



New England Fishery Management Council

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Council Discusses Offshore Wind, Clam Dredge FW, Skates, Groundfish, Herring, IFM, and More at Mid-April Meeting

The New England Fishery Management Council met April 17-19 in Mystic, CT and discussed a wide range of issues that touched on everything from industry-funded monitoring to whether or not river herring and shad should be considered as stocks in the Atlantic herring fishery. In several cases, the Council directed its species committees to conduct additional analyses for further consideration before taking action.

The Council received an overview of offshore wind energy initiatives in the Atlantic region. The federal Bureau of Ocean Energy Management (BOEM) is collecting public comment on several projects. Since the comment periods end before the Council meets again June 12-14, 2018 in Portland, ME, the Council authorized its Habitat Committee and staff to draft comment letters for the following solicitations:

- **Vineyard Wind** – BOEM has issued a notice of intent to prepare an Environmental Impact Statement;
- **New York Bight** – BOEM has issued a “call for information.” The Council’s letter, among other things, will include an analysis of fisheries active in the call areas;
- **Massachusetts Areas** – BOEM has issued a proposed sale notice for additional lease areas off Massachusetts. Within its comments, the Council will express its position that, if granted, any lease provisions should require developers to have a Fishery Communication Plan and Fisheries Liaison; and
- **Path Forward** – BOEM is collecting comments on a proposed “path forward for offshore wind leasing.” In addition to providing specific suggestions, the Council will request a 90-day extension to the comment deadline, which at present is May 21.



BOEM representatives Brian Hooker, left, Isis Farmer, and Luke Feinberg held an April 17-18 Open House in Mystic, CT in conjunction with the New England Council meeting, which was occurring across the hall. Council meeting attendees had the opportunity to stroll through the Open House, ask questions, and provide comments on proposed offshore wind projects in the Atlantic region. – NEMFC photo



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The Council also will request an extension to the comment periods for the Vineyard Wind, New York Bight, and Massachusetts lease area notices.

Once finalized, the comment letters for all of these projects will be available on the Council’s website at: <https://www.nefmc.org/library/nefmc-comments-to-federal-agencies>.

Clam Dredge Framework

The Council is working on a Clam Dredge Framework to consider whether to allow continued use of hydraulic clam dredges in the new Great South Channel Habitat Management Area. The area was implemented April 9 as part of the Council’s Omnibus Essential Fish Habitat Amendment 2 with a one-year exemption for hydraulic clam dredges in all but the northeast corner. This exemption expires April 9, 2019. The Council directed its Habitat Committee to consider three alternatives among its range of proposals:

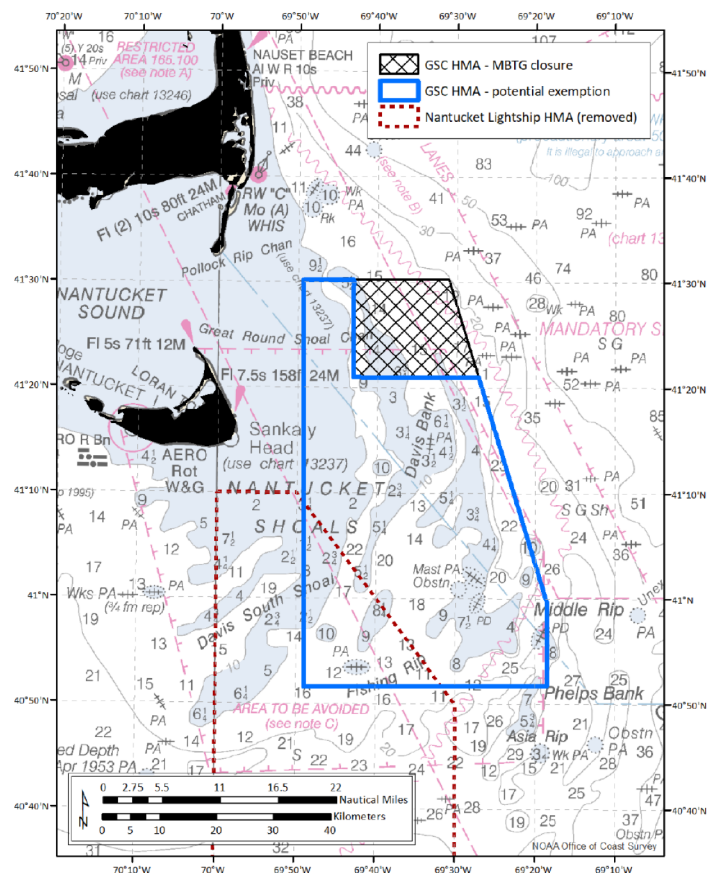
- (1) no action, meaning the entire Great South Channel area would be closed to hydraulic dredges, similar to all other mobile bottom-tending gear types, after April 9, 2019;
- (2) opening all but the northeast corner to continued use of hydraulic dredges; and
- (3) closing three specific sub-areas within the overall area as proposed by Habitat Advisory Panel members.

In addition, the Council directed its Habitat Committee to consider a potential exemption for mussel dredges within the list of measures being developed for the framework. The Council intends to select the full range of alternatives for further analysis at its June meeting.

Skate Wing Fishery

The Council reviewed Framework Adjustment 6 to the Northeast Skate Complex Fishery Management Plan, which is being developed to prolong the length of the skate wing fishery within allowable catch limits.

The Council approved one action for the framework – reducing the “uncertainty buffer” from 25% to 10% – since the fishery recently has not exceeded landing targets.



Great South Channel Habitat Management Area. The Council is considering a long-term exemption for hydraulic dredges in the portion outlined in blue. – NEFMC graphic



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In turn, a reduction in the uncertainty buffer will increase the amount of total allowable landings available to both the skate wing and skate bait fisheries. The Council then tasked its Skate Committee with developing additional alternatives to consider seasonal catch triggers and associated possession limit reductions to minimize the likelihood of premature closures. The Council will revisit the framework at its June meeting and potentially take final action.

Northeast Multispecies - Groundfish

The Council received a progress report on Groundfish Monitoring Amendment 23, which is being developed to improve reliability and accountability of catch reporting in the groundfish fishery and to “ensure a precise and accurate representation of catch,” including both landings and discards. The Council may approve the range of alternatives for further analysis at its June meeting.

The Council also received a short update on its new Fishery Data for Stock Assessment Working Group, which was formed following the January meeting as a vehicle for discussing how fishery dependent data can be used to “inform stock abundance.” The following members were named to serve on the working group, which will meet for the first time on April 26:

- **Science/management/academia:** Steve Cadrin (chair), Rich Bell, Chad Demarest, Robin Frede, Mark Gibson, Emily Keiley, Brian Linton, JJ Maguire, and Paul Rago
- **Industry:** Chris Brown and Vito Giacalone



Weighing the catch. – Portland Fish Exchange photo

Sector Operations Plans

In other groundfish-related business, staff from the National Marine Fisheries Service (NMFS, NOAA Fisheries) Greater Atlantic Regional Fisheries Office (GARFO) consulted with the Council on a new “lease only” operations plan submitted by Northeast Fishery Sector IX for fishing years 2017 and 2018. GARFO’s regional administrator withdrew approval of Sector IX’s previous plan on November 20, 2017 due to violations and overages of sector quota by Carlos Rafael-affiliated vessels. NMFS also presented the Council with a proposed amendment to Northeast Fishery Sector VII’s operations plan and information about numerous sector roster changes between Sectors VII, VIII, and IX.

In response to the consultation, the Council voted 7-5-5 to recommend that NOAA Fisheries:

- “Authorize the fishing year 2017 and 2018 Sector IX “lease only” operations plan with the condition that all overages attributable to the known misreporting are repaid in full”; and



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- “Following the full repayment of the Sector IX overages, authorize the fishing year 2018 sector sub-annual catch limit associated with permits now enrolled in Sector VII by working with the sector to ensure that the fishing year 2018 Sector VII operations plan and associated conditions are fully implemented. These vessels (ones with Carlos Rafael ownership interests) will remain inactive except for trading purposes until they are sold.”

All documents related to the sector discussion and NOAA Fisheries’ consultation with the Council are available at <https://www.nefmc.org/library/april-2018-northeast-fishery-sector-nefs-ix>.

Atlantic Herring – River Herring/Shad

The Council spent a considerable amount of time discussing whether or not two species of river herring and two species of shad should be included as “stocks” in the Atlantic Herring Fishery Management Plan (FMP). Back in 2015, the Council decided *not* to include them in the FMP but agreed to revisit the issue in three years.

In January, the Council engaged the services of Dr. Erika Zollett and Jill Swasey to revise a white paper called *“Adding River Herring and Shad as Stocks in the Atlantic Herring Fishery: Updated Information and*

Discussion of Management and Legal Considerations.” The Council was presented with the results of this work during its April meeting and, after asking several questions, decided to task its Herring Committee with thoroughly debating the “stocks in the herring fishery” issue and developing a recommendation for full Council consideration at the June meeting.

The Council also voted to support actions by the Mid-Atlantic Council for 2018 and for the longer term to modify the Atlantic mackerel possession limit to somewhere between 5,000 pounds and 10,000 pounds instead of zero when the domestic annual harvest for mackerel is projected to be harvested. Herring vessels often encounter mackerel, so mackerel-related actions have impacts on the herring fishery. The Council also asked NMFS to clarify the definition of “possess” in the mackerel fishery and remove the reference to “take,” which has different implications.

Omnibus Industry-Funded Monitoring Amendment

In a separate action related to the Omnibus Industry-Funded Monitoring (IFM) Amendment, the Council voted to support the use of electronic monitoring (EM), coupled with portside sampling, as an adequate substitute for at-sea monitors aboard Atlantic herring midwater trawl vessels. The Council also supported



Atlantic herring. – Meghan Lapp photo



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NMFS's proposal to use exempted fishing permits (EFPs) to initially administer the EM/portside sampling program given that total costs for this type of monitoring coverage will not be reasonably known until the program is fully implemented and operational.

The Council took these steps after receiving NMFS's final report on a project that tested EM on midwater trawl vessels. The study found that the cameras operated successfully on 97% of the footage, and video quality was "excellent" or "good" on 77% of the footage. Only 8% of the footage was rated "poor" due to low light, water drops on lens, snow, glare, or condensation, yet even the "poor" footage still was determined to be sufficient for video review. As such, the Electronic Monitoring Review Panel determined that EM was suitable for detecting discard events in the herring midwater trawl fishery, and NMFS subsequently recommended that the Council approve EM/portside sampling as an option for the herring midwater trawl fishery.

The Council took final action on the Omnibus IFM Amendment in April 2017. The amendment: (1) establishes a streamlined process for developing *future* FMP-specific industry-funded monitoring programs without impacting programs already in place; and (2) contains monitoring measures that apply to Atlantic herring Category A and B vessels. The New England Council's provisions are expected to be implemented this fall. The Mid-Atlantic Council deferred action on the amendment but intends to revisit it later this year.



The New England Council paid tribute to two retiring Council members – Mark Alexander of Connecticut, left, who served on the Council for 10 years, and Mark Gibson of Rhode Island, who served for 14 years. Council Chairman Dr. John Quinn made special note of Alexander's extensive contributions to research steering and ocean planning and Gibson's staunch support of science-based management while considering stakeholder needs. – NEFMC photos



Over the course of its three-day meeting, the Council also received:

- The Council Program Review Panel's recommendations for how the Council can improve its operations – next steps will be discussed in June;
- A NMFS presentation on the agency's Draft Procedural Directive for EM cost allocations in fishery programs proposing or using electronic monitoring; and
- Numerous other presentations about, among others: the 2018 Saltwater Recreational Fisheries Summit; the Atlantic Large Whale Take Reduction Team's recent meetings; NMFS's proposals to rebuild North Atlantic shortfin mako sharks; and the status of the Northeast Continental Shelf ecosystem.

All documents and presentations used during the Council's April 17-19, 2018 meeting are available at <https://www.nefmc.org/calendar/april-2018-council-meeting>.

The Council issued two other news releases from its April meeting – one for Atlantic sea scallops and another to announce the 2018 Award for Excellence presentation to Dr. Bill DuPaul. These are available respectively at:

- <http://s3.amazonaws.com/nefmc.org/NEFMC-Streamlines-Scallop-Specs-Process-Ranks-Priorities.pdf>.
- <http://s3.amazonaws.com/nefmc.org/NEFMC-Presents-2018-Award-to-Dr.-Bill-DuPaul.pdf>.