuild the stock by 2017 with a probability of success of 75 percent.

GB winter flounder: Fishing mortality that will rebuild the stock by 2017 with a probability of success of 75 percent.

Northern windowpane flounder: The goal is to rebuild by 2017. No target mortality probability of success is identified because projections are unreliable.

Pollock: There are two rebuilding strategies considered for pollock. The Council must choose one.

[Option 1: Rebuild by 2020](#)

[Option 2: Rebuild by 2017](#)

Atlantic Wolffish: No projection is possible. The initial rebuilding strategy is to reduce fishing mortality as low as possible.

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**4.3 Fishery  
Program  
Administration I**



## **4.3 Fishery Program Administration I**

### 4.3.1 Annual Catch Limits

The Council must decide how to implement Annual Catch Limits (ACLs).

#### 4.3.1.1 No Action

Under this option, the Council would not adopt annual catch limits for the multispecies fishery.

This option does not meet legal requirements to adopt ACLs in all fishery management plans according to a fixed time table.

#### 4.3.1.2 Annual Catch Limits

This option adopts an ACL system for the multispecies fishery. See Amendment 16 for details of this process. Voting for this option adopts all elements.

This option proposes to establish an OFL (overfishing level), an ABC (Acceptable Biological Catch), and ACLs (Annual Catch Limits).

Table 13 – Overview of definitions used in ACL process

Acronym	Definition	Considerations
OFL	Catch at $F_{MSY}$	Point estimates of $F_{MSY}$ , stock size
ABC	Catch at $F_{control rate}$ or $F_{rebuild}$	Scientific uncertainty over current stock size, estimate of $F$ , or other parameters (growth, recruitment, selectivity, etc.)
ACL	$\leq$ ABC	Uncertainty from other sources, evaluation of risk to achieving management goals if ABC is exceeded

Every two years the PDT will provide the SSC recommendations for ABCs based on technical guidance that will be developed. The PDT also will develop ACL recommendations. The SSC will review the PDT recommendations and will provide their recommendations to the Council. The Council review the recommendations of the SSC and will establish ACLs that do not exceed the ABC recommendation of the SSC.

ACLs are subdivided into sub-ACLs and other sub-components. Sub-ACLs will be subject to Accountability Measures (AMs); other sub-components will not. Other sub-components will be monitored and if the catch in these sub-components exceeds 5 percent then the Council will consider establishing these as sub-ACLs. The proposed ACL breakdown can be found a 3.

For the scallop fishery, yellowtail flounder stocks will be listed as a sub-component until the Scallop FMP develops appropriate AMs for these stocks. At that point these will be treated as sub-ACLs.

State waters catch will be allowed for when calculating ACLs.

### 4.3.3 Sector Administration Provisions

#### 4.3.3.1 Sector Definition/Formation of a Sector

##### No Action

If this option is selected, there will be no clarification of what a sector is or additional requirements for forming a sector.

#### Revisions to sector definitions/formation of a sector

This option clarifies sector definitions. See page I-93 of A16 for details.

Two sub-options must also be addressed:

Option 1 - No Action. Permits in the confirmation of permit history (CPH) category must be activated to be eligible to join a sector.

Option 2 - Permits in the CPH category need not be activated to join a sector.

### **4.3.3.2 Preparation of sector proposal and operations plan**

#### 4.3.3.2.1 Option 1 - No Action

Amendment 13 requirements remain in place with no additions or deletions. See page I-94 of A16 for details.

#### 4.3.3.2.2 Option 2 - Additional requirements

Requirement for operation plans and sector proposals are expanded. See page I-95 of A16 for details, or see 5<sup>42</sup>.

### **4.3.3.3 Allocation of Resources**

#### **4.3.3.3.1 General**

See page I-96 for additional details.

#### No Action

No changes from Amendment 13. Sectors can be allocated either a TAC for a stock or stocks, or DAS.

#### Revised Allocation of Resources Guidelines

Sectors will be allocated a TAC of all regulated groundfish (except ocean pout, halibut, windowpane flounder). This is called Annual Catch Entitlement, or ACE.

They cannot be allocated DAS.

There is no limit to the share of a stock a sector can be allocated.

20 percent of each stock's ACE is withheld at the beginning of the year for 61 days.

#### **4.3.3.3.2 Guidance on Sector Overages**

See page I-97.

The GAP recommends that if the SNEMA WFL rebuilding period cannot be extended, the stock should be treated like ocean pout and windowpane flounder.

#### No Action

No additional guidance is developed to address sector overages.

#### Option 1

Sector operations plans will address how a vessel (or small group of vessels) leaving

the sector after an overage help account for the overage.

If a sector disbands after an overage, or there is insufficient ACE to cover the overage of a prior year:

Sub-Option 1: Each permit gets a percentage reduction in DAS equal to the maximum overage of the sector.

Sub-option 2: Each permit gets a DAS reduction. The DAS penalty is calculated based on the sector's performance.

#### 4.3.3.3.3 US/Canada Area

##### Option 1 - No Action

Separate allocations are not made for stocks managed consistent with the US/CA Resource Sharing Understanding.

GAP supports this option

##### Option 2 - Separate Allocations

Sectors get separate allocations for US/CA understanding stocks, based on overall share of stock (i.e. if a sector gets 10 percent of GB cod, it gets 10 percent of EGB cod).

Allocations must be caught in the appropriate area.

#### 4.3.3.3.4 Sector Baseline Calculations/Potential Sector Contributions

See [6<sup>43</sup>](#) for the full text of the options, or see page I-100 in A16.

##### No Action Alternative (Status Quo/Amendment 13)

Based on the accumulated catch histories *over the previous five years* for which data are available for each member of the self-selected sector, as described in Amendment 13.

GAP supports this option

##### Option 1 - Landings History Only FY 1996 – FY 2006

Based on the landings history of each permit during the time period FY 1996 – FY 2006. The result will be the share of each stock for each permit. Discards will not be counted when calculating permit history, even though both discards and landings are counted against a sector's ACE.

##### Option 2 - 50% Landings History and 50% Vessel Baseline Capacity for Landed Stocks FY 1996 – FY 2006

Landings history for each permit/stock will be calculated in the same manner described above for Alternative 1. Vessel baseline capacity will be calculated using the following formula:

$$(10L + HP) \times (\text{allocated "A" DAS}) = \text{baseline capacity}$$

The landings history share and the baseline capacity share for each permit will be averaged to obtain a value for each stock.

The portion allocated applies *only* to stocks landed by the permit.

##### Option 3 - 50% Landings History and 50% Vessel Baseline Capacity for All Stocks FY 1996

- FY 2006

landings history for each permit/stock will be calculated in the same manner described above for Alternative 1. Vessel baseline capacity will be calculated using the following formula:

$$(10L + HP) \times (\text{allocated "A" DAS}) = \text{baseline capacity}$$

The portion allocated applies to *all* stocks for which ACE will be allocated. This alternative is different from Alternative 2 in that every permit will receive an allocation of every applicable groundfish stock.

Option 4 - 50% Landings History and 50% A DAS for All Stocks FY 1996 – FY 2006

Landings history for each permit/stock will be calculated in the same manner described above for Alternative 1. Vessel baseline capacity will be represented by allocated "A" DAS for *all* stocks for which ACE will be allocated. The landings history share and the A DAS share for each permit will be averaged to obtain a value for each stock.

Option 5 – Existing Sector Allocations

For the GB Cod Hook Gear Sectors and the Fixed Gear Sector, the allocation of GB cod will be done as adopted by Amendment 13: the PDC will be calculated based on landings of GB cod during the period FY 1996-FY 2001, divided by the total landings of GB cod during that period. This calculation will only apply to those permits that committed to the sector as of March 1, 2008. If this option is not selected, the potential sector contribution for members of these sectors will be re-calculated as adopted by this action.

**4.3.3.4 Mortality/Conservation Controls**

See page I-103.

No Action

No additional clarifications beyond Amendment 13 provisions.

Option 1 - Revisions to Mortality Controls

Additional requirements clarify how sector mortality is controlled.

All groundfish catch by sector vessels applies against ACE unless the catch is an element of another ACL or sub-ACL.

Landing of ocean pout and windowpane flounder prohibited.

**4.3.3.5 Monitoring and Enforcement**

See page I-104.

**4.3.3.5.1 No Action**

No additional clarifications are made beyond Amendment 13 text.

**4.3.3.5.2 Revised Monitoring and Enforcement Provisions - General**

**4.3.3.5.3 Enforcement**

These options may not be mutually exclusive; the Council might adopt more than one option.

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Option 1 - Regulatory text is revised so that sectors are not responsible for violations of "as well as any other applicable Federal regulations." **GAP supports this option (one dissent).**

Option 2 - Sectors may be held jointly liable for violations of operations plan requirements addressing ACE overages, discards of legal-sized fish, and mis-reporting of catch.

Option 3 - Sector and member liability for overages is clarified, and repeated overages may lead to additional penalties.

#### **4.3.3.5.4 Sector Monitoring Requirements**

See page I-106.

Extensive requirements are imposed for sectors to monitor catch. Dockside monitoring must be implemented immediately; at-sea observers (including electronic monitoring) must be implemented by year 3 (FY 2012). All costs are the responsibility of industry.

The Council must choose between two levels of dockside monitoring coverage:

Option 1 - Less than 100% dockside monitoring and dealer reports will be required.

Option 2 - 100% dockside monitoring will be required.

The Council must choose between two levels of at-sea observer or at-sea electronic coverage:

Option 1 - Less than 100% electronic monitoring and at-sea observation will be required.

Option 2 - 100% electronic monitoring and less than 100% at-sea observation will be required.

Until at-sea observers are in place, discards will be calculated in one of two ways:

Option 1 - Based on most recent assessment, and gear if available.

Option 2 - Sector specific rate based on observer data from previous year (unless trip observed)

#### **4.3.3.5.5 Standards for Sector Monitoring Service Providers**

See page I-109.

**The Council must approve this section.** Extensive standards are proposed for service providers.

#### **4.3.3.6 Sector Annual Reports**

See page I-113.

##### **4.3.3.6.1 No Action**

Annual report requirements remain vague.

#### 4.3.3.6.2 Option 1 - Annual Report Requirements

Detailed requirements for annual reports are proposed.

#### **4.3.3.7 Transfer of ACE**

See page I-113.

##### 4.3.3.7.1 No Action

ACE cannot be transferred between sectors.

##### 4.3.3.7.2 Provisions for Transferring ACE (Preferred Alternative)

Sectors can carry forward up to 10 percent of unused ACE into next fishing year.

ACE can be transferred between sectors without restrictions.

Transfers can occur up to two weeks into following fishing year to balance books.

#### **4.3.3.8 Sectors and Special Management Programs**

See page I-114.

If the Council does not choose No Action, it must approve the measures for each program.

##### 4.3.3.8.1 No Action

No details to guide sector participation in SMPs.

##### 4.3.3.8.2 Eastern US/CA Haddock SAP

Sectors must follow reporting requirements, catches apply against sector ACE, sectors can fish in the northern corner of CAII during the SAP season, no specific gear requirements for sectors.

##### 4.3.3.8.3 CAII Yellowtail Flounder SAP

Sectors subject to reporting requirements, limits on number and frequency of trips, catch limit for target species. Not subject to cod or haddock trip limit. Subject to gear requirements.

##### 4.3.3.8.4 CAI Hook Gear Haddock SAP

No additional provisions adopted - already addressed in SAP rules.

#### **4.3.3.9 Interaction with Common Pool Vessels**

See page I-116.

##### 4.3.3.9.1 No Action

Provisions adopted in Amendment will continue to apply.

##### 4.3.3.9.2 Revised Measures

The following universal exemptions are adopted:

- Trip limits on allocated stocks
- Seasonal closed areas (not including GOM rolling closures)
- Groundfish DAS restrictions

#### **4.3.3.10 Movement Between Sectors**

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No changes are proposed and no Council action is needed.

#### 4.3.4 Reporting Requirements

See page I-118.

The Council may choose both Option 2 and Option 3.

##### 4.3.4.1 No Action

No additional requirements are adopted.

##### 4.3.4.2 Option 2 - Area specific reporting requirements

For both sector and common pool vessels, broad reporting areas are established (see map at [7<sup>\[45\]</sup>](#)). Vessels declare at start of trip if they will fish in more than one area. Vessels fishing in more than one reporting area on a trip submit daily reports to NMFS via VMS.

##### 4.3.4.3 Option 3 - Non-sector vessel discards

Discards by non-sector vessels are counted in order to track ACLs. Discards are applied for gear combinations shown here.

Discards estimated one of two ways (Council must choose):

Option 1: Based on most recent assessment, by gear if available.

Option 2: Based on previous year's data for vessels not in sectors.

#### 4.3.5 Allocation of Groundfish to the Commercial and Recreational Components

See page I-123.

##### 4.3.5.1 No Action

No specific allocation of groundfish is made to the two components.

##### 4.3.5.2 Allocations for Certain Stocks

The RAP supports allocation years 2001-2006.

Specific allocations are made to the recreational and commercial components of the fishery.

Allocations are considered for GOM cod and GOM haddock. Allocations may be made in the future if the recreational catch exceeds five percent of removals.

The Council must decide what time period to use for the allocations. Approximate allocations for the two time periods are shown below.

**Table 16 – Proposed time periods for calculating the recreational and commercial share of the groundfish ACL and preliminary estimate of recreational allocation that results. Note: not yet adjusted for state waters catches not subject to the management plan.**

<b>Stock</b>	<b>Years</b>	<b>Preliminary Estimate</b>
GOM Cod (1)	1996 - 2006	25.1%
GOM Cod (2)	2001 - 2006	33.7%
GOM Haddock (1)	1996 - 2006	17.6%
GOM Haddock (2)	2001 - 2006	27.5%

**4.4 Measures to  
Meet Mortality  
Objectives**



## **4.4 Measures to Meet Mortality Objectives**

## 4.4.2 Commercial Fishery Measures I

The Council needs to choose an effort control option for vessels that do not join sectors.

Note Options 2A and 4 need to be modified to meet pollock targets.

See page I-133.

### 4.4.2.1 No Action

Measures adopted through FW 42 plus default 18 percent reduction in Category A DAS (45/55 split).

See trip limits [9](#)<sup>[46]</sup>.

No changes to gear, differential DAS, closed areas.

### 4.4.2.2 Option 2A: Differential DAS and Trip Limits

Default 18 percent DAS reduction (45/55 split).

See trip limits [9](#)<sup>[46]</sup>.

Expanded use of differential DAS scouting areas - see chart at [10](#)<sup>[47]</sup>. Counting rates:

GOM Inshore: 2.25:1

GOM Offshore: 1.25:1

Georges Bank: 2.25:1

SNE/MA: 3:1

No changes to gear, closures.

### 4.4.2.3 Option 3A - 24 Hour Clock, Restricted Gear Areas

DAS reduced by fifty percent (25.5/72.5 split)

No differential DAS areas

DAS counted in 24 hour increments

Restricted gear areas - see chart at [11](#)<sup>[47]</sup>.

See trip limits [9](#)<sup>[46]</sup>.

No changes to closures.

### 4.4.2.4 Option 4 - DAS Reduction and RGAs

DAS reduced by forty percent (33/67 split)

Existing differential DAS areas

Restricted gear areas - see chart at [12](#)<sup>[47]</sup>.

No changes to closures.

See trip limits [9](#)<sup>[46]</sup>.

### 4.4.3 Recreational Fishery Management Measures

See page I-150. ← The RAP recommends a ten fish bag limit for GB cod (currently not an option).

#### 4.4.3.1 Provisions for Landing Fillets

← The RAP supports Option 1.

Option 1: Fillets can be landed with skin off. Fillets from legal-sized fish.

Option 2: Fillets can be landed with skin off. If species subject to a rec allocation, fillets must have two inches of skin for ID. Fillets must meet minimum size limits.

#### 4.4.3.2 Removal of Limits on Hooks

Option 1: No Action - limited to two hooks per line.

Option 2: Removal of limit on number of hooks per line, but still limited to one line per angler. ← The RAP supports Option 2.

#### 4.4.3.3 Measures to Reduce Mortality

The needed measures depend in part on allocation decision made (see section 4.3.5, and table [here](#)<sup>[23]</sup>).

##### 4.4.3.3.1 GOM Cod Options

Option 1: Minimum size 26 inches.

Option 2: Six fish bag limit

← The RAP supports Option 2 (only if allocation period is 1996-2006).

Option 3: No landing GOM cod November 1 - April 15.

Option 4: No Action

##### 4.4.3.3.2 GOM Haddock Options

Three options to No Action are proposed to reduce mortality for GOM haddock if the selected allocation years are 1996-2006.

Option 1: The minimum size for GOM haddock is increased to 21 inches. There is no change to the bag limit or the season. ← The RAP supports Option 1 (only if allocation period is 1996-2006).

Option 2: A bag limit for GOM haddock is implemented as nine fish per angler per trip. There is no change to the minimum size or season.

Option 3: The minimum size for GOM haddock is reduced to 18 inches and a bag limit of 7 fish per angler per trip is adopted. There is no change to the season.

One option is proposed if the selected allocation years are 2001-2006 or if no allocation is made.



**Option 4:** The minimum size for GOM haddock is reduced to 18 inches. There is no bag limit and no change in seasons.

**Option 5:** No Action: the minimum size for GOM haddock remains 19 inches and there is no bag limit.

## Rec Measures/Allocation Table

Table 20 – Impacts of recreational/commercial allocation options on mortality reduction needed for the recreational and commercial components of the groundfish fishery.

Stock	Overall Needed Reduction	Allocation Years 1996-2006		Allocation Years 2001-2006	
		Rec.	Comm.	Rec.	Comm.
GOM cod	-21%	-27%	-19%	-2%	-28%
<i>Options Considered Section 4.4.3.3.1</i>		<i>Options 1 through 3</i>		<i>No Action</i>	
GOM haddock	NA	-18%	Increase	Increase	Increase
<i>Options Considered Section 4.4.3.3.2</i>		<i>Options 1 through 3</i>		<i>Option 4</i>	

## 4.4.7 Accountability Measures

### 4.4.7.1.1 Common Pool AMs 1 - Hard TAC

See page I-162.

Hard TAC for most stocks divided into trimesters (see table [here](#)<sup>49</sup>).

NMFS can adjust trip limits as TACs approached.

Areas closed to groundfish fishing to prevent exceeding TACs.

### 4.4.7.1.2 Common Pool AMS 2 - Differential DAS

See page I-167.

NMFS estimates catch before end of year.

If ACL for a stock exceeded then DAS counting changed.

Proposed areas could be modified to match selected effort control.

### 4.4.7.1.3 Common Pool AMs 3 - No Action

No AMs adopted.

### 4.4.7.2 Recreational Fishery AMs

← For all options the RAP recommends add in language to ease restrictions if ACLs not attained.

See page I - 169.

All options provide phase-in of use of three year averages.

#### 4.4.7.2.1 Option 1

Council recommends AM from seasons, bag limits, minimum size (no priority) to NMFS; NMFS implements.

#### 4.4.7.2.2 Option 2

NMFS selects and implements AM from seasons, minimum size, bag limits (priority

order).

#### 4.4.7.2.3 Option 3

NMFS consults with Council before selecting AM, then implements.

### **Commercial Fishery Measures II**

#### 4.4.2.5 SNE/MA SmallMesh Fisheries Gear Requirement

See page I-146.

Trawls using codend mesh less than 6.5 inches must either use drop chains or large mesh panels in area shown at [13](#)<sup>48</sup>.

#### **4.4.2.6 GOM Haddock Sink Gillnet Pilot Program**

See page I-149.

#### 4.2.6.1 No Action

#### 4.4.2.6.2 Sink gillnet program

Six inch gillnets, Jan 1 - April 30, to target GOM haddock in GOM RMA. Ends after FY 2012 unless renewed.

#### **4.4.2.7 Haddock Minimum Size**

See page I-150.

#### 4.4.2.7.1 No Action

#### 4.4.2.7.2 Reduction to 18 inches

Haddock minimum size reduced to 18 inches.

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**Fishery Program  
Administration II**



## **Fishery Program Administration II**

### 4.3.2 Addition of Atlantic Wolffish to the Management Unit

The Council must decide whether to add Atlantic wolffish to the management unit.

#### 4.3.2.1 No Action

Atlantic wolffish will not be added to the management unit.

#### 4.3.2.1 Addition of Atlantic wolffish to the management unit

Atlantic wolffish is added to the management unit. Status determination criteria are adopted (see [B<sup>39</sup>](#)).

If this option is selected the Council must choose Essential Fish Habitat.

#### Option 1—No EFH Designation/No Action

No EFH for Atlantic wolffish. This alternative does not comply with the Magnuson-Stevens Act.

#### Option 2— Designate the entire EEZ as Atlantic wolffish EFH

This alternative would designate all waters north of 41° N latitude and, for waters south of the southern New England coastline, east of 71° W longitude, from the shoreline to the boundary of the EEZ, as Atlantic wolffish EFH. This approach may not be consistent with the intentions of the Magnuson-Stevens Act, which suggests that EFH should be a subset of the habitat available to a species. This approach would likely go beyond the guidelines and include areas outside of the species' range as EFH. A map can be found at [4<sup>41</sup>](#) (Map 1)

#### Option 3—NMFS Survey Data

This option would base the EFH designation on catch per unit effort data from the NMFS trawl survey. This option is broadly consistent with the EFH designations for other species under Multispecies Amendments 11 and 12, and also with Phase I of the Omnibus EFH Amendment 2 (in preparation). A map can be found at [4<sup>41</sup>](#) (Map 2).

### 4.3.6 Changes to the DAS Transfer and Leasing Programs

See page I-124.

The GAP recommends removing the cap on DAS leasing (not currently an option).

If the Council does not choose No Action, it may choose more than one option.

#### 4.3.6.1 Option 1 - No Action

No changes would be made to the leasing and transfer programs.

#### 4.3.6.2 Option 2 - DAS Transfer Program Conservation Tax (Preferred Alternative)

The conservation tax is eliminated for the transfer program. The GAP supports this option (one dissenter).

Two options are considered for transfers that already occurred.

Option A (Preferred alternative): No adjustment is made for transfers that occurred before this amendment.

Option B: Transfers that occurred before this amendment have their conservation tax refunded.

#### 4.3.6.3 Option 3 - DAS Leasing Program Conservation Tax

A leasing tax is set equal to that used for the transfer program.

#### 4.3.6.4 Option 4 - DAS Transfer Program Conservation Tax Exemption Window

The DAS transfer conservation tax is removed for a specified period of time.

*Should the Council pick this option, the time period must also be picked.*

#### 4.3.6.5 Option 5 - Eligibility of CPH Permits

CPH permits do not have to be activated to participate in the DAS transfer and leasing programs.

### **4.3.7 Special Management Programs**

See page I-125.

#### **4.3.7.1 Incidental Catch TACs**

##### No Action

No changes are made to the incidental catch TACs.

##### Option 1 - Revised Incidental Catch TACs

Pollock is added to the list of stocks that are limited to incidental catch TACs in special management programs.

Actual values will be determined once ACLs are specified.

#### **4.3.7.2 CAI Hook Gear Haddock SAP Revisions**

##### 4.3.7.2.1 Option 1 - No Action

The SAP is not changed. The coordinates of the area remain the same, the season remains October 1 - December 31, and the season is split into two periods.

##### 4.3.7.2.2 CAI Hook Gear Haddock SAP Revisions

The area is expanded (see map at [8<sup>\[45\]</sup>](#)).

The season is lengthened to May 1 through January 31.

The TAC is no longer split between sector and non sector vessels (**the Council should make clear this eliminates need for two separate openings**).

**The Council needs to clarify the coordinates** (see amendment text page I-127).

---

### **4.3.7.3 Eastern US/Canada Haddock SAP**

#### 4.3.7.3.1 No Action

No changes are made to the SAP and it expires at the start of FY 2010.

#### 4.3.7.3.2 SAP Reauthorization

The SAP is extended indefinitely.

Trawl vessels fishing in the SAP can use cod end mesh that is a minimum of six inches (square or diamond).

### **4.3.7.4 CAII Yellowtail Flounder SAP**

#### 4.3.7.4.1 Option 1 - No Action

The SAP provisions are not modified.

#### 4.3.7.4.2 Option 2 - CAII SAP Modification

The SAP is modified to open to allow targeting haddock when the SAP even if not open for yellowtail flounder.

Season is August 1 - January 31.

No discards of legal-sized fish.

Specific gear requirements apply.

### **4.3.7.5 SNE/MA Winter Flounder SAP**

#### 4.3.7.5.1 No Action

The SAP is continued.

#### 4.3.7.5.2 Option 1 - Suspension of the SAP

The SAP is suspended until stock conditions support its re-implementation.

### **4.3.7.6 Category B DAS Program**

#### 4.3.7.6.1 Option 1 - No Action

No changes are made to the program.

#### 4.3.7.6.2 Option 2 - Program Revisions

Because of changes in stock status, the program is modified to prevent targeting pollock.

Trawl gear in the GB stock area, using the separator trawl, may use a codend with a minimum mesh of six inches diamond or square.

### **4.3.7.7 Approval of Additional Gear**

#### 4.3.7.7.1 Option 1 - No Action

No changes are made to the Regional Administrator's ability to change gear used in special management programs.

#### 4.3.7.7.2 Option 2 - Expansion of Authority to Approve Additional Gear

The RA is authorized to permanently approve additional gear for use in any program that requires use of selective gear.

### **4.3.8 Periodic Adjustment Process**

See page I-131.

#### 4.3.8.1 Option 1 - No Action

No changes are made to the process.

#### 4.3.8.2 Option 2 - Changes to the Adjustment Process

All measures adopted in this action can be revised or changed through a framework adjustment.

The Groundfish PDT will consist solely of technical personnel

### **4.3.9 Possession of Scallop/Multispecies Permit**

See page I-132

#### 4.3.9.1 Option 1 - No Action

No changes are made. With two exceptions, vessels are not permitted to possess a limited access scallop and groundfish permit at the same time.

#### 4.3.9.2 Option 2 - Removal of Restriction

A vessel can possess a limited access DAS scallop permit and a limited access multispecies permit at the same time.

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**Measures to Meet  
Mortality  
Objectives II**



## **Measures to Meet Mortality Objectives II**

#### 4.4.4 Atlantic Halibut Minimum Size

See page I-152

##### 4.4.4.1 No Action

Minimum size remains 36 inches.

The RAP recommends keeping halibut minimum size at 36 inches for recreational vessels.

##### 4.4.4.2 Increase in Minimum Size

Minimum size increased to 41 inches.

#### 4.4.5 Retention of Atlantic Wolffish

See page I-153.

##### 4.4.5.1 No Action

No prohibition on landing wolffish.

##### 4.4.5.2 Prohibition on Retention

Atlantic wolffish cannot be retained by either commercial or recreational fishermen, and must be returned to sea unharmed as quickly as possible.

#### 4.4.6 Implementation of Additional Sectors

See page I-153.

A16 proposes to modify two existing sectors and implement 17 additional sectors.

##### 4.4.6.2 Modifications to the Georges Bank Cod Hook Sector

- The sector would receive an allocation of all regulated groundfish stocks that are allocated to sectors (i.e. not just GB cod).
- Fishing would be allowed in all stock areas.
- The sector asks for exemptions from the following regulations. These are not authorized by existing or proposed sector provisions:
  - Paper VTRs
  - Annual closures
  - Treatment of catch history
  - Sector will be credited with catching 20 percent of TAC regardless of actual percentage of TAC achieved (*this provision was in the original proposal submitted*).
  - Catch histories will remain constant within the sector.
  - The sector will be exempt from compensating NMFS for administrative burden. (*this may not be germane since sectors do not appear to be subject to cost recovery provisions*).

(Note: The Council has been advised that this sector will combine with Fixed Gear Sector in 2010. It may not be necessary to approve these changes).

##### 4.4.6.3 Modifications to the Fixed Gear Sector

- The sector would receive an allocation of all regulated groundfish stocks that are

allocated to sectors (i.e. not just GB cod).

- Fishing would be allowed in all stock areas.
- The sector asks for exemptions from the following regulations. These are not authorized by existing or proposed sector provisions:
  - Paper VTRs
  - Annual closures
  - Treatment of catch history
  - Sector will be credited with catching 20 percent of TAC regardless of actual percentage of TAC achieved (*this provision was in the original proposal submitted but not in a recent letter*).
  - Catch histories will remain constant within the sector.
  - The sector will be exempt from compensating NMFS for administrative burden. (*this may not be germane since sectors do not appear to be subject to cost recovery provisions*).

*(Note: it is not clear if the sector is still requesting these exemptions based on a letter received by the Council.)*

*The following sectors have requested authorization to operate. With two exceptions (Tri-State and Martha's Vineyard Sectors), they are not requesting any additional exemptions that would require specific Council approval if sector policies are approved as in the draft amendment. If the Council does not remove the cap on sector ACE, several sectors have asked to be exempt from that cap.*

#### 4.4.6.4 Sustainable Harvest Sector

This sector will be comprised of more than 70 permit holders that will fish in all three stock areas Gulf of Maine, Georges Bank and Southern New England, using trawl, gillnet and longline fishing gear.

#### 4.4.6.5 Port Clyde Community Groundfish Sector

The Port Clyde Draggermen's Co-Op and the Midcoast Fishermen's Association propose a community-based sector.

#### 4.4.6.6 New Bedford Deep Water Trawl Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily on Georges Bank or in Southern New England. Requested exemptions are consistent with existing or proposed sector policies.

#### 4.4.6.7 New Bedford and Southern New England Fixed Gear Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily, fishing primarily on Georges Bank and in Southern New England. Requested exemptions are consistent with existing or proposed sector policies.

#### 4.4.6.8 New Bedford Channel Trawl Sector

This sector will be formed of vessels that fish primarily on Georges Bank and in Southern New England.

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#### 4.4.6.9 New Hampshire and Southern Maine Fixed Gear Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in the Gulf of Maine.

#### 4.4.6.10 New Hampshire and Southern Maine Trawl Gulf of Maine Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in the Gulf of Maine.

#### 4.4.6.11 Gloucester Trawl/Western Gulf of Maine Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in the Gulf of Maine. (except Atlantic halibut, ocean pout, windowpane flounder) as proposed by Amendment 16

#### 4.4.6.12 Gloucester Fixed Gear Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in the Gulf of Maine.

#### 4.4.6.13 Gloucester/Boston Trawl Gulf of Maine and Georges Bank Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in the Gulf of Maine and Georges Bank.

#### 4.4.6.14 South Shore Trawl Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in the Gulf of Maine.

#### 4.4.6.15 South Shore Fixed Gear Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in the Gulf of Maine.

#### 4.4.6.16 Point Judith and Southern New England Offshore Trawl Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily on Georges Bank and in Southern New England.

#### 4.4.6.17 Point Judith and Southern New England Trawl Sector

Working with the Northeast Seafood Coalition, this sector will be formed of vessels that fish primarily in Southern New England.

#### 4.4.6.18 Tri-State Sector

Working with the Cape Cod Commercial Hook Sector, this sector will be formed to operate in all management areas using all legal gear (trawl, gillnet, hook). In addition to exemptions that are consistent with current or proposed policies, the sector asks for exemptions from the following regulations. These are not authorized by existing or proposed sector provisions:

- PaperVTRs
- Annual closures
- Treatment of catch history.

- Sector will be credited with catching 20 percent of TAC regardless of actual percentage of TAC achieved (*this provision was in the proposal submitted*).
- Catch histories will remain constant within the sector.
- The sector will be exempt from compensating NMFS for administrative burden (*this may not be germane since sectors do not appear to be subject to cost recovery provisions*).

#### 4.4.6.19 Pier 6 Initiative

Working with the Northeast Seafood Coalition, this sector will be formed of up vessels that fish primarily in the Gulf of Maine and Georges Bank.

#### 4.4.6.20 Martha's Vineyard Community Sector

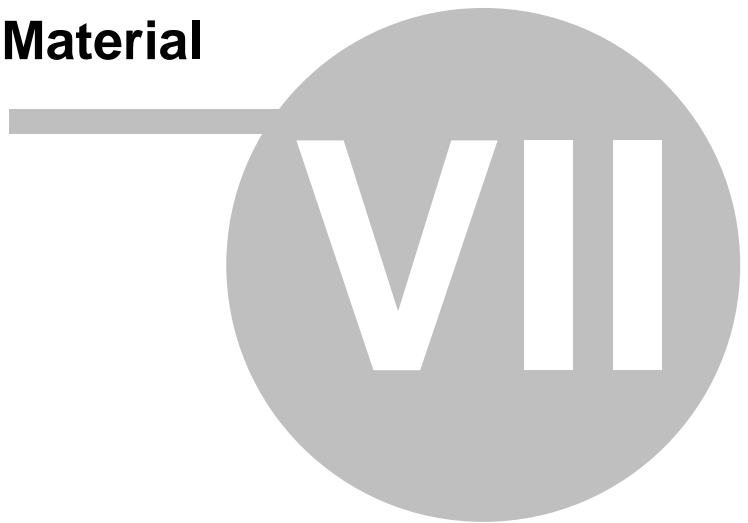
A sector is proposed based in Martha's Vineyard. This sector will take into account the unique situation of the Vineyard geographically and philosophically. This sector hopes to cooperate with other sectors, and the NEFMC and NMFS, to maintain a fishery on Martha's Vineyard.

**Stocks:** All regulated groundfish stocks (except Atlantic halibut, ocean pout, windowpane flounder) as proposed by Amendment 16. Development quota depending on allocation scheme chosen by the NEFMC. Martha's Vineyard reserves the right to apply for a Community

Development Quota. Aquinnah/Wampanoag Tribe issues to be resolved later. Requested exemptions are consistent with existing or proposed sector policies. ACE trading between sectors will be as set forth in A16.

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**Linked Material**



## Linked Material

Enter topic text here.

### A. A13\_SDCs

**Table 5 – Amendment 13 status determination criteria**

Stock	Biomass Target	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold	Fishing Mortality Target
GOM Cod	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
GB Cod	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
GB Haddock	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
GOM Haddock	$B_{MSY}$ Proxy/Fall Trawl Survey Index	$\frac{1}{2}$ Btarget	$F_{MSY}$ Proxy/Relative Exploitation Index	75% of $F_{MSY}$
GB Yellowtail Flounder	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
Cape Cod/GOM Yellowtail Flounder	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
SNE/MA yellowtail flounder	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
American Plaice	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
Witch Flounder	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
Gulf of Maine Winter Flounder	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
GB Winter Flounder	$B_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}^{(1)}$	75% of $F_{MSY}$
SNE/MA Winter Flounder	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}$	75% of $F_{MSY}$
Acadian Redfish	$SSB_{MSY}$	$\frac{1}{2}$ Btarget	$F_{50\%}$ proxy for $F_{MSY}$	75% of $F_{MSY}$
White Hake	$B_{MSY}$ Proxy/Fall Survey Index (> 60 cm fish)	$\frac{1}{2}$ Btarget	$F_{MSY}$ Proxy/Relative Exploitation Index (> 60 cm fish)	75% of $F_{MSY}$
Pollock	$B_{MSY}$ Proxy/ Fall Survey Index	$\frac{1}{2}$ Btarget	$F_{MSY}$ Proxy/ Relative Exploitation Index	75% of $F_{MSY}$
Windowpane Flounder (North)	$B_{MSY}$ Proxy/Fall Survey Index	$\frac{1}{2}$ Btarget	$F_{MSY}$ Proxy/Relative Exploitation Index	75% of $F_{MSY}$
Windowpane Flounder (South)	$B_{MSY}$ Proxy/Fall Survey Index	$\frac{1}{2}$ Btarget	$F_{MSY}$ Proxy/Relative Exploitation Index	75% of $F_{MSY}$
Ocean Pout	$B_{MSY}$ Proxy/Fall Survey Index	$\frac{1}{2}$ Btarget	$F_{MSY}$ Proxy/Relative Exploitation Index	75% of $F_{MSY}$
Atlantic Halibut	$B_{MSY}$	$\frac{1}{2}$ Btarget	$F_{MSY}^{(1)}$	75% of $F_{MSY}$



**Table 6 – Amendment 13 numerical estimates of status determination criteria.**  
 1. Total biomass, metric tons  
 2. Unit is total stock biomass for fish >= 60 cm., mt  
 3. Unit is biomass weighted F  
 4. Survey based equivalents developed by GARM 2002

SPECIES	STOCK	NUMERICAL ESTIMATE OF STATUS DETERMINATION CRITERIA				
		B <sub>TARGET</sub> (metric tons)	B <sub>THRESHOLD</sub> (metric tons)	F <sub>MSY</sub> (Maximum fishing mortality)	F <sub>target</sub> (at biomass target)	MSY (metric tons)
COD	GB	218,800	108,400	0.18	0.14	35,200
	GOM	82,800	41,400	0.23	0.17	18,600
HADDOCK	GB	250,300	125,150	0.26	.20	52,900
	GOM	22.17 kg/tow	11.09 kg/tow	0.23C/l	0.17 C/l	5,100
YELLOWTAIL FLOUNDER	GB	58,800	29,400	0.25	0.19	12,900
	SNE/MA	69,500	34,750	0.26	0.20	14,200
	CC/GOM	12,600	6,300	0.17	0.13	2,300
AMERICAN PLAICE		28,600	14,300	0.17	0.13	4,900
WITCH FLOUNDER		25,240	12,620	0.23	0.17	4,375
WINTER FLOUNDER	GB	9,400(1)	4,700	0.32	0.24	3,000
	GOM	4,100	2,050	0.43	0.32	1,500
SNE/MA	30,100	15,050	0.32	0.24	10,600	
REDFISH		236,700	118,350	0.04	0.03	8,200
WHITE HAKE <sup>2</sup>		14,700(2)	7,350	0.29	0.22	4,200
		7.70 kg/tow	3.35 kg/tow	0.55 C/l	0.41 C/l	
POLLOCK		3.0 kg/tow	1.5 kg/tow	5.89 C/l	4.41 C/l	17,600
WINDOWPANE FLOUNDER	North	0.94 kg/tow	0.47 kg/tow	1.11 C/l	0.83	1,000
	South	0.92 kg/tow	0.46 kg/tow	0.99 C/l	0.735 C/l	900
OCEAN POUT		4.9 kg/tow	2.95 kg/tow	0.31 C/l	0.23 C/l	1,600
ATLANTIC HALIBUT		5,400(1)	2,700	0.06	0.4	300

## B. Revised SDCs

**Table 7 – Option 2 status determination criteria**

Stock	Biomass Target	Minimum Biomass Threshold	Maximum Fishing Mortality Threshold
GOM Cod	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
GB Cod	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
GB Haddock	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
GOM Haddock	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
GB Yellowtail Flounder	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
Cape Cod/GOM Yellowtail Flounder	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
SNE/MA Yellowtail flounder	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
American Plaice	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
Witch Flounder	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
Gulf of Maine Winter Flounder	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
GB Winter Flounder	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
SNE/MA Winter Flounder	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
Acadian Redfish	SSBMSY: SSB/R (50%MSP)	1/2 Btarget	F50%MSP
White Hake	SSBMSY: SSB/R (40%MSP)	1/2 Btarget	F40%MSP
Pollock	External	1/2 Btarget	Rel F at replacement
Windowpane Flounder (North)	External	1/2 Btarget	Rel F at replacement
Windowpane Flounder (South)	External	1/2 Btarget	Rel F at replacement
Ocean Pout	External	1/2 Btarget	Rel F at replacement
Atlantic Halibut	Internal	1/2 Btarget	F <sub>0.1</sub>
Atlantic Wolffish	Internal	1/2 Btarget	F40% MSP

Table 8 - Option 2 numerical estimates of revised status determination criteria from GARM III assessment meetings and the Data Poor Working Group

Species	Stock	Model	Bmsy or proxy (mt)	Fmsy or proxy	MSY (mt)
Cod	GB	VPA	148,084	0.25	31,159
Cod	GOM	VPA	58,248	0.24	10,014
Haddock <sup>(1)</sup>	GB	VPA	153,329	0.36	33,604
Haddock	GOM	VPA	5,900	0.43	1,360
Yellowtail Flounder	GB	VPA	43,200	0.25	9,400
Yellowtail Flounder	SNE/MA	VPA	27,400	0.25	6,100
Yellowtail Flounder	CC/GOM	VPA	7,790	0.24	1,720
American Plaice	GB/GOM	VPA	21,940	0.19	4,011
Witch Flounder		VPA	11,447	0.20	2,352
Winter Flounder	GB	VPA	16,000	0.26	3,500
Winter Flounder	GOM	VPA	3,792	0.28	917
Winter Flounder	SNE/MA	VPA	38,761	0.25	9,742
Redfish		ASAP	271,000	0.04	10,139
White Hake	GB/GOM	SCAA	56,254	0.13	5,800
Pollock	GB/GOM	AIM	2.00 kg/tow	5.66 c/i	11,320
Windowpane Flounder	GOM/GB	AIM	1.40 kg/tow	0.50 c/i	700
Windowpane Flounder	SNE/MA	AIM	0.34 kg/tow	1.47 c/i	500
Ocean Pout		Index Method	4.94 kg/tow	0.76 c/i	3,754
Atlantic Halibut		Replacement Yield	49,000	0.07	3,500
Atlantic Wolffish		SCALE	800 – 1000 mt	< 0.35	138 – 150 mt

(1) GB haddock values for  $B_{msy}$  and MSY reflect corrected values reported in Dr. Nancy Thompson's (Northeast Fisheries Science Center) letter to the New England Fishery Management Council dated November 14, 2008. GARM III reported BMSY as 158,873 mt (SSB) and MSY as 32,746 mt.

## 1. A13 Rebuilding Targets

Table 9 – Rebuilding fishing mortality rates as adopted by Amendment 13 and FW 42.

Boldfaced italics identify phased reduction strategies; other rebuilding programs use the adaptive strategy. FW 42 illustrated two trajectories for GB yellowtail flounder based on two candidate assessment formulations. The second row for this stock reflects the Major Change assessment model that has been used for management advice.

SPECIES	STOCK	Rebuilt Year / Probability of Success	Fishing mortality rates for adopted rebuilding programs									
			2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
<i>Cod</i>	<i>GB</i>	<i>2026/50%</i>	<i>0.21</i>	<i>0.21</i>	<i>0.21</i>	<i>0.21</i>	<i>0.21</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>
		<i>(add ten years)</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>	<i>0.18</i>
<i>Haddock</i>	<i>GOM</i>	<i>2014/50%</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>	<i>0.21</i>	<i>0.21</i>	<i>0.21</i>	<i>0.21</i>	<i>0.21</i>
	<i>GB</i>	<i>2014/50%</i>	<i>0.26</i>	<i>0.26</i>	<i>0.26</i>	<i>0.26</i>	<i>0.26</i>	<i>0.24</i>	<i>0.24</i>	<i>0.24</i>	<i>0.24</i>	<i>0.24</i>
<i>Yellowtail Flounder</i>	<i>GB</i>	<i>2014/75%</i>	<i>NA</i>	<i>NA</i>	<i>0.25</i>	<i>0.25</i>	<i>0.25</i>	<i>0.16</i>	<i>0.16</i>	<i>0.16</i>	<i>0.16</i>	<i>0.16</i>
			<i>NA</i>	<i>NA</i>	<i>0.25</i>	<i>0.25</i>	<i>0.25</i>	<i>0.135</i>	<i>0.135</i>	<i>0.135</i>	<i>0.135</i>	<i>0.135</i>
	<i>SNE/MA</i>	<i>2014/50%</i>	<i>0.37</i>	<i>0.37</i>	<i>0.26</i>	<i>0.26</i>	<i>0.26</i>	<i>0.17</i>	<i>0.17</i>	<i>0.17</i>	<i>0.17</i>	<i>0.17</i>
	<i>CC/GOM</i>	<i>2023/50%</i>	<i>0.26</i>	<i>0.26</i>	<i>0.26</i>	<i>0.26</i>	<i>0.26</i>	<i>0.17</i>	<i>0.17</i>	<i>0.17</i>	<i>0.13</i>	<i>0.13</i>
		<i>(add ten years)</i>	<i>0.13</i>	<i>0.09</i>	<i>0.09</i>	<i>0.09</i>	<i>0.09</i>	<i>0.09</i>	<i>0.09</i>	<i>0.09</i>	<i>0.09</i>	<i>0.09</i>
<i>American Plaice</i>		<i>2014/50%</i>	<i>0.23</i>	<i>0.23</i>	<i>0.17</i>	<i>0.17</i>	<i>0.17</i>	<i>0.15</i>	<i>0.15</i>	<i>0.15</i>	<i>0.15</i>	<i>0.15</i>
<i>Witch Flounder</i>			No formal rebuilding program required (see overfishing discussion)									
<i>Winter Flounder</i>	<i>GB</i>		No formal rebuilding program required									
	<i>GOM</i>		No formal rebuilding program required									
	<i>SNE/MA</i>	<i>2014/50%</i>	<i>0.32</i>	<i>0.32</i>	<i>0.32</i>	<i>0.32</i>	<i>0.32</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>
<i>Redfish</i>		<i>2051/50%</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>
<i>White Hake</i>		<i>2014/50%</i>	<i>1.03</i>	<i>1.03</i>	<i>1.03</i>	<i>1.03</i>	<i>1.03</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>	<i>0.23</i>
<i>Pollock</i>			No formal rebuilding program required									
<i>Windowpane Flounder</i>	<i>North</i>		No formal rebuilding program required									
	<i>South</i>	<i>2014/50%</i>	<i>0.98</i>	<i>0.98</i>	<i>0.98</i>	<i>0.98</i>	<i>0.98</i>	<i>0.49</i>	<i>0.49</i>	<i>0.49</i>	<i>0.49</i>	<i>0.49</i>
<i>Ocean Pout<sup>(1)</sup></i>		<i>2014/50%</i>	<i>0.03</i>	<i>0.03</i>	<i>0.03</i>	<i>0.03</i>	<i>0.03</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>	<i>0.01</i>
<i>Atlantic Halibut</i>		<i>UNK</i>	Insufficient information to calculate rebuilding mortality									

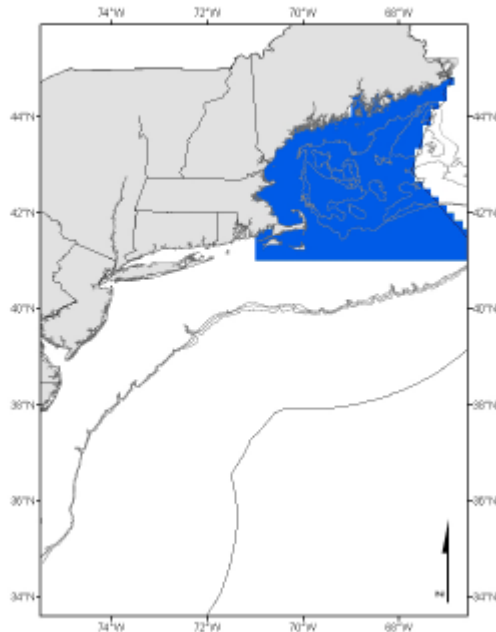
## 2. Revised Rebuilding Targets

**Table 10 – Option 2 – revised rebuilding fishing mortality rates based on current stock status.**  
**Boldfaced italics identify phased reduction strategies; other rebuilding programs use the adaptive strategy.**

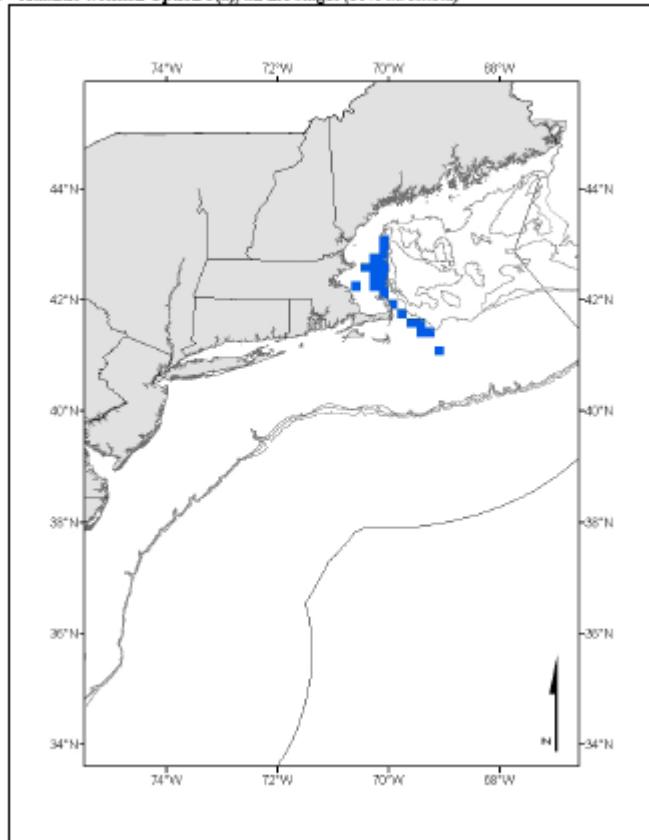
SPECIES	STOCK	Rebuilt Year / Probability of Success	Fishing mortality rates for adopted rebuilding programs in year:									
			2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
<i>Cod</i>	GB	2026/50%	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>
		(add ten years)	<i>0.184</i>	<i>0.185</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>	<i>0.184</i>
Haddock	GOM	2014/50%	0.237	0.237	0.237	0.237	0.237	0.237	0.237	0.237	0.237	0.237
	GB	2014/50%	<i>No formal rebuilding program required</i>									
Yellowtail Flounder	GOM	2014/50%	<i>No formal rebuilding program required</i>									
	GB	2014/75%	0.109	0.109	0.109	0.109	0.109					
	<i>SNE/MA</i>	2014/50%	<i>0.072</i>	<i>0.072</i>	<i>0.072</i>	<i>0.072</i>	<i>0.072</i>					
	<i>CC/GOM</i>	2023/50%	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>
		(add ten years)	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>	<i>0.238</i>						
American Plaice		2014/50%	<i>0.190</i>	<i>0.190</i>	<i>0.190</i>	<i>0.190</i>	<i>0.190</i>					
Witch Flounder		2017/75%	0.162	0.162	0.162	0.162	0.162	0.162	0.162	0.162	0.162	
Winter Flounder	GB	2017/75%	0.205	0.205	0.205	0.205	0.205	0.205	0.205	0.205	0.205	
	GOM		<i>Unable to determine stock status; cannot calculate a rebuilding mortality if overfished</i>									
	SNE/MA	2014/50%	0	0	0	0	0	0	0	0	0	
Redfish		2051/50%	.038	.038	.038	.038	.038	.038	.038	.038	.038	.038
White Hake		2014/50%	<i>0.084</i>	<i>0.084</i>	<i>0.084</i>	<i>0.084</i>	<i>0.084</i>					
Pollock		2020	4.838	4.838	4.838	4.838	4.838	4.838	4.838	4.838	4.838	
		2017	4.564	4.564	4.564	4.564	4.564	4.564	4.564	4.564	4.564	
Windowpane Flounder	North		<i>Unable to calculate rebuilding mortality</i>									
	South	2014/50%	<i>Unable to calculate rebuilding mortality</i>									
Ocean Pout		2014/50%	<i>Unable to calculate rebuilding mortality</i>									
Atlantic Halibut		2056/50%	0.044 through 2055									

## 4. Wolffish EFH

Map 1 – Wolffish EFH Option 2, all life stages



Map 2 – Atlantic wolffish Option 3(a), all life stages (50% threshold)



## CPH

CPH=Confirmation of Permit History.

Permits de-activated - not on an active vessel - but remaining eligible to be placed on a vessel.

## 5. Add. sector requirements

- Detailed information about overage penalties or other actions to be taken if the sector exceeds its ACE;
- Detailed information about the sector's *independent third-party weighmaster system* that is satisfactory to NMFS for monitoring landings and utilization of ACE;
- Detailed information about a monitoring program for discards (see additional discussion of monitoring discards in Section 4.3.3.5).
- A list of all Federal and State permits held by vessels participating in the sector;
- A list of specific ports where members will land fish; specific exceptions should be noted (e.g., safety, weather) and allowed, provided there is reasonable notification of a deviation from the listed ports; this requirement is in addition to the requirement for detailed information about the sector's independent third-party weighmaster system.
  - TAC thresholds and details regarding the sector's plans for notifying NMFS once the specified TAC threshold has been reached.
- Identify potential redirection of effort as a result of sector operations, and if necessary propose limitations to eliminate adverse effects of any redirection of effort.

- Describe how groundfish will be avoided while participating in other fisheries that have a bycatch of groundfish if the sector does not have ACE for the stocks caught (see section 4.3.3.4).

An appropriate NEPA document assessing the impacts of forming the sector must be prepared. This will be written by the sector applicants, and submitted to NMFS through the Council. The contracts drawn up for the whiting and pollock cooperatives on the West Coast and Alaska might serve as a guide for determining the form and content of these plans.

The sector operations plan must be reviewed and approval given before the sector can operate. A sector must submit its *preliminary operations plan* to the Council no less than one year prior to the date that it wants to begin operations. *Final operations plans* may cover a two-year period and must be submitted to NMFS no later than September 1 prior to the fishing year in which the sector will operate. NMFS may consult with the Council and will solicit public comment on the operations plan consistent with the Administrative Procedure Act (APA). Upon review of the public comments, the Regional Administrator may approve or disapprove sector operations, through a final determination consistent with the APA.

## 6. PSC Alternatives

### No Action Alternative (Status Quo/Amendment 13)

Allocation of resources will be based on the accumulated catch histories *over the previous five years* for which data are available for each member of the self-selected sector, as described in Amendment 13. For example, for sectors beginning operations in FY 2009, the baseline period would be FY 2002 – FY 2006. .

### Option 1 - Landings History Only FY 1996 – FY 2006

Under this alternative, permit history will be based on the landings history of each permit during the time period FY 1996 – FY 2006. Landings history will be based on the information in the NMFS commercial dealer database. For each permit, the landings for each stock will be summed over the time period. This value will be divided by the total landings by permits eligible to join sectors (as of April 30, 2008) during the same period. This includes limited access permits (including Handgear A permits) and limited access permits that are in the confirmation of permit history category. The landings history for each permit that is included in the denominator is all landings during the qualification period that can be attributed to that permit; for Handgear A permits, it includes landings by the permitted vessel during the period FY 1996 through FY 2003, prior to the adoption of the Handgear A permit category. The result will be the share of each stock for each permit. Discards will not be counted when calculating permit history, even though both discards and landings are counted against a sector's ACE.

### Option 2 - 50% Landings History and 50% Vessel Baseline Capacity for Landed Stocks FY 1996 – FY 2006

Under this alternative, landings history for each permit/stock will be calculated in the same manner described above for Alternative 1. Vessel baseline capacity will be calculated using the following formula:

$$(10L + HP) \times (\text{allocated "A" DAS}) = \text{baseline capacity}$$

The portion allocated based on capacity applies *only* to stocks landed by the permit. The length and horsepower characteristics of the capacity portion in the formula above will be fixed as of January 29, 2004, which is consistent with the baseline established by NMFS for the Groundfish DAS Leasing Program. The DAS used in this calculation are the baseline Category A DAS assigned to a permit

under FW 42, without including carry-over DAS, bonus for using large-mesh, penalties, etc. For purposes of this calculation, the DAS allocated under FW 42 are considered to be the permit's Amendment 13 baseline Category A DAS as adjusted for FY 2006 by Framework 42. The landings history share and the baseline capacity share for each permit will be averaged to obtain a value for each stock. Under this alternative, each permit will receive history only for groundfish stocks that it landed between FY 1996 and FY 2006.

### **Option 3 - 50% Landings History and 50% Vessel Baseline Capacity for All Stocks FY 1996 – FY 2006**

Under this alternative, landings history for each permit/stock will be calculated in the same manner described above for Alternative 1. Vessel baseline capacity will be calculated using the following formula:

$(10L + HP) \times (\text{allocated "A" DAS}) = \text{baseline capacity}$

The portion allocated based on capacity applies to *all* stocks for which ACE will be allocated. The length and horsepower characteristics of the capacity portion in the formula above will be fixed as of January 29, 2004, which is consistent with the baseline established by NMFS for the Groundfish DAS Leasing Program. The DAS used in this calculation are the baseline Category A DAS assigned to a permit under FW 42, without including carry-over DAS, bonus for using large-mesh, penalties, etc. For purposes of this calculation, the DAS allocated under FW 42 are considered to be the permit's Amendment 13 baseline Category A DAS as adjusted for FY 2006 by Framework 42.

The landings history share and the baseline capacity share for each permit will be averaged to obtain a value for each stock. This alternative is different from Alternative 2 in that every permit will receive an allocation of every applicable groundfish stock.

### **Option 4 - 50% Landings History and 50% A DAS for All Stocks FY 1996 – FY 2006**

Under this alternative, landings history for each permit/stock will be calculated in the same manner described above for Alternative 1. Vessel baseline capacity will be represented by allocated "A" DAS for *all* stocks for which ACE will be allocated. The DAS used in this calculation are the baseline Category A DAS assigned to a permit under FW 42, without including carry-over DAS, bonus for using large-mesh, penalties, etc. For purposes of this calculation, the DAS allocated under FW 42 are considered to be the permit's Amendment 13 baseline Category A DAS as adjusted by Framework 42. For purposes of this calculation, the DAS allocated under FW 42 are considered to be the permit's Amendment 13 baseline Category A DAS as adjusted for FY 2006 by Framework 42.

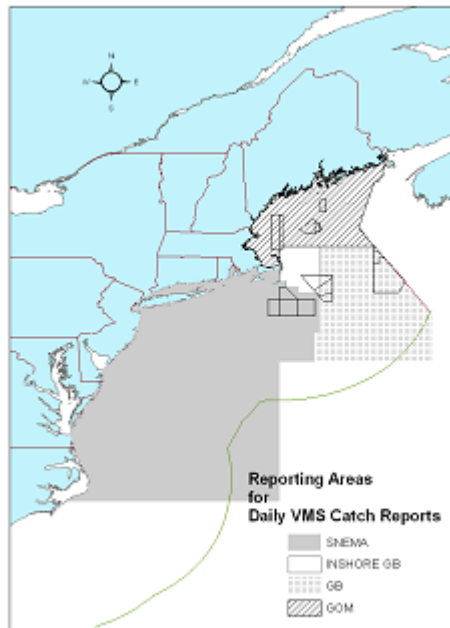
The landings history share and the A DAS share for each permit will be averaged to obtain a value for each stock.

### **Option 5 – Existing Sector Allocations**

For the GB Cod Hook Gear Sectors and the Fixed Gear Sector, the allocation of GB cod will be done as adopted by Amendment 13. That is, the sector share will be calculated based on landings of GB cod during the period FY 1996-FY 2001, divided by the total landings of GB cod during that period. This calculation will only apply to those permits that committed to the sector as of March 1, 2008. For any other past or future member of these sectors, the sector share will be calculated as adopted by this action. For all other stocks, the potential sector contribution will be calculated as adopted by this action. This option could be adopted with one of the other options as it applies to a select group of vessels. In effect, this option applies the No Action alternative for GB cod to those vessels that previously committed to either the GB Cod Hook Sector or the GB Cod Fixed Gear Sector.

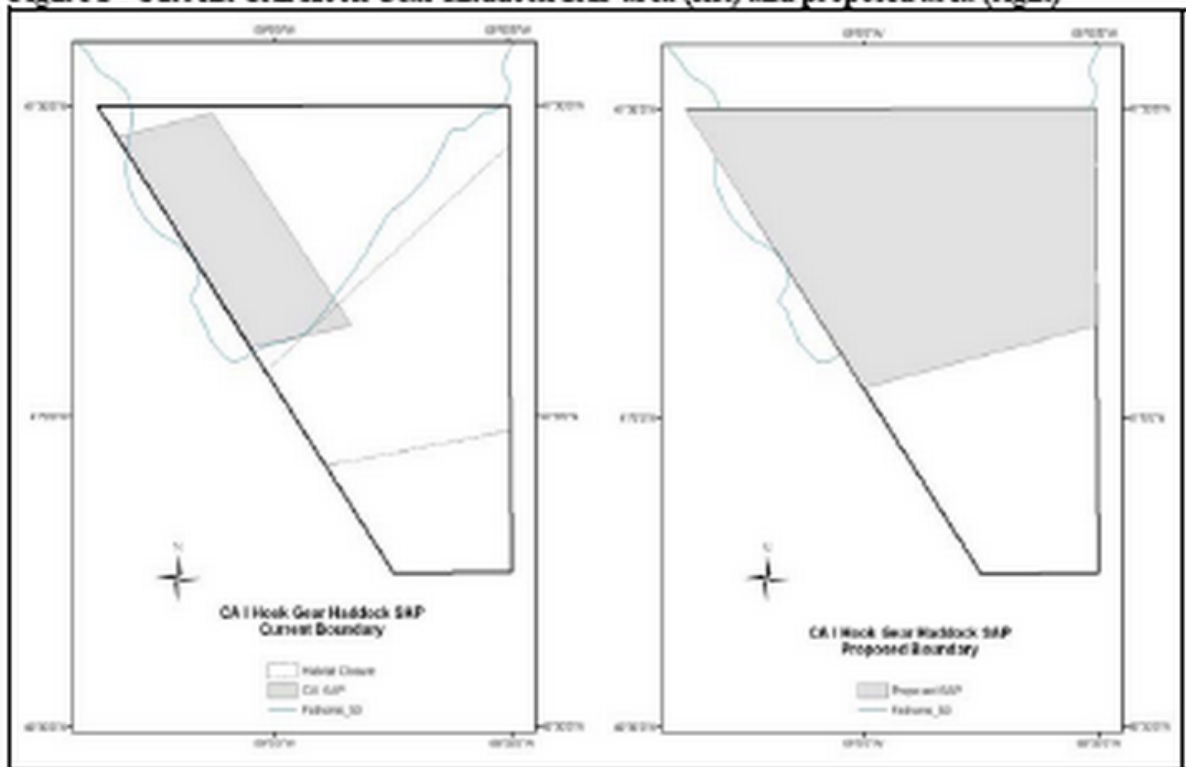
If this option is not selected, the potential sector contribution for members of these sectors will be re-calculated as adopted by this action.

## 7. Reporting Areas



## 8. CAI Haddock SAP Areas

**Figure 2 - Current CAI Hook Gear Haddock SAP area (left) and proposed area (right)**



## 9. Trip Limit Table

Table 1 – Trip limits for A16 effort control options

Stock	Option 2A	Option 3A	Option 4	No Action
GOM Cod*	2,000 lbs./DAS; maximum 12,000	2,000 lbs./DAS; maximum 12,000 lbs/trip	2,000 lbs./DAS; maximum 12,000 lbs/trip	800 lbs./DAS up to 4,000 lbs./trip
GB Cod*	lbs./trip in GOM, 20,000 lbs./trip in GB, with the exception of the Eastern U.S./Canada area, where the Regional Administrator will specify the appropriate trip limit at the beginning of the fishing year (the default trip limit for this area remains 500 lbs./DAS, up to a maximum of 5,000 lbs./trip).	in GOM, 20,000 lbs/trip in GB; with the exception of the Eastern U.S./Canada area, where the Regional Administrator will specify the appropriate trip limit at the beginning of the fishing year (the default trip limit for this area remains 500 lbs./DAS, up to a maximum of 5,000 lbs./trip).	1,000 lbs./DAS; maximum 10,000 lbs./trip, with the exception of the Eastern U.S./Canada area, where the Regional Administrator will specify the appropriate trip limit at the beginning of the fishing year (the default trip limit for this area remains 500 lbs./DAS, up to a maximum of 5,000 lbs./trip).	1000 lbs./DAS up to 10,000 lbs./trip
CCGOM Yellowtail Flounder	500 lbs./DAS up to a maximum of 3,000 lbs./trip	250 lbs./ DAS up to a maximum of 1,500 lbs./trip	250 lbs./DAS up to a maximum of 1,500 lbs./trip	250 lbs./DAS up to 1000 lbs./trip
SNE/MA Yellowtail Flounder	500 lbs./DAS up to a maximum of 3,000 lbs./trip	250 lbs./ DAS up to a maximum of 1,500 lbs./trip	250 lbs./DAS up to a maximum of 1,500 lbs./trip	250 lbs./DAS up to 1000 lbs./trip
GB Yellowtail Flounder	N/A	N/A	10,000 lbs./trip (unless adjusted consistent with US/CA area regulations)	10,000 lbs./trip
SNE/MA Winter Flounder	0	0	0	N/A
Windowpane Flounder	0	0	0	N/A
Atlantic Halibut	One fish/trip	One fish/trip	One fish/trip	One fish/trip
GB Winter Flounder	N/A	N/A	N/A	5000 lbs./trip
White Hake	N/A	N/A	N/A	1000 lbs./DAS up to 10,000 lbs./trip

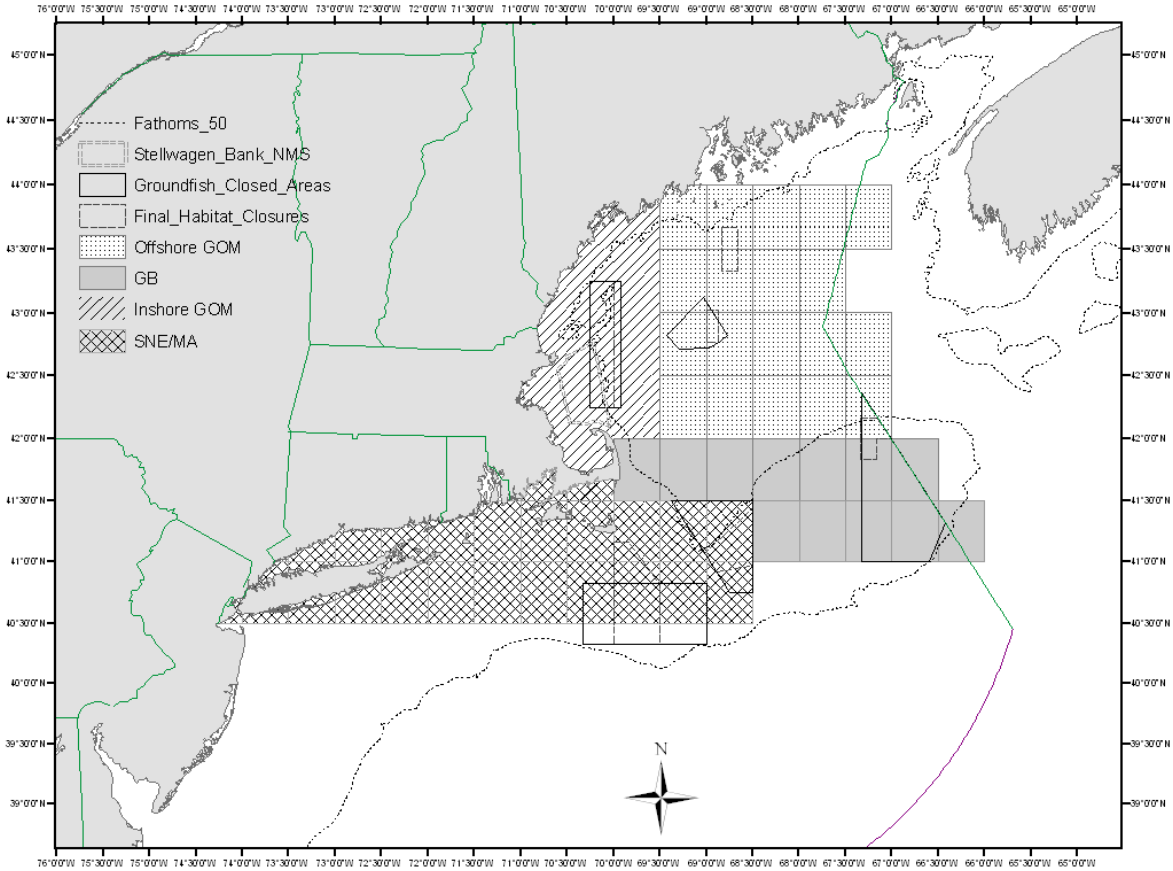
**\*Special note on handgear:**

The trip limits for both GB and GOM cod in Options 2A, 3A, and 4 would be:

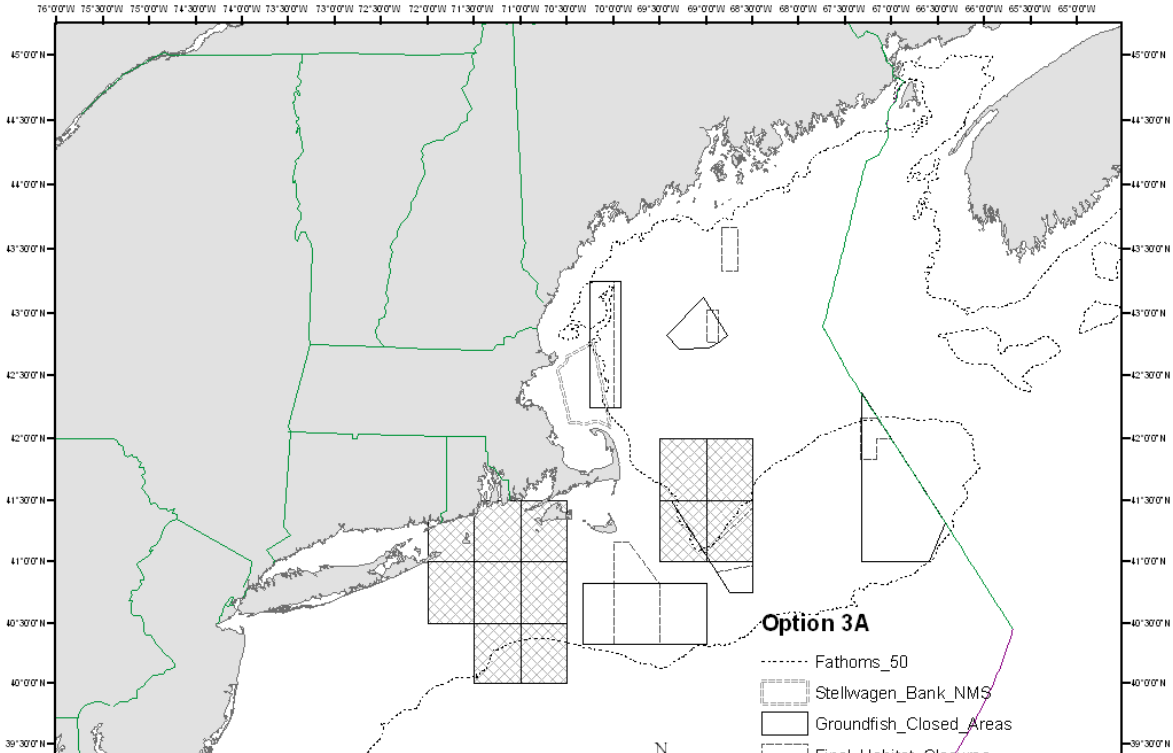
- Handgear A Permits: Consistent with the automatic adjustment in landing limits for this category adopted in A13, the landing limit for cod is increased to 750 lbs./trip. The automatic adjustment mechanism is retained.
- Handgear B Permits: Consistent with the automatic adjustment in landing limits for this category adopted in A13, the landing limit for GOM cod is increased to 200 lbs./trip. The automatic adjustment mechanism is retained.



### 10. Option 2A Chart

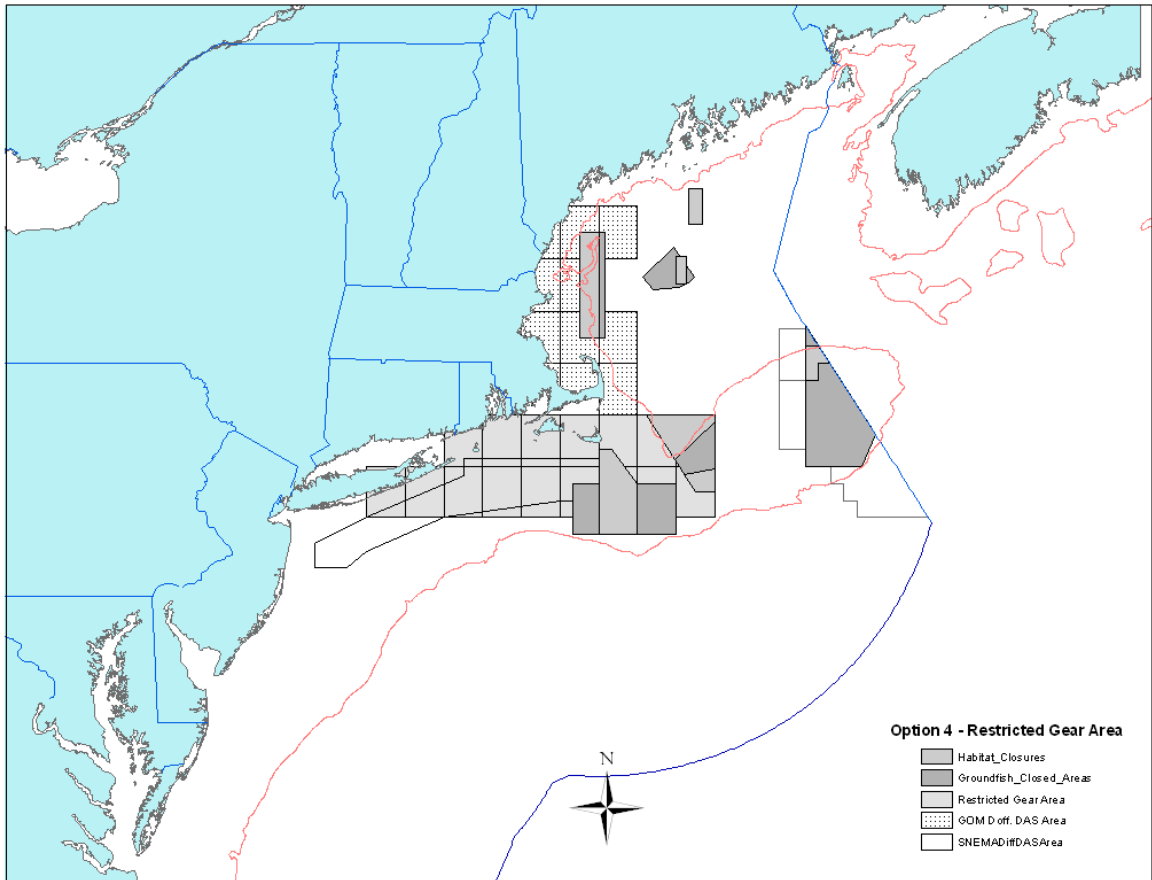


### 11. Option 3A Chart

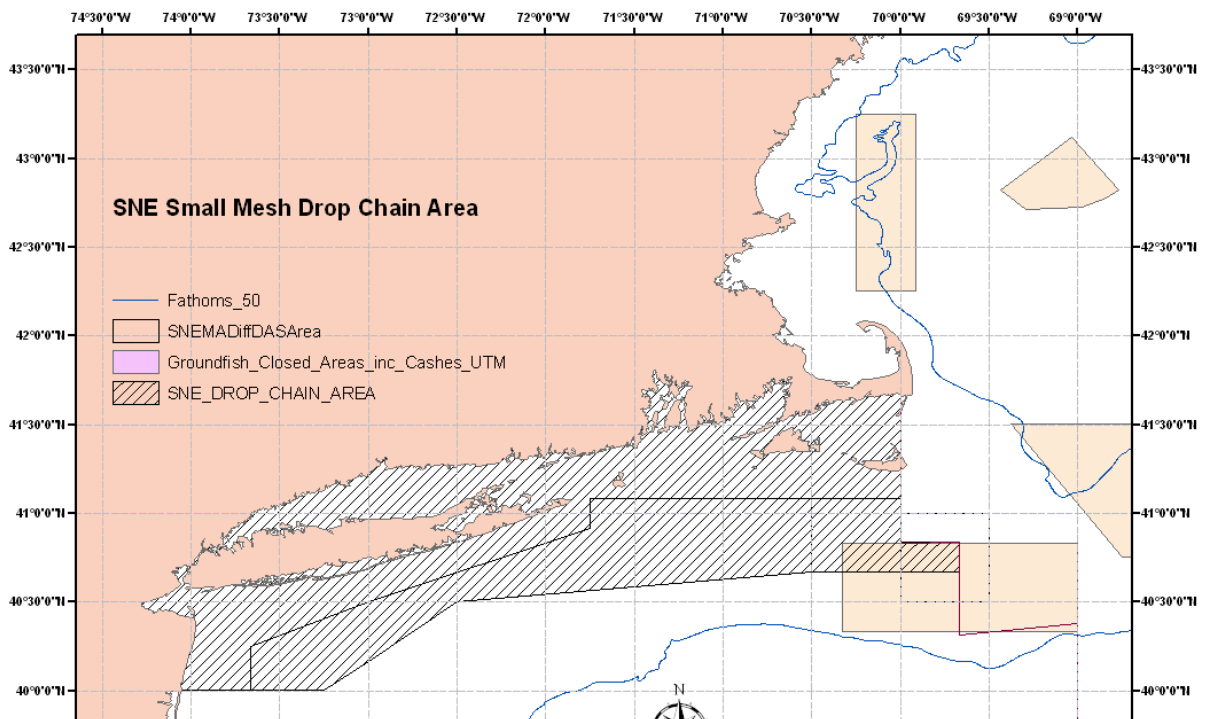


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### 12. Option 4 Chart



### 13. SNEMA Small Mesh Rqmnt Area



## Discard Gear Combinations

Table 15– Discard estimates will be applied to the species/gear combinations show

Gear	Species
Trawl	All
Gillnet	Cod, haddock, pollock, white hake, yellowtail flounder, winter flounder, witch flounder, American plaice, redfish
Longline	Cod, haddock, pollock, white hake, redfish, Atlantic wolffish

## Hard TAC AM

Table 21 – Initial apportionment of common pool TAC to trimesters

Stock	Trimester 1	Trimester 2	Trimester3
GOM Cod	27%	36%	37%
GB Cod	25%	37%	38%
GOM Haddock	27%	26%	47%
GB Haddock	27%	33%	40%
CC/GOM Yellowtail	35%	35%	30%
GB Yellowtail	19%	30%	52%
SNE/MA Yellowtail	21%	37%	42%
GOM Winter	37%	38%	25%
GB Winter	8%	24%	69%
SNE/MA Winter	36%	50%	14%
Witch Flounder	27%	31%	42%
Plaice	24%	36%	40%
Pollock	28%	35%	37%
Redfish	25%	31%	44%
White Hake	38%	31%	31%
N. Windowpane			
S. Windowpane			
Ocean Pout			
Halibut			

Back Cover