



New England Fishery Management Council

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C.M. "Rip" Cunningham, Jr., *Chairman* | Thomas A. Nies, *Executive Director*

**MEMORANDUM**

**DATE:** September 11, 2013  
**TO:** Groundfish Oversight Committee (OSC)  
**FROM:** Groundfish Plan Development Team (PDT)  
**SUBJECT:** Progress on Framework 51 (FW51)

The Groundfish PDT met in-person on August 26, 2013 and held a conference call on September 6, 2013 to continue work on Framework 51 (FW51).

To facilitate discussion by the Groundfish Oversight Committee on which measures to include in FW51, the PDT added additional information to the DRAFT alternatives under consideration document (below). Note that tables will be updated following the final reports from the SSC and TMGC meetings.

## 1.0 DRAFT Alternatives Under Consideration

### 1.1 Updates to Status Determination Criteria, Formal Rebuilding Programs and Annual Catch Limits

#### 1.1.1 Revised Gulf of Maine cod Rebuilding Strategy

##### 1.1.1.1 Option 1: No Action

The current rebuilding strategy for Gulf of Maine cod, adopted in Amendment 13, uses a fishing mortality target that is calculated to rebuild the stock by 2014 with a 50 percent probability of success. The stock is unlikely to rebuild by that date in the absence of all fishing mortality. If this option were adopted fishing mortality (set at 75%  $F_{MSY}$ ) as implemented in FW 50 would be maintained.

*Rationale:* Fishing mortality is being maintained at 75%  $F_{MSY}$  (0.135) as it is lower than the  $F_{rebuild}$  of 0.237 established in A16 for this stock, as per the National Standard Guidelines.

##### 1.1.1.2 Option 2: Revised Rebuilding Strategy for Gulf of Maine Cod

Two options are being considered for a revised rebuilding strategy for GOM cod.

Sub-Option A: The rebuilding strategy would be to rebuild the stock with a median probability of success by 2022. This strategy is developed to be more conservative and assumes no changes were made to the ABC previously approved by the SSC. It is based on a fishing mortality that is above 75%  $F_{MSY}$ ;  $F_{rebuild}$  is not allowed to be initially limiting.

Sub-Option B: The rebuilding strategy would be to rebuild the stock with a median probability of success by 2024. This strategy is based on a fishing mortality that is above 75%  $F_{MSY}$ ;  $F_{rebuild}$  is not allowed to be initially limiting. This strategy assumes no changes were made to the ABC previously approved by the SSC.

*Rationale:* Basing an ABC on  $F_{rebuild}$  is not desirable since it can quickly lead to dramatic reductions in the ABCs based on less accurate longer term projections as the rebuilding end date gets closer. In addition, as  $F_{rebuild}$  approaches zero then it is less likely to get adopted for ABC determination.  $F_{rebuild}$  based ABCs are less desirable since considerable uncertainty surrounds the  $F_{rebuild}$  estimate due to the estimate's dependence on difficult to predict future recruitment. The ACL catch for the three years was assumed to be those already in place. GOM cod requires at least eight years for  $F_{rebuild}$  to remain above 75%  $F_{msy}$ .  $F_{rebuild}$  was estimated to be below  $F_{MSY}$  with the maximum 10 year rebuilding plan. There is little difference in the rebuilding time needed under the accepted base case or M-ramp model ( $M=0.2$  in projections) for GOM cod; no reference points are available for the M-ramp model. However the catches estimated in the out years and the  $SSB_{MSY}$  are different between the models. The M-ramp projection assumes a change in  $M$  back to 0.2. The SARC 55 Panel concluded that if  $M$  is currently 0.4 then it

seemed more reasonable to assume that in the short-term  $M$  would remain at 0.4 rather than reduce to 0.2. However, a change back to 0.2 is required to rebuild the stock. It is not known when  $M$  will change back to 0.2 in the future for the  $M$ -ramp formulation so interpretation and development of rebuilding plans using the  $M$ -ramp model is more difficult.

## 1.1.2 Revised American Plaice Rebuilding Strategy

### 1.1.2.1 Option 1: No Action

The current rebuilding strategy for American plaice, adopted in Amendment 13, uses a fishing mortality target that is calculated to rebuild the stock by 2014 with a 50 percent probability of success. The stock is unlikely to rebuild by that date in the absence of all fishing mortality. If this option were adopted fishing mortality (set at 75%  $F_{MSY}$ ) implemented in FW 50 would be maintained.

*Rationale:* Fishing mortality is being maintained at 75%  $F_{MSY}$  (0.135) as it is lower than the  $F_{rebuild}$  of 0.19 established in A16 for this stock, as per the National Standard Guidelines.

### 1.1.2.2 Option 2: Revised Rebuilding Strategy for American Plaice

Three options are being considered for a revised rebuilding strategy for American plaice.

Sub-Option A: The rebuilding strategy would be to rebuild the stock with a median probability of success by 2021. This strategy is developed to be more conservative and assumes no changes were made to the ABC previously approved by the SSC. It is based on a fishing mortality that is above 75% $F_{MSY}$ ;  $F_{rebuild}$  is not allowed to be initially limiting.

Sub-Option B: The rebuilding strategy would be to rebuild the stock with a median probability of success by 2022. This strategy is based on a fishing mortality that is above 75% $F_{MSY}$ ;  $F_{rebuild}$  is not allowed to be initially limiting. This strategy assumes no changes were made to the ABC previously approved by the SSC.

Sub-Option C: The rebuilding strategy would be to rebuild the stock with a median probability of success by 2024. This strategy is based on a fishing mortality that is above 75% $F_{MSY}$ ;  $F_{rebuild}$  is not allowed to be initially limiting. This strategy assumes no changes were made to the ABC previously approved by the SSC.

*Rationale:* Basing an ABC on  $F_{rebuild}$  is not desirable since it can quickly lead to dramatic reductions in the ABCs based on less accurate longer term projections as the rebuilding end date gets closer. In addition, as  $F_{rebuild}$  approaches zero then it is less likely to get adopted for ABC determination.  $F_{rebuild}$  based ABCs are less desirable since considerable uncertainty surrounds the  $F_{rebuild}$  estimate due to the estimate's

dependence on difficult to predict future recruitment. The ACL catch for the three years was assumed to be those already in place.  $F_{\text{rebuild}}$  was estimated to be below  $F_{\text{MSY}}$  with the maximum 10 year rebuilding plan.

### 1.1.3 Annual Catch Limits

#### 1.1.3.1 Option 1: No Action

If the No Action is selected, the specifications for FY 2014-FY 2015 would remain as adopted by FW 50. For white hake there would not be any specifications for these years. The FY 2014 - FY 2015 ABCs would be as specified in Table 1.

If this option is selected, there would be no specific allocations made for the US/CA Resource Sharing Understanding quotas for FY 2014. These quotas are specified annually.

*Rationale:* This No Action option is required by NEPA. While it would rebuild stocks quickly, it would not address M-S Act requirements to achieve OY and to consider the needs of fishing communities.

**Table 1 – No Action/Option 1 Northeast Multispecies OFLs, ABCs, ACLs, and other ACL sub-components for FY 2012 (metric tons, live weight). Values are rounded to the nearest metric ton.**

(1) Grayed out values may be adjusted as a result of future recommendations of the TMGC. Values shown for GB haddock and cod are preliminary estimates subject to change.

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components (4)	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
GB Cod <sup>(1)</sup>	2013	3,279	2,002	20	80	0	1,807		0	1,775	32	0	1,907
	2014	3,570	2,002	20	80	0	1,807		0	1,775	32	0	1,907
	2015	4,191	2,002	20	80	0	1,807		0	1,775	32	0	1,907
GOM Cod		1,634	1,249	83	41	0		669	391	656	13		
2013-2015	Pref	1,635	<b>1,550</b>	103	51	0		830	486	814	16	0	1,470
GB Haddock <sup>(1)</sup>	2013	46,185	29,335	293	1,173	0	26,196		0	26,124	72	273	27,936
	2014	46,268	35,699	357	1,428	0	31,879		0	31,792	87	332	33,996
	2015	56,293	43,606	436	1,744	0	38,940		0	38,833	107	406	41,526
GOM Haddock	2013	371	290	4	6	0		187	74	186	1	3	274
	2014	440	341	5	7	0		220	87	218	2	3	323
	2015	561	435	6	9	0		280	111	279	2	4	412
GB Yellowtail Flounder <sup>(2)</sup>	2013	882											
	Pref.		215	0	4.3	83.4	116.8		0	115.4	1.3	4.0(4)	208.5

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ACL	Total ACL
SNE/MA Yellowtail Flounder	2013	1,021	700	7	28	61	570		0	455	115	0	665
	2014	1,042	700	7	28	66	564		0	450	114	0	665
	2015	1,056	700	7	28	64	566		0	452	114	0	665
CC/GOM Yellowtail Flounder	2013	713	548	33	11	0	479		0	467	12	0	523
	2014	936	548	33	11	0	479		0	467	12	0	523
	2015	1,194	548	33	11	0	479		0	467	12	0	523
Plaice	2013	2,035	1,557	31	31	0	1,420		0	1,396	24	0	1,482
	2014	1,981	1,515	30	30	0	1,382		0	1,359	23	0	1,442
	2015	2,021	1,544	31	31	0	1,408		0	1,385	24	0	1,470
Witch Flounder	2013	1,196	783	23	117	0	610		0	601	9	0	751
	2014	1,512	783	23	117	0	610		0	601	9	0	751
	2015	1,846	783	23	117	0	610		0	601	9	0	751
GB Winter Flounder	2013	4,819	3,750	0	113	0	3,528		0	3,508	21	0	3,641
	2014	4,626	3,598	0	108	0	3,385		0	3,366	20	0	3,493
	2015												
GOM Winter Flounder	2013	1,458	1,078	272	54	0	714.7		0	690.3	24.4	0	1,040
	2014	1,458	1,078	272	54	0	714.7		0	690.3	24.4	0	1,040
	2015												
SNE/MA Winter Flounder	2013	2,732	1,676	235	168	0	1,210		0	968	242	0	1,612
	2014	3,372	1,676	235	168	0	1,210		0	968	242	0	1,612
	2015	4,439	1,676	235	168	0	1,210		0	968	242	0	1,612
Redfish	2013	15,468	10,995	110	220	0	10,132		0	10,091	41	0	10,462
	2014	16,130	11,465	115	229	0	10,565		0	10,522	43	0	10,909
	2015	16,845	11,974	120	239	0	11,034		0	10,989	45	0	11,393

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	MWT Sub_ACL	Total ACL
White Hake	2013	5,462	4,177	42	84	0	3,849		0	3,818	31	0	3,974
	2014												
	2015												
Pollock	2013	20,060	15,600	936	1,092	0	12,893		0	12,810	84	0	14,921
	2014	20,554	16,000	960	1,120	0	13,224		0	13,138	86	0	15,304
	2015												
N. Window-pane Flounder	2013	202	151	2	44	0	98		0	0	98	0	144
	2014	202	151	2	44	0	98		0	0	98	0	144
	2015	202	151	2	44	0	98		0	0	98	0	144
S. Window-pane Flounder	2013	730	548	55	186	183	102		0	0	102	0	527
	2014	730	548	55	186	183	102		0	0	102	0	527
	2015	730	548	55	186	183	102		0	0	102	0	527
Ocean Pout	2013	313	235	2	21	0	197		0	0	197	0	220
	2014	313	235	2	21	0	197		0	0	197	0	220
	2015	313	235	2	21	0	197		0	0	197	0	220
Atlantic Halibut	2013	164	99	40	5	0	52		0	0	52	0	96
	2014	180	109	44	5	0	57		0	0	57	0	106
	2015	198	119	48	6	0	62		0	0	62	0	116
Atlantic Wolffish	2013	94	70	1	3	0	62		0	0	62	0	65
	2014	94	70	1	3	0	62		0	0	62	0	65
	2015	94	70	1	3	0	62		0	0	62	0	65

### 1.1.3.2 Option 2: Revised Annual Catch Limit Specifications

If Option 2 is selected the annual specifications for FY2014 through FY2015 would be as specified in Table 4.

The specifications in reflect two other decisions that influence the values in the table. The first is the specification of quotas for EGB cod, EGB haddock, and GB yellowtail flounder for the U.S./Canada Resource Sharing area. The second is the identification of sub-ACLs for the scallop fishery for three stocks: GB yellowtail flounder, SNE/MA yellowtail flounder, and SNE/MAB windowpane flounder.

#### U.S./Canada TACs

This alternative would specify TACs for the U.S./Canada Management Area for FY 2014 as indicated in below. These TACs would be in effect for the entire fishing year, unless NMFS determines that FY 2013 catch of GB cod, haddock, or yellowtail flounder from the U.S./Canada Management Area exceeded the pertinent 2013 TAC. If the TAC in a particular fishing year is exceeded, the Understanding and the regulations require that the TAC for the subsequent fishing year is reduced by the amount of the overage. In order to minimize any disruption to the fishing industry, NMFS would attempt to make any necessary TAC adjustment in the first quarter of the fishing year.

A comparison of the proposed FY 2013 U.S. TACs and the FY 2012 U.S. TACs is shown in Changes to the U.S. TACs reflect changes to the percentage shares, stock status, and the TMGC recommendations.

**Table 2 – Proposed FY 2014 U.S./Canada TACs (mt) and Country Shares**

TAC	Eastern GB Cod	Eastern GB Haddock	GB Yellowtail Flounder
Total Shared TAC	mt	mt	mt
U.S. TAC	mt	mt	mt
Canada TAC	mt	mt	mt

**Table 3 – Comparison of the Proposed FY 2014 U.S. TACs and the FY 2012 U.S. TACs (mt)**

Stock	U.S. TAC		Percent Change
	FY 2013	FY 2013	
Eastern GB cod	mt	96 mt	
Eastern GB haddock	mt	3,952 mt	
GB yellowtail	mt	215 mt	

*Rationale:* This measure would adopt new specifications for groundfish stocks that are consistent with the most recent assessment information. For most stocks, only one alternative to No Action is shown. This is because these catches represent the best scientific information, as determined by the Council's Science and Statistical Committee, and the M-S Act requires that catches not be set higher than these levels.

The U.S. and Canada coordinate management of three stocks that overlap the boundary between the two countries on Georges Bank. Agreement on the amount to be caught is reached each year by the Transboundary Management Guidance Committee (TMGC). This measure considers the recommendations of the TMGC that are consistent with the most recent assessments of those stocks.

**Table 4 – Option 2 Northeast Multispecies OFLs, ABCs, ACLs and other ACL sub-components for FY 2014 – FY 2015 (metric tons, live weight). Values are rounded to the nearest metric ton. Sector shares based on 2013 PSCs.**

(1) Grayed out values will be adjusted as a result of future recommendations of the TMGC.

(2) 2014 – 2015 values will be adjusted as a result of future recommendations of the SSC.

Stock	Year	OFL	U.S. ABC	State Waters Sub-component	Other Sub-Components (4)	Scallops	Groundfish Sub-ACL	Comm Groundfish Sub-ACL	Rec Groundfish Sub-ACL	Preliminary Sectors Sub-ACL	Preliminary Non_Sector Groundfish Sub-ACL	Small Mesh/MWT Sub-ACL	Total ACL
GB Cod <sup>0</sup>	2013	3,279	2,002	20	80	0	1,807		0	1,775	32	0	1,907
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	2014	20,554	16,000	960	1,120	0	13,224		0	13,138	86	0	15,304
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S. Window-pane Flounder	2013	730	548	55	186	183	102		0	0	102	0	527
	2014	730	548	55	186	183	102		0	0	102	0	527
Scallop Sub-ACL	2015	730	548	55	186	183	102		0	0	102	0	527
Ocean Pout	2013	313	235	2	21	0	197		0	0	197	0	220
	2014	313	235	2	21	0	197		0	0	197	0	220
	2015	313	235	2	21	0	197		0	0	197	0	220
Atlantic Halibut	2013	164	99	40	5	0	52		0	0	52	0	96
	2014	180	109	44	5	0	57		0	0	57	0	106
	2015	198	119	48	6	0	62		0	0	62	0	116
Atlantic Wolffish	2013	94	70	1	3	0	62		0	0	62	0	65
	2014	94	70	1	3	0	62		0	0	62	0	65
	2015	94	70	1	3	0	62		0	0	62	0	65

## 1.2 Commercial and Recreational Fishery Measures

### 1.2.1 Small-Mesh Fishery Measures

#### 1.2.1.1 Option 1: No Action

This option would not establish an accountability measure for the small-mesh fishery for Georges Bank yellowtail flounder under the Multispecies FMP.

#### 1.2.1.2 Option 2: Accountability Measure for the Small-Mesh Fishery Georges Bank Yellowtail Flounder Sub-ACL

TBD – pending Whiting AP report

### 1.2.2 Management Measures for US/CA TACs

This section considers changing fishery management measures as necessary to adjust catches of US/CA stocks.

#### 1.2.2.1 Option 1: No Action

If this option is adopted, there would be no in-season changes to the administration of the US/CA stock quotas.

*Rationale:* The need to alter US/CA quotas would be known after the beginning of the FY and allocations were finalized. This option would continue the current practice of not altering US/CA quotas mid-season.

#### 1.2.2.2 Option 2: Revised in-season adjustment for US/CA TACs

If this option is adopted, the Regional Administrator would be allowed to adjust the US/CA quotas during the FY, i.e. after allocations were made. Additional quota would be allocated consistent with the current ABC distribution. The RA would not have the authority to change the allocations to the sub-ACLs during the FY.

Prior to changing measures, the NMFS would consult with the Council and would advise the Council what measures were under consideration.

*Rationale:* The difference in fishing years between the two countries would require adjustments to occur in adjacent years. This measure would allow an adjustment to occur as soon as possible to the end of the Canadian fishing year, potentially providing additional quota for limiting US/CA stocks.

### 1.2.2.1 Option 3: Revised in-season adjustment for US/CA TACs

If this option is adopted, the Regional Administrator would be allowed to adjust the US/CA quotas during the FY, i.e. after allocations were made. Additional quota would be distributed consistent with the sector sub-ACL distribution.

Prior to changing measures, the NMFS would consult with the Council and would advise the Council what measures were under consideration.

*Rationale:* The difference in fishing years between the two countries would require adjustments to occur in adjacent years. This measure would allow an adjustment to occur as soon as possible to the end of the Canadian fishing year, potentially providing additional quota for limiting US/CA stocks. This distribution scheme would consider traded quota as additional groundfish quota that contributes to ACE.

## 1.2.3 Commercial Fishery Restrictions

### 1.2.3.1 Option 1: No Action

If this action is adopted, there will be no revision to the regulations regarding landings of the allocated regulated groundfish currently managed. The following minimum fish size regulations would apply unless changed in this or a future action.

**Table 5 - No Action Minimum Fish Sizes (TL) for Commercial Vessels**

Species	Size (inches)
Cod	19 in. (48.3 cm)
Haddock	16 in. (40.6 cm)
Pollock	19 in. (48.3 cm)
Witch Flounder (gray sole)	13 in. (33 cm)
Yellowtail Flounder	12 in. (30.5 cm)
American Plaice (dab)	12 in. (30.5 cm)

Atlantic Halibut	41 in. (104.1 cm)
Winter Flounder (blackback)	12 in. (30.5 cm)
Redfish	7 in. (17.8 cm)

*Rationale:* Since implementation in 1986, the Northeast Multispecies FMP has used minimum size limits in conjunction with gear requirements to reduce catches of sub-adult fish. When adopted the purpose of this measure was to provide opportunities for fish to spawn before harvest, as well as to reduce the incentive to use illegal mesh to increase catches.

### 1.2.3.2 Option 2: Full Retention

If this action is adopted all allocated, currently regulated groundfish of all sizes, including cod, haddock, white hake, pollock, Acadian redfish, yellowtail flounder, Georges Bank and Gulf of Maine winter flounder, witch flounder, and American plaice, must be retained by sector vessels, i.e. no discarding of non-prohibited fish. Discarding of non-allocated groundfish species, including those that require no-retention as part of a rebuilding program would continue. Allocated regulated groundfish that are physically damaged, e.g. by predation, must be retained. This action would not alter regulated mesh areas or restrictions on gear and methods of fishing. This measure would not change possession requirements for other species that are regulated by other Fishery Management Plans.

This option would facilitate a reduction in the dependence on the assumed discard rate applied to sector vessels before a calculated discard rate is available. To ensure this option would convert discards to landings, catch accountability should be maximized. This could include one hundred percent dockside monitoring and one hundred percent at-sea monitoring in the form of at-sea monitors and/or electronic monitoring, if electronic monitoring is deemed sufficient.

It should be noted that this change would be made to reduce regulatory discards, not to facilitate targeting of smaller fish. As a result, while sectors would not be prohibited from requesting exemptions from minimum mesh requirements, the expectation is that before such a request would be approved a sector would have to explain why such an exemption would not lead to increased targeting of juvenile groundfish.

Sub-Option A: If this sub-option is adopted it would establish full retention as outlined above on a subset of fishing vessels based on gear type. This program would require one hundred percent dockside monitoring and one hundred percent at-sea monitoring in the form of electronic monitoring and/or at-sea monitors.

*Rationale:* Electronic monitoring is considered an economical tool to monitor fishing activities but requires testing before broad scale application across gear types. This program would help to evaluate electronic monitoring as a primary tool for observing on a smaller portion of the fleet.

#### 1.2.4 Haddock Spillover

##### 1.2.4.1 Option 1: No Action

This option would not alter management measures for the Gulf of Maine and Georges Bank haddock stocks. It would maintain current management areas and quotas.

##### 1.2.4.2 Option 2: TBD

TBD

#### 1.2.5 Georges Bank Yellowtail Flounder Management Measures

##### 1.2.5.1 Option 1: No Action

If this option would be adopted, there would be no changes to the management measures for GB yellowtail flounder for estimating discards. When estimating discards of GB yellowtail flounder for the purposes of groundfish quota monitoring, if this option is adopted there would be one area used as the basis for discard monitoring. This area would match the existing stock boundaries for the stock. Further stratification would only be for sector, gear and mesh.

*Rationale:* This No Action option would not make any changes to existing measures that address GB yellowtail flounder. The area stratification scheme used for monitoring discards would be consistent with that used in the assessment of this stock.

##### 1.2.5.2 Option 2: Revised Discard Strata for GB Yellowtail Flounder

TBD

#### 1.2.6 Commercial Fishery Accountability Measures

##### 1.2.6.1 Option 1: No Action

If this option is adopted, AMs for this fishery would remain as adopted by Amendment 16 and subsequent framework adjustments. The AM system that has been adopted is designed to reduce the probability of overfishing by adjusting management measures if a groundfish fishery ACL is exceeded. For sector vessels, the AM for most stocks is the requirement that sectors stop fishing in a stock area when an ACE is caught, and there is a pound-for-pound penalty in the following

year if the ACE is exceeded. Common pool vessels are subject to a TAC system that closes specific areas if a quota is exceeded. There are exceptions to these general statements that are described below.

The AMs for Atlantic halibut and Atlantic wolffish would not be changed if this option is adopted. The existing AMs require approved selective trawl gear in designated areas that reduces the catch of flounders and retention of Atlantic halibut is prohibited. The Atlantic Halibut AM and wolffish AM would only be implemented if the total ACL (as opposed to the groundfish sub-ACL) was projected to be exceeded by an amount that exceeds the management uncertainty buffer.

#### 1.2.6.2 Option 2: Revised Accountability Measures for Atlantic Halibut and Wolffish

TBD

#### 1.2.7 Carryover Provisions

This measure will be developed if deemed necessary.