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New England Fishery Management Council

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Ernest F. Stockwell III, *Acting Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: September 20, 2013
TO: Council
FROM: Tom Nies
SUBJECT: 2014 Council Priorities

1. Council priorities for 2014 will be introduced at the September Council meeting, with the decisions taking place at the November meeting. The attached documents summarize the status of the approved 2013 priorities and list potential items for 2014 (enclosures 1 through 3). This memo updates information provided to the Executive Committee in a memo dated August 26, 2013. The Groundfish, Scallop, Herring, and Skate Committees met after the Executive Committee meeting and the list has been updated to include priorities identified by the Committees. The major changes reflected in the attachments are:

- The Groundfish Committee identified several additional possible priorities that have been added to the list.
- Skate priorities have been adjusted to include the requirement to end overfishing on thorny and winter skates.
- A possible omnibus amendment to address industry-funded monitoring issues was added based on a presentation that will be delivered at the Council meeting.
- The Executive Committee added a review of the priority setting process to address issues raised in my August 26, 2013 letter.
- Several additional staff responsibilities have been added.

2. Even a cursory review of the attached list indicates that the possible tasks exceed our resources. There are several possible priorities (EBFM, alternative groundfish catch setting strategies, industry-funded monitoring amendment) that will take an extended effort and should the Council pursue these priorities it should recognize this will reduce the short-term issues that can be addressed.

3. The Executive Committee has not yet identified a strawman priorities list. Some Committees (Herring, Groundfish) have recommended which tasks to pursue; these decisions have not yet been incorporated into these lists.

Enclosures:

- (1) Status of 2013 priorities
- (2) 2014 Draft Priority Tasks
- (3) 2014 Overview

This worksheet reflects the approved 2013 priorities and the status of those priorities

Below the line priorities are in italics

Language is unchanged from approved 2013 priorities document

20-Sep-13

	Priority Title	Status
Groundfish	Continue to coordinate action on the Habitat Omnibus Amendment to include possible modifications of the Groundfish closed areas.	Ongoing
	Continue Amendment 18 to consider fleet diversity and accumulation caps.	Ongoing
	Set specs for US/CA stocks for 2014.	Expect Completion
	Revise rebuilding programs for GOM cod, SNE winter flounder, plaice, and maybe white hake.	Expect Completion
	Consider trading of quota under US/CA Understanding/TMGC.	Ongoing
	<i>Explore utilization of mixed stock exception for SNE/MA windowpane flounder</i>	
	<i>Potential action to address Groundfish sector monitoring requirements resulting from Oceana lawsuit.</i>	
	<i>Recreational issues: Council may want to react to new recreational catch estimates based on MRIP data.</i>	
Monkfish	Continue Monkfish Amendment 6 for modifications to DAS program (including leasing) and catch shares (sectors and IFQs).	Ongoing
	Set specs for 2014 - 2016 pending stock assessment update (date in 2013 for assessment yet to be determined)	Expect Completion
Sturgeon	Consider the Biological Opinion when published and develop alternative RPAs/RPMS if appropriate.	Completed
Sea Scallops	Prepare a framework to set FY 2014 specifications (i.e. setting DAS, access area trips, Northern GOM TAC, limited access general category IFQ allocations, potential modification of scallop access area boundaries, etc.). This was added at Sep 2012 Council meeting based on Scallop Cmte motion. (May-Dec 2013)	Expect Completion

Below the line priorities are in italics
Language is unchanged from approved 2013 priorities document

Priority Title	Status
<p>NMFS and PDT have new annual responsibilities related to estimating scallop and YT catch during the year (i.e. LA AM exception, re-evaluation of YT sub-ACL based on updated information).</p> <p>If GF FW48 implements a sub-ACL for windowpane flounder for the scallop fishery, this scallop action will have to consider AMs.</p> <p>Support and analyses for Habitat Omnibus Amendment in terms of potential impacts of new EFH measures on scallop fishery and coordination with habitat process concerning future scallop access areas (Jan-May 2013)</p> <p>Staff and PDT participation on NEFSC peer review of sea scallop survey methods (March/April 2013)</p> <p>Complete Evaluation of the LAGC IFQ program (Council still considering if workshop included)(Jan-April 2013)</p> <p><i>If GF plan explores utilization of mixed stock exception for SNE/MA windowpane flounder the scallop plan will have to coordinate relevant analyses. (If this is added for 2013 priorities something will have to be removed from scallop priorities)</i></p>	<p>Expect Completion</p> <p>Expect Completion</p> <p>Ongoing</p> <p>Delayed</p> <p>Expect Completion</p>
<p><i>Amendment 16 – Consideration of IFQs for the limited access scallop fishery</i></p> <p><i>Amendment 17 - Added at September 2011 Council meeting by motion: Coordinate action with Groundfish Cte to develop strategies to manage YT flounder bycatch under the Scallop FMP including those strategies listed in Motion 13 from Sep 13, 2011 Scallop Cte meeting (For example, participation in GF sectors for LAGC fishery & re-designing the access area program etc. This action would focus on YT initially, but could be expanded to other bycatch species if needed).</i></p> <p><i>Measure to address 5% allocation versus % of actual catch for LAGC fishery (specifically expand current disclaimer to include LAGC fishery as well that allows catch above ACL if updated projection of F lower);</i></p> <p><i>Consider modifying the small dredge exemption program (See additional letter to Council). This issue has been raised before and does not appear to be widely supported by the industry, but additional correspondence has requested consideration again.</i></p>	<p>N/A</p>
<p>Develop specifications package for 2013-2015 based on new assessment (SAW 54). Include alternatives to address Amendment 4 court order (ABC control rules and AMs). Target completion ASAP, implementation ASAP 2013-2015</p>	<p>Completed</p>

Herring

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 Language is unchanged from approved 2013 priorities document

	Priority Title	Status
	<p>Initiate a framework to establish the mechanism to allow for seasonal splits of sub-ACLs and consideration of allowing sub-ACL rollovers of up to 10%</p> <p>Prepare a framework to establish river herring caps</p> <p>Prepare a framework to establish an industry-funded monitoring program for Amendment 5 (coordination with MAFMC) – target completion one year after Amendment 5 implementation</p> <p>Prepare an amendment to consider river herring/shad as stocks in the fishery (TBD)</p>	<p>Completed</p> <p>Expect Completion</p> <p>Delayed</p> <p>Ongoing</p>
SBRM Amendment	<p>Continue SBRM Amendment w/NMFS lead (response to lawsuit) – expected completion June 2013</p>	Delayed; expect completion
Red Crab	*** Set specs for 2014 – 2016	Expect Completion
Habitat	<p>Continue Omnibus Habitat Amendment (expected implementation 2014)</p> <p>Continue Omnibus Deep-Sea Coral Amendment with range of alternatives already approved as part of the Omnibus EFH Amendment 2 process (as time and resources permit)</p>	<p>Ongoing</p> <p>Delayed</p>
RSC	Continue to steer research to support NEFMC plans.	Ongoing
SSC	Support SSC activities such as recommending ABC and making recommendations in the FMP development process.	Ongoing
Enforcement, Safety, VMS	Continue to support enforcement, safety and VMS issues.	Ongoing

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 Language is unchanged from approved 2013 priorities document

Priority Title	Status
Whiting/Skates	
Continue to prepare an Amendment for limited entry to the whiting fishery.	Delayed
*** Set specs for 2014 and 2015 pending stock assessment update (date in 2013 for assessment yet to be determined)(<i>Note: this item appears to be in error, specs not needed until 2015</i>)	Delayed
Prepare an amendment to consider limited access in the skate fishery.	Delayed
Vessel Baseline Amendment	
Prepare Amendment to respond to NRCC working group recommendations to simplify vessel baseline, upgrade, and replacement restrictions. [NMFS lead – Advance Notice of Proposed Rulemaking published on October 5, 2011]	Ongoing
Added Priorities	
ABC Risk Policy Workshop	Completed
EM Working Group	Ongoing
ABC Control Rule Working Group	Ongoing
Small-mesh species AMs for GB Yellowtail Flounder	Ongoing
Management Action Tiger Team	Expect Completion
M-S Act Reauthorization Comments	Ongoing

Other Not Approved

EBFM

Prepare Ecosystem Based Fisheries Management Plan. Phase I to establish Goals and Objectives and establish ecosystem production units throughout GOM, GB and SNE. Hold workshops to gather public input. This action will hopefully have a Categorical Exclusion (CE) from NEPA. (1 year)

Below the line priorities are in italics
 Language is unchanged from approved 2013 priorities document

	Priority Title	Status
	<i>Phase II: Prepare Amendment 1. Identify management and scientific requirements to implement EBFM. Establish Monkfish and skate complex as part of Multispecies Plan. Consider predation and competition and consider new reference points based on new modeling approaches for the new Multispecies complex. This action will have an EIS (2 years)</i>	
	<i>Phase III: Prepare Amendment 2. Implement Ecosystem Based Fisheries Management. Implement quota based management in all Ecosystem Production Units (EPU, i.e. GOM, GB and SNE). Allocate all fishery resources (9 current FMPs) to each EPU (new spatial management). Establish accumulation limits, transferability requirements, and permitting and monitoring requirements, etc. (identified in Phase II). This action will have an EIS. (3 years)</i>	
Hagfish	<i>Prepare new Hagfish FMP</i>	
Other: (Interspecies Type Actions)	<i>Develop a strategy including goals and objectives, issues and recommendations to improve monitoring in all FMPs.</i>	

20-Sep-13 **This worksheet identifies possible priorities or tasks for 2014. This list has not been prioritized by the Ex Comm.**
 Priorities from 2013 that were below the line are listed where considered appropriate.

Number	Priority/Task Title	Status	Multi_Year	Legal/Regulatory Requirement?	Source
	Groundfish				
1	Set specs for WFL, pollock stocks			Y	
2	Set specs for US/CA stocks for 2015			Y	
3	Continue to coordinate action on the Habitat Omnibus Amendment to include possible modifications of the Groundfish closed areas.	Ongoing	Y		
4	Continue Amendment 18 to consider fleet diversity and accumulation caps.	Ongoing	Y		
5	Develop alternative strategies for setting catch advice for stability in ACLs				NESC letter; Groundfish Committee
6	EM and Full Retention				Groundfish Committee
7	ACE Trading between scallop/groundfish fisheries				Groundfish Committee
8	Consider changes to spawning closures				June 2013 Council motion; Groundfish Committee
9	Consider trading of quota under US/CA Understanding/TMGC				June 2013 Council consensus
10	Cod Stock Structure Working Group	Ongoing	Y		Jan 2012 SSC report
	Operational Assessments/Updates				
	TRAC				
	Monkfish				
11	Continue Monkfish Amendment 6 for modifications to DAS program (including leasing) and catch shares (sectors and IFQs).	Ongoing	Y		
	Sea Scallops				
12	Prepare a framework to set FY 2015-2016 specifications (i.e. setting DAS, access area trips, Northern boundaries, etc).			Y	
13	Support and analyses for Habitat Omnibus Amendment in terms of potential impacts of new EFH measures on scallop fishery	Ongoing			
14	Modify scallop access areas to be consistent with O.A2 revised areas				
15 Staff	NMFS and PDT have new annual responsibilities related to estimating scallop and YT catch during the year (i.e. LA AM exception, re-evaluation of YT sub-ACL based on updated information).	Ongoing			
16 Staff	Staff and PDT participation on NEFSC peer review of sea scallop survey methods (Spring 2014)	Delayed			
17	Amendment 16 – Consideration of IFQs for the limited access scallop fishery Amendment 17 - Coordinate action with Groundfish Cte to develop strategies to manage YT flounder bycatch under the Scallop FMP including those strategies listed in Motion 13 from Sep 13, 2011 Scallop Cte meeting (For example, participation in GF sectors for LAGC fishery & re-designing the access area program etc. This action would focus on YT initially, but could be expanded to other bycatch species if needed). Measure to address 5% allocation versus % of actual catch for LAGC fishery (specifically expand current disclaimer to include LAGC fishery as well that allows catch above ACL if updated projection of F lower); Consider modifying the small dredge exemption program (See additional letter to Council). This issue has been raised before and does not appear to be widely supported by the industry, but additional correspondence has requested consideration again. Revise funding source for scallop observers		Y		2012 BTL
18					Sep 2011 Council motion
19					2012 BTL
20					Starvish letter
21					Gilbert letter
	Herring				

Enclosure (2)

Number	Priority/Task Title	Status	Multi_Year	Legal/Regulatory Requirement?	Source
22	Prepare an amendment to consider river herring/shad as stocks in the fishery (TBD)	Ongoing			
23	Action to address industry funded monitoring issues (Amendment 5 follow-up)	Ongoing			Amendment 5
24	Review ABC control rules				NERO letter
SBRM					
	No action planned				
Red Crab					
	No Action planned				
25	Consider allowing landing of female red crab and modify specs accordingly				Jon Williams email
Habitat					
26	Continue Omnibus Habitat Amendment (expected implementation 2015)	Ongoing	Y		
27	Continue Omnibus Deep-Sea Coral Amendment with range of alternatives already approved as part of the Omnibus EFH Amendment 2 process (as time and resources permit)	Delayed	Y		
RSC					
28	Continue to steer research to support NEFMC plans.	Ongoing			
SSC					
29	Support SSC activities such as recommending ABC and making recommendations in the FMP development process.	Ongoing		Y	
Enforcement, Safety, VMS					
30	Continue to support enforcement, safety and VMS issues.	Ongoing			
Whiting					
31	Set specs for 2015 through 2017 pending stock assessment update (date in 2014 for assessment yet to be determined)				
32	Prepare an Amendment for limited access/catch shares to the whiting fishery and other issues: groundfish AMs,			Y	
Skates					
33	Action to end overfishing on thorny, winter skates				
34	Skate monitoring report				
35	Task PDT to consider assigning skate species to other FMPs				
36	Prepare an amendment to consider limited access in the skate fishery			Y	
Vessel Baseline Amendment					
37	Prepare Amendment to respond to NRCC working group recommendations to simplify vessel baseline, upgrade, and replacement restrictions. [NMFS lead – Advance Notice of Proposed Rulemaking published on October 5, 2011]	Ongoing	Y		
EBFM					
38	Prepare Ecosystem Based Fisheries Management Plan. Phase I to establish Goals and Objectives and establish ecosystem production units throughout GOM, GB and SNE. Hold workshops to gather public input. This action will hopefully have a Categorical Exclusion (CE) from NEPA. (1 year)	Delayed			

Number	Priority/Task Title	Status	Multi_Year	Legal/Regulatory Requirement?	Source
39	Hagfish Prepare new Hagfish FMP				
40	Other: (Interspecies Type Actions) Develop a strategy including goals and objectives, issues and recommendations to improve monitoring in all FMPs.	Ongoing			April 2013 Council consensus
41	ABCCRWG	Ongoing			April 2013 Council motion
42	EM Working Group	Ongoing			NRCC
43	Fishery dependent data, industry funded monitoring projects	Ongoing	Y		
44	NRCC SAW Working Group Participation	Ongoing			
45	Staff	Ongoing	Y		
46	NEFSC Assessment Models Review	Ongoing			
47	TMGC/TRAC/Steering Committee	Ongoing			
48	Protected Species issues	Ongoing			
49	Review/revise priority setting process	Ongoing			Executive Committee
50	Climate Change Workshop with ASMFC and MAFMC	Ongoing			Executive Committee
51	Omnibus Industry Funded Monitoring Amendment Collaborative Research Project				

Phase II: Prepare Amendment 1. Identify management and scientific requirements to implement EBFM. Establish Monkfish and skate complex as part of Multispecies Plan. Consider predation and competition and consider new reference points based on new modeling approaches for the new Multispecies complex. This action will have an EIS (2 years)

Phase III: Prepare Amendment 2. Implement Ecosystem Based Fisheries Management. Implement quota based management in all Ecosystem Production Units (EPU, i.e. GOM, GB and SNE). Allocate all fishery resources (9 current FMPs) to each EPU (new spatial management). Establish accumulation limits, transferability requirements, and permitting and monitoring requirements, etc. (identified in Phase II). This action will have an EIS. (3 years)

Enclosure (3)

**This page groups tasks into actions and starts to put a calendar together.
F= final action; PH= Public Hearing; A = assessment; S=Submission
Underlined text is a regulatory requirement**

20-Sep-13

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr

Priority Title

Groundfish

Framework Adjustment:

Set specs for US/CA stocks for 2015

Set specs for WFL stocks and pollock

Consider changes to spawning closures

Coordinate action on the Habitat Omnibus Amendment to include possible modifications of the Groundfish closed areas.

Continue Amendment 18 to consider fleet diversity and accumulation caps.

Amendment

Consider trading of quota under US/CA Understanding/TMGC

Cod Stock Structure Working Group

Develop alternative strategies for setting catch advice for stability in ACLs

EM and Full Retention

Amendment

Consider trading ACE between scallop/groundfish fisheries

Monkfish

Amendment 6

Modifications to DAS program (including leasing) and catch shares (sectors and IFQs).

Sea Scallops

Framework Adjustment

Set FY 2015-2016 specifications (i.e. setting DAS, access area trips, Northern GOM TAC, limited access general category IFQ allocations, modification of scallop access area boundaries, etc.).

Framework Adjustment

Modify access area program to be consistent with OA2 revised habitat areas

Support Habitat Omnibus Amendment in terms of potential impacts of new EFH measures on scallop fishery and coordination with habitat process concerning future scallop access areas

NMFS and PDT have new annual responsibilities related to estimating scallop and YT catch during the year (i.e. LA AM exception, re-evaluation of YT sub-ACL based on updated information).

Staff and PDT participation on NEFSC peer review of sea scallop survey methods (Spring 2014)

F

S

A

F

S

F

F

20-Sep-13

Priority Title

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr

Amendment 16 – Consideration of IFQs for the limited access scallop fishery
 Amendment 17 - Added at September 2011 Council meeting by motion:
 Coordinate action with Groundfish Cte to develop strategies to manage YT flounder bycatch under the Scallop FMP including those strategies listed in Motion 13 from Sep 13, 2011 Scallop Cte meeting (For example, participation in GF sectors for LAGC fishery & re-designing the access area program etc. This action would focus on YT initially, but could be expanded to other bycatch species if needed).
 Measure to address 5% allocation versus % of actual catch for LAGC fishery (specifically expand current disclaimer to include LAGC fishery as well that allows catch above ACL if updated projection of F lower).
 Consider modifying the small dredge exemption program (See additional letter to Council). This issue has been raised before and does not appear to be widely supported by the industry, but additional correspondence has requested consideration again.

Herring

Amendment/Framework
 Industry funded monitoring. Amendment 5 follow-up Amendment
 Consider river herring/shad as stocks in the fishery Framework
 Consider revisions to ABC control rules

SBRM

No action planned

Red Crab

Consider allowing landing of female red crab and modify specs accordingly

Habitat

Omnibus Habitat Amendment (expected implementation 2015)
 Omnibus Deep-Sea Coral Amendment
 Range of alternatives already approved as part of the Omnibus EFH Amendment 2 process

RSC

Continue to steer research to support NEFMC plans.

SSC

Support SSC activities such as recommending ABC and making recommendations in the FMP development process.

PH PH F

F

Enforcement, Safety, VMS

Continue to support enforcement, safety and VMS issues.

Whiting

Specifications/framework

Specs for 2015 through 2017 pending stock assessment update (date in 2014 for assessment vet to be determined)

AMs for GB YTF

Amendment

Limited access/catch shares for the whiting fishery and other issues

F

Skates

Framework

End overfishing on thorny and winter skates

Assessment/status determination criteria review

Skate monitoring report

Amendment

To consider limited access in the skate fishery.

F

F

Vessel Baseline Amendment

Amendment

Simplify vessel baseline, upgrade, and replacement restrictions.

[NMFS lead – Advance Notice of Proposed Rulemaking published on October 5, 2011]

F

EBFM

Prepare Ecosystem Based Fisheries Management Plan.

Phase I to establish Goals and Objectives and establish ecosystem production units throughout GOM, GB and SNE.

Hold workshops to gather public input.

This action may have a Categorical Exclusion (CE) from NEPA. (1 year)

Phase II: Prepare Amendment 1. Identify management and scientific

requirements to implement EBFM. Establish Monkfish and skate complex as part of Multispecies Plan. Consider predation and competition and consider new reference points based on new modeling approaches for the new Multispecies complex. This action will have an EIS (2 years)

Phase III: Prepare Amendment 2. Implement Ecosystem Based Fisheries

Management. Implement quota based management in all Ecosystem Production

Units (EPU, i.e. GOM, GB and SNE). Allocate all fishery resources (9 current

FMPs) to each EPU (new spatial management). Establish accumulation limits,

transferability requirements, and permitting and monitoring requirements, etc.

(identified in Phase II). This action will have an EIS. (3 years)

20-Sep-13

Priority Title

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr

Hagfish

Prepare new Hagfish FMP

Other: (Interspecies-Type Actions)

Develop a strategy including goals and objectives, issues and recommendations to improve monitoring in all FMPs.

ABCCRWG

EM Working Group

Fishery dependent data, industry funded monitoring projects

NRCC

NEFSC Assessment Models Review

TMGC/TRAC/Steering Committee

Review/revise priority setting process

Climate Change Workshop with ASMFC and MAFMC

Omnibus Industry Funded Monitoring Amendment (NMFS Lead)

Collaborative Research

F

M

M

M

M

A

M

M