



# Council Report

*An update published by the New England Fishery Management Council – February 2011*

**The Council Report summarizes major issues voted on or discussed at each regularly scheduled NEFMC meeting. The Council met most recently on January 25-27, 2011 in Portsmouth, NH.**

At its January meeting, the Council addressed issues related to skates, herring, groundfish, scallops and monkfish. The Council also heard presentations on a range of important issues: ecosystem-based fisheries management; an ocean observatory initiative proposed for offshore Southern New England; the findings of the November 2010 SAW/SARC meetings on Loligo, as well as silver, red and offshore hakes; and a review of bluefin tuna and swordfish management issues discussed at the recent ICCAT meeting.

## Skates

**Framework Adjustment 1 Moves on to NMFS** By a near unanimous vote, the Council agreed to new skate rules beginning on May 1, 2011. The measures include a split season for the skate wing possession limit in which the current 500 pound incidental limit would be increased to 2,600 pounds from May 1 to August 31, and then to 4,100 pounds beginning on September 1. After that date and once a “trigger” of 85 percent of the total allowable landings is reached, the possession limit would decline to a 1,250 pound “incidental” limit on skate wings, instead of this year’s 500 pound limit.

The stepwise approach to the reductions is intended to promote continued fishing and processing activities without exceeding the specified total allowable landings. The new measures also may help reduce discards and postpone the most intense skate fishing until the time of year when skate prices historically peak.

Based on input from both industry and technical groups, other alternatives to the action adopted may have resulted in derby-style fishing, a lengthier directed fishery closure and higher skate discarding than would occur under the Council-adopted measures. The National Marine Fisheries Service, acting on behalf of the Secretary of Commerce, is responsible for final approval of federal fishery measures.

## Herring

### **Haddock Catch Cap Alternatives Approved**

The Council formally initiated Framework Adjustment 46 to the Groundfish Plan to address issues related to the development of a haddock bycatch cap for the herring fishery. The following objectives were approved by the Council: to maximize the chance of catching the Georges Bank (Area 3) herring TAC; to provide incentives to fish offshore; provide incentives to fish in a manner and at times and in areas when and where haddock bycatch is none to low; and to reduce the impact of a haddock cap on the entire herring fishery. Several general measures were approved at the meeting, in addition to the required “no action” alternative (keep the current .2 percent catch cap and associated measures):

- Haddock caps for each haddock stock area, set at one percent of the Gulf of Maine or Georges Bank haddock ABC, with catches estimated from observer sampling expanded to total catch;
- Incorporate herring fishery haddock catches into the “other sub-components” of the ACL; and
- Use the existing cap amount and monitoring capabilities, but apply the cap separately to each stock area and make adjustments based on observer coverage.

Details of the framework will be developed over the next two months with a final vote planned for the April 26-28 Council meeting in Mystic, CT. The goal is implementation late this year, versus next year, and particularly by September and October, when interactions with haddock on Georges Bank are most likely to occur.

**Herring Amendment 5 Alternatives Approved for EIS** The Council approved a range of alternatives to be considered and analyzed in the Draft Environmental Impact Statement (EIS) associated with Amendment 5 to the Atlantic Herring FMP. The alternatives focus on establishing a comprehensive catch monitoring program for the herring fishery and implementing management measures to address river herring bycatch and midwater trawl vessel access to groundfish closed areas.

The most significant changes to any previous versions of the Amendment 5 alternatives under consideration include elimination of a federal portside sampling program and the addition of a requirement for herring dealers to weigh all of their fish. The details of this requirement as well as the other alternatives under consideration will be fleshed out during the development of the Draft EIS.

Measures to address river herring bycatch and midwater trawl access to groundfish closed areas were further refined and also will be included Amendment 5. The Council approved a range of options to establish a river herring "catch trigger" in the fishery, which may be used to signal the imposition of additional management measures such as increased observer coverage or seasonal area closures. Similar to the measures described above, more details will be discussed during the development of the Draft EIS.

The Council is scheduled to receive an update on Amendment 5 at its June 2011 meeting and hopes to approve the Draft EIS for public review at its September 2011 meeting. If this timeline is met, public hearings will occur late in 2011, with final decisions planned for the first Council meeting in 2012.

## Groundfish

**State Permit Bank Amendment Approved** In addition to Framework Adjustment 46 concerning haddock and the herring fishery, the Council addressed other significant groundfish issues in January. First, following discussion and action taken at the November Council meeting, the Council approved a draft state permit bank amendment for public review. The intent is to revise a number of administrative requirements so that state permit banks can operate in an efficient manner. The Council expects to make a final decision on this action at its April Council meeting. The public should note that the review period will not include dedicated public hearings.

**Contents of White Paper on Accumulation Limits and Fleet Diversity Specified** Two actions were approved during a wide-ranging discussion about an amendment to address accumulation limits and fleet diversity in the groundfish fishery. First, the staff was directed to further develop a draft white paper on the two issues. Additionally, they were asked to investigate the extent to which the groundfish fleet has consolidated and fishing privileges accumulated by individual permit holders. A study of the social and economic impacts of permit banks also will be included. Much of this analysis will commence after fishing year 2010 ends so that information about sector operations over the course of a full year is available for the paper. While informal scoping for the amendment is now occurring, the Council will continue its efforts after the requested report is received.

**Control Date for Accumulations Limits Approved** Second, the Council asked the National Marine Fisheries Service to publish a control date that would establish accumulation limits in the groundfish fishery as soon as possible. This means that if the Council chooses to establish accumulation limits in the future, permits acquired after the control date may be

treated differently than permits acquired before the control date. Publishing a control date does not prevent the Council from imposing limits on permits acquired before the control date nor does it obligate the Council to take any action. The control date notice will contain additional important details and will be distributed by the staff once it is published.

**Groundfish and Habitat Closures Discussed** The Council discussed coordinating a review of the mortality closures in the Groundfish Plan. The lengthy conversations were prompted by possible changes to the habitat closures being considered in the Council's Omnibus Habitat Amendment. No action was taken but the issue will be considered further considered at the April Council meeting.

**MFI Report Sent to the SSC** The Council voted to send the Massachusetts Marine Fisheries Institute "Report on Scientific and Economic Information that Supports Increases in Multispecies Groundfish Annual Catch Limits" to its Science and Statistical Committee for a review.

**Additional Groundfish Notes** NMFS advised that the Transboundary Management Guidance Committee will hold a conference call on February 9, 2011 to consider adjusting the fishing year 2011 total allowable catch for Georges Bank yellowtail flounder. An adjustment is possible due to recent legal changes.

### **Scallops**

**Framework 23 Initiated** The Council initiated Framework 23 to its Sea Scallop FMP. It will address alternatives that were previously identified during the Council's priority-setting discussion at the November 2010 Council meeting. They are: a potential requirement for a turtle excluder dredge, revisions to the yellowtail flounder accountability measures (AMs) proposed in Amendment 15, and possible modifications to the limited access general category management program for the

Northern Gulf of Maine Area. Based on input from the public, Framework 23 also may include measures to modify the current vessel monitoring system regulations to improve scallop fleet operations, for example, how days-at-sea are charged and how a vessel declares into the fishery.

Final action is expected in September 2011, with implementation before March 1, 2012. After completion of Framework 23, the Council will begin working on Amendment 16 to the Scallop FMP, which will potentially consider IFQs for the limited access scallop fishery.

### **Monkfish**

**Framework 7 Approved** The Council approved final measures for inclusion in Framework Adjustment 7 to the Monkfish Plan in January. If approved by NMFS, the action will include revised biomass reference points and a Northern Management Area (NMA) Annual Catch Target (ACT), as well as the associated days-at-sea and trip limits for the 2011-2013 fishing years. This action is primarily needed because the NMA ACT proposed in Amendment 5 is above the updated Allowable Biological Catch recommended by the Scientific and Statistical Committee. The Mid-Atlantic Council will take final action on Framework 7 at its February 8-10 meeting.

### **Materials on the Web**

#### **More Information About the January Meeting**

Materials related to the above issues and PowerPoint presentations that accompanied the briefings presented to the Council in January are located on the Council's website [www.nefmc.org](http://www.nefmc.org). Audio files of the full meeting discussions as well as the meeting motions are posted at <http://www.nefmc.org/actions/index.html>.

#### **Next Council Meeting**

**April 26-28, 2011, Hilton Hotel, Mystic, CT**