



New England Fishery Management Council

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MEETING SUMMARY

Groundfish Committee

DoubleTree by Hilton, Danvers, MA

February 26, 2019

The Groundfish Committee (Committee) met on February 26, 2019 in Danvers, MA to discuss and make recommendations on: 1) recreational measures for fishing year 2019 for Gulf of Maine cod, Gulf of Maine haddock, and Georges Bank cod; 2) recreational data; 3) planning for public listening sessions for a possible limited access program for the recreational groundfish party and charter fishery; 4) Council priorities for 2019; and 5) other business as necessary.

MEETING ATTENDANCE: Terry Stockwell (Chair), Terry Alexander (Vice Chair), Rick Bellavance, Libby Etrie, Mark Godfroy, Peter Kendall, Meredith Mendelson (proxy for Patrick Keliher), John Pappalardo, and Melanie Griffin (proxy for David Pierce); Dr. Jamie Cournane and Robin Frede (New England Fishery Management Council (NEFMC) staff); and Scott Steinback (Northeast Fisheries Science Center (NEFSC)). In addition, 8 members of the public attended, including Mark Grant, Moira Kelly, Liz Sullivan (GARFO), and Captain King (U.S. Coast Guard).

SUPPORTING DOCUMENTATION: Discussions were aided by the following documents and presentations: (1) Meeting memorandum and agenda dated February 8, 2019; (2) Presentation: Council staff; (3a) Recreational measures for fishing year 2019, NEFSC staff - Presentation; (3b) Discussion document with tables and figures; (4) Draft background document for public listening sessions for a possible limited access program for the recreational party/charter fishery; (5a) Recreational Advisory Panel meeting summary, Oct. 29, 2018; (5b) Groundfish Plan Development Team draft meeting summary, Feb. 13, 2019; (5c) Recreational Advisory Panel meeting motions, Feb. 22, 2019; (5d) Groundfish Plan Development Team draft meeting summary, Dec. 19, 2018 – *not available for the meeting*; (5e) Groundfish Committee meeting summary, Jan. 15, 2019; and (6) Correspondence.

The meeting began at approximately 9:05 a.m.

KEY OUTCOMES:

- The Committee recommends to the Council, for fishing year 2019 management measures, for Georges Bank cod: a 21 in minimum fish size and a 10 fish bag limit.
- The Committee recommends to the Council, for fishing year 2019 management measures:
 - Gulf of Maine haddock: a 17 in minimum fish size, a 15 fish bag limit, and an open season of May 1 to February 28 then open again April 15 to April 30 (i.e., a closed season March 1 to April 14), and
 - Gulf of Maine cod: a 21 in minimum fish size, a 1 fish bag limit, and an open season of September 15 to September 30 and then open again April 15 to April 30 (i.e., a closed season May 1 to September 14 and then closed again October 1 to April 14).

OTHER BUSINESS:

One Committee member asked to bring up under Other Business a discussion on the Endangered Species Act (ESA) Section 7 consultation on right whales.

RAP REPORT, MR. BLOUNT

Mr. Blount provided an overview of the RAP's discussion on the options presented to them for 2019 recreational measures for Gulf of Maine (GOM) cod, GOM haddock, and Georges Bank (GB) cod. He noted that this is the first time all model runs for GOM cod and GOM haddock measures had a 100 percent prediction of staying under the sub-ACLs, but noted that the RAP was cautioned on the uncertainty with the model this year given the Marine Recreational Information Program (MRIP) estimate conversions. Mr. Blount then walked through the RAP motions on GOM cod and GOM haddock, and on GB cod.

Questions and Comments on the Presentation:

One Committee member asked if there was any discussion on proposing a 16" size limit for haddock, which is the commercial size limit. Mr. Blount said there was no discussion on a 16" haddock size, and that the discussion centered on concerns about a 15" size limit and the potential for anglers selecting for larger haddock and increasing discards of smaller haddock. Additionally, Mr. Blount explained that the RAP discussed haddock discard mortality rates which differ throughout the year and by size class, and whether this could allow for different size limits for the spring and fall. Ms. Kelly asked whether there is any biological basis for a 15" vs 16" size limit. Staff explained that 15" is below the L50 and that the Groundfish Plan Development Team (PDT) had some discussion of this, noting that size selectivity changes would need to be incorporated in future assessments if the fishery is selecting smaller fish. Mr. Stockwell added that there was also discussion of what the state of Massachusetts would do with a proposed one cod possession limit and whether it would match its measures to the Federal measures.

PRESENTATION: RECREATIONAL MEASURES FOR GULF OF MAINE COD AND HADDOCK AND GEORGES BANK COD, MR. STEINBACK

2018 recreational catch and effort data for GOM cod and GOM haddock:

Mr. Steinback provided an overview of recreational fishery catch and effort data for GOM cod and GOM haddock for fishing year 2017 and preliminary fishing year 2018, explaining that the MRIP estimates are converted back to the "old" estimates.

Highlights from the data summary are as follows:

- Effort and catch were lower than predicted – in part due to Massachusetts state closure for cod
- Catch estimates by mode – charter boats seem to have found a way to target haddock while avoiding cod, cod catch declined for all modes; haddock catch increased for head boats but declined for the other two modes
- Cod and haddock catch frequencies – most trips caught only 1 cod, a few caught 2, drops off sharply after that; for haddock much wider distribution, bump up at 8 haddock
- Cod and haddock size frequencies – a third of cod catch are fish ≥ 18 ”; a third of haddock catch ≥ 17 ” (current min fish size), most in 15” range

Questions and Comments on the Presentation:

One Committee member asked if there was any data from wave 6. Mr. Steinback explained there is almost no catch data from wave 6, but there is some effort data. The Committee member asked if there was a particular wave in which the effort declined a lot, wondering if anglers are targeting other species during those times or if perhaps bad weather led to lower effort. Mr. Steinback said it was not immediately clear in the data. Another Committee member asked what species private anglers are targeting when they are not targeting GOM cod and haddock. Mr. Steinback said he will have to look into it further but thinks some anglers may be targeting striped bass as well. In response to a question on party/charter fishery reporting requirements, Mr. Steinback explained that the party boats take on board interceptors while charter boats are intercepted at the dock, and that MRIP is used for catch estimates. He also explained that while logbooks are required for party/charter permits and MRIP includes effort estimates from logbooks, logbook catch data is not incorporated in MRIP estimates.

Mr. Blount noted that two years ago the state of Rhode Island required boats carrying more than 6 passengers to move over to the head boat mode, and asked if this changed the number of trips per mode. Mr. Steinback could not definitively answer, but said MRIP is supposed to incorporate any changes such as this in its monthly updates. One Committee member said that as a commercial fisherman he is seeing a lot of 16-17” haddock out there.

Bioeconomic model and 2019 options for recreational measures for GOM cod and GOM haddock:

Mr. Steinback next provided an overview of the bioeconomic model used to evaluate potential recreational measures, including the history of its use and accuracy of the model predictions compared to MRIP estimates for each year. He emphasized that the 2019 model data is very uncertain, explaining that while they are always faced with the problem of only having May-October data and using the previous year’s data as a proxy for November-December and March-April, this year there are new additional uncertainties with the MRIP calibration to “old” data currency, and with the projections being three years removed from terminal model year, with a new assessment to occur this year.

Mr. Steinback then provided the options for recreational measures for 2019 for GOM cod and GOM haddock – six options including the status quo, plus two additional options the RAP requested to run. Starting with the status quo measures, he explained that the model run for this year predicts higher haddock mortality than with the same measures last year, due to an increase in haddock size, and predicts lower cod mortality because anglers are encountering smaller cod as in the projections. Mr. Steinback explained that all options show a 100 percent chance of staying under sub-ACL, and explained that simulations were run 100 times, and that depending on whether the distributions are correct, there is some uncertainty. Mr. Steinback explained two additional RAP options – with haddock now open year round (vs. closed in March and the first half of April) and cod open in August and April with two different size

options (19" and 21"). He said the angler trips for these options increase a lot because of opening March/April to haddock, but there is not much change in cod because of the low encounter rates.

Questions and Comments on the Presentation:

One Committee member asked about the decline in cod mortality with the same status quo measures run this year and whether this is due to the size of the cod encountered. Mr. Steinback explained that it was due to both the weight of cod being lower plus lower effort this year. The Committee member also asked if in the model it would be possible to average effort over several years because of the changes in effort each year. Mr. Steinback said it's possible but could create new issues, and might work better for some years than others. Another Committee member asked about the uncertainty in the RAP model run options in which the April haddock catch appeared lower. Mr. Steinback explained that it's very difficult to estimate because the model must use catch in the second half of April as an estimate for the first half of April since that was closed last year for haddock, which is the same for March as well, and said that it's difficult to know whether the effort would stay low since the fishery hasn't been open then and that this run makes a lots of assumptions

2018 catch and effort data for GB cod:

Mr. Steinback provided an overview of the recreational fishery catch and effort data for GB cod for fishing year 2017 and preliminary fishing year 2018.

Highlights from the data summary are as follows:

- GB cod trips declined from 2017, while catch increased slightly
- Catch frequencies – 60% of trips in MRIP caught 1 cod, only seven trips encountered 9 cod, not a single trip was restricted by the 10 fish limit
- Size frequencies – a lot of fish under 23", also some much larger >28", lots of uncertainty with very few observations
- Intercepted trips – only 100 trips encountered cod, 100 measured kept fish plus imputed length, only 30 released lengths plus some imputed
- PSEs – over 50% (MRIP threshold) for some GOM cod data, but these are for harvested fish with very few observations

Questions and Comments on the Presentation:

One Committee member referred to the large year class of two-year old fish and asked whether that is GOM cod or GB cod as well, and asked how big these two-year old cod are. Mr. Steinback explained that the large year class is for GOM, and that he hasn't looked at this for GB, and said these two-year old cod are 9-10" up to 16". Another Committee member asked whether it is reasonable to assume that all these two-year old fish will be 18-19" next year. Mr. Steinback said it's possible but cautioned not to read too much into the length/age projections because the sample size is very small. One Committee member asked if the model could look at what impact lowering the size limit to 19" would have on mortality. Mr. Steinback said that this cannot be done for GB cod because there is no model, and that this data should be used as a guide. Staff also noted the catch target of 138mt for 2019 set by the Council.

AGENDA ITEM #1: RECREATIONAL MEASURES FOR FISHING YEAR 2019 FOR GULF OF MAINE COD, GULF OF MAINE HADDOCK, AND GEORGES BANK COD

Staff emphasized that the process for developing recreational measures was different this year due to the Federal government shutdown resulting in delays in receiving the recreational data, and explained that

this was the first time in awhile the PDT had the opportunity to discuss the recreational data in depth. Staff noted that the PDT discussed other data to bring and the issues of uncertainty, and focused on concerns with the projections and uncertainty with these, and also recruitment.

Motion #1: Bellavance/Godfroy

The Groundfish Committee recommends to the Council, for fishing year 2019 management measures, for Georges Bank cod: a 19 in minimum fish size and a 10 fish bag limit.

Discussion on the Motion: Staff noted that any current measures remain in place until changed, and noted that this is the last year of the GB cod catch target and so the Council does not anticipate having a discussion of this next year unless it is brought up under a future action. One Committee member said he could not support this motion for that reason, and because recreational GB cod is data poor, and said he is not sure this resource can take more mortality, noting that most 19” fish haven’t spawned yet and so this would be too risky. In response to a question for another Committee member, staff explained that the commercial size limit for GB cod is 19” and is evaluated as the L50 which is done for all commercial size limits, noting that the evaluation has not been done for recreational data. Another Committee member was uncomfortable comparing the recreational fishery to the commercial fishery and pointed out there are mesh size requirements for the commercial fishery as well. Staff clarified that there are recreational gear requirements as well and these measures are tuned to each fishery. Staff also explained that a few years ago the recreational GB cod fishery had no limit on the party/charter mode and a 10 fish bag limit for private anglers, but that there have been changes since then and the question now is whether the fishery can stay under the catch target or has any room for flexibility.

Motion #1 failed on a show of hands (4/5/0).

Motion #2: Alexander/Kendall

The Groundfish Committee recommends to the Council, for fishing year 2019 management measures, for Georges Bank cod: a 21 in minimum fish size and a 10 fish bag limit.

Motion #2 carried on a show of hands (9/0/0).

Motion #3: Godfroy/Bellavance

The Groundfish Committee recommends to the Council, for fishing year 2019 management measures:

- Gulf of Maine haddock: a 17 in minimum fish size, a 15 fish bag limit, and an open season of May 1 to February 28 then open again April 15 to April 30 (i.e., a closed season March 1 to April 14), and
- Gulf of Maine cod: a 21 in minimum fish size, a 1 fish bag limit, and an open season of September 15 to September 30 and then open again April 15 to April 30 (i.e., a closed season May 1 to September 14 and then closed again October 1 to April 14).

Discussion on the Motion: The maker of the motion provided the rationale that given all the uncertainty presented they think it’s important to be conservative. Mr. Blount said that the RAP does want year-round

open haddock but also does want one cod, and said they are interested in splitting cod between spring and summer/fall. He said this option seems like a good compromise.

Motion #3 carried on a show of hands (7/0/2).

AGENDA ITEM #2: RECREATIONAL FISHERY DATA

Staff provided an overview of recreational fishery data which had been presented to the RAP, including MRIP data collection, APAIS (intercept) data collection, and FES (effort) data, which also includes information on when MRIP sampling and effort data collections occur. Staff presented party/charter VTR data on effort and landings by wave, noting that they are still working through confidentiality issues with the data, but that the RAP found it valuable to look at trends in party/charter landings data.

Questions and Discussion:

One Committee member noted MRIP has a team to look at the revised MRIP data, and asked if anyone from the Council or NMFS is on the team. Staff explained that both Dr. Cournane (Council staff) and Moira Kelly (NMFS) are both on the team and are on a sub-group formed to focus on management implications of the revised data.

AGENDA ITEM #3: PLANNING FOR PUBLIC LISTENING SESSIONS FOR A POSSIBLE LIMITED ACCESS PROGRAM FOR THE RECREATIONAL GROUND FISH PARTY AND CHARTER FISHERY

Staff provided an overview of the background document for the party/charter limited access listening sessions developed by a sub-group of the PDT focused on recreational fishery issues. Staff had presented the document to the RAP and asked for their feedback, including a consideration of the proposed locations and times of meetings, what questions to ask the public, and what information to provide.

Highlights from the RAP's discussion and feedback include:

- Locations/times – the RAP thought that starting later than 5 in the evening is better to accommodate fishing schedules and also suggested Saturday meetings; they had no concerns on the locations.
- Questions as to why the Council is seeking input – staff clarified with the RAP that the Council does not know yet whether to pursue an amendment for limited access for the party/charter fishery and is hoping to gather information to find out whether this should be pursued.
- The RAP emphasized that the target audience is not just the party/charter fishery, but also the general public.
- There was some discussion about what information to include in the document and what may be too much detail.
- The RAP found it difficult to discuss the idea of having listening sessions on limited access for the party/charter fishery without RAP members discussing whether or not they support limited access.
- The RAP commented on questions for the public – some members were nervous about asking certain questions (e.g. catch shares) and had concerns about how history would be used for a stock with no possession in recent years.

Staff explain that they are working to schedule the listening lessons quickly and will try to have some of these done before the April Council meeting, and expect that by the June Council meeting the Council

will have an opportunity to discuss whether an amendment on limited access for the party/charter fishery is needed.

Questions and Discussion:

One Committee member thought the document could more explicitly state that the Council has not yet decided whether or not an action will be pursued for limited access, as she thought there could still be some confusion. Another Committee member asked if there should be a consideration of whether the Mid-Atlantic needs to be engaged on this. The Chair explained that one of the listening sessions will be held at the Mid-Atlantic Council meeting.

AGENDA ITEM #4: 2019 COUNCIL PRIORITIES

Staff provided an overview of the 2019 Council groundfish priorities, including an update on Amendment 23. Staff also noted that the Cod Stock Structure Working Group is delayed as a result of the federal shutdown, and will be starting back up next week, with the potential for more public meetings.

PRESENTATION: A23, MS. FREDE

Staff provided a brief update on Amendment 23 (A23), including a revised timeline for the amendment. The goals of the Committee's discussion were to discuss the range of alternatives for A23, including the PDT's questions on the development of the alternatives, and possibly make recommendations to the Council on the draft alternatives.

The Chair provided an overview of a tasking memo sent from the Chair to the PDT tasking the PDT to develop alternatives for the April Council meeting while making progress on the PDT's analyses on monitoring issues.

Questions and Discussion:

One Committee member asked if there was any update on operational assessments available, given timeline concerns from the Federal government shutdown. Staff said there is not an update on full assessments at this time, but they are still proceeding as if they will happen in fall as planned. Another Committee member asked if there is a date set for the planned joint Committee/AP/PDT meeting to discuss A23 and monitoring alternatives. Staff explained they are planning to hold this after the peer review of PDT analyses on monitoring issues which is scheduled for April, and so the joint meeting would likely occur after the April Council meeting.

AGENDA ITEM #5: OTHER BUSINESS

Ms. Raymond (Associated Fisheries of Maine) asked if there was an update on the timeline for the Council priority to look at groundfish bycatch in the small mesh fishery. Staff did not have an update available at this time.

Section 7 consultation on right whales:

Staff explained that the Council wrote a letter to NMFS requesting that they be involved in the Section 7 consultation process for development of measures required to reduce fishing impacts on right whales. One Committee member offered support for the Council's involvement in this process, and asked to clarify that the proposed measures include closing stat area 537 to all fixed gear for several months of the year. Staff confirmed that is proposed.

The Groundfish Committee meeting adjourned at approximately 11:50 a.m.