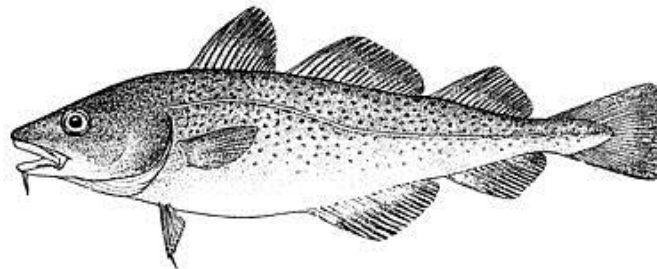


**BACKGROUND DOCUMENT**  
**for**  
**Public Listening Sessions for**  
**Possible Limited Access Program for**  
**the Recreational Party/Charter Fishery**  
**in the**  
**Northeast Multispecies (Groundfish)**  
**Fishery Management Plan**



Prepared by the  
New England Fishery Management Council

## Schedule of Public Listening Sessions for the Recreational Northeast Multispecies (Groundfish) Party and Charter Fishery

The Council scheduled 8 listening sessions, one of which is a webinar (see below).

| <u>Date and Time</u>  | <u>Location</u>   |
|---|---|
| <b>Thursday, April 4, 2019</b><br><b>5:45 p.m. – 7:45 p.m.</b>  | Seabrook Public Library, 25 Liberty Lane, Seabrook, New Hampshire,<br>Telephone: (603) 474-2044   |
| <b>Monday, April 8, 2019</b><br><b>6:00 p.m. – 8:00 p.m.</b>    | Icona Golden Inn, 7849 Dune Drive, Avalon, New Jersey<br>Telephone: (609) 368-5155<br>(same location the Mid-Atlantic Fishery Management Council Meeting is being held)   |
| <b>Thursday, April 18, 2019</b><br><b>5:45 p.m. – 7:45 p.m.</b> | Wells Public Library, 1434 Post Road, Wells, Maine<br>Telephone: (207) 646-8181   |
| <b>Tuesday, April 23, 2019</b><br><b>6:00 p.m. – 8:00 p.m.</b>  | Corless Auditorium, University of Rhode Island, Graduate School of Oceanography,<br>215 South Ferry Road, Narragansett, RI 02882<br>Telephone: (401) 874-6222   |
| <b>Tuesday, May 7, 2019</b><br><b>6:00 p.m. – 8:00 p.m.</b>     | Chatham Community Center, 702 Main Street, Chatham, Massachusetts 02633<br>Telephone: (508) 945-5175  |
| <b>Wednesday, May 8, 2019</b><br><b>6:00 p.m. – 8:00 p.m.</b>   | Hampton Inn, 10 Plaza Way, Plymouth, Massachusetts<br>Telephone: (508) 747-5000   |
| <b>Thursday, May 9, 2019</b><br><b>5:45 p.m. – 7:45 p.m.</b>    | Sawyer Free Library, 2 Dale Avenue, Gloucester, Massachusetts<br>Telephone: (978) 281-9763  |
| <b>Friday, May 10, 2019</b><br><b>1:00 p.m. – 3:00 p.m.</b>     | Webinar Session<br>Register to participate:<br><a href="https://attendee.gotowebinar.com/register/8873736532644639746">https://attendee.gotowebinar.com/register/8873736532644639746</a><br>Call in info: +1 (213) 929-4232<br>Access Code: 494-243-526 |

You may attend any of the above listening sessions to provide oral comments, or you may submit written comments by:

- Fax: (978) 465-3116;
- Email: [comments@nefmc.org](mailto:comments@nefmc.org)
- Mail at the address below.

Thomas A. Nies, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill #2  
Newburyport, MA 01950

The comment deadline is 5 p.m. EST, Friday, May 17, 2019.

Please note on your correspondence; “Listening Sessions for the Recreational Northeast Multispecies (Groundfish) Party and Charter Fishery”



**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**SEEKS YOUR COMMENTS ON THE MANAGEMENT OF THE**  
**NORTHEAST MULTISPECIES (GROUND FISH) FISHERY**

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***Your comments  
are invited***

The New England Fishery Management Council (Council) is considering the possibility of developing an amendment to the Fishery Management Plan (FMP) for Northeast Multispecies (Groundfish) under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

The Council seeks comments from the public on the management of the recreational groundfish fishery.

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***Why is the  
Council seeking  
public input?***

The Council is seeking public input on the possibility of initiating an amendment to develop a limited access program for the recreational groundfish party and charter fishery. The Council heard from some recreational fishery participants indicating interest in developing a program, while others in the fishery did not agree with pursuing a program. Given this split in views, the Council seeks feedback from the public on interest in developing a program, in order to assist the Council in deciding how to proceed.

This background document is to inform you of the Council's intent to gather information necessary to help decide if the Council would initiate an amendment for recreational fisheries management in the groundfish fishery. At this stage in the process, the Council is undecided on how to proceed.

***What actions have already been taken?***

In January 2018 at its first meeting of the year, the Council recommend refreshing the control date in the party/charter fishery. The control date in the party/charter fishery was refreshed to March 19, 2018 (<https://www.gpo.gov/fdsys/pkg/FR-2018-03-19/pdf/2018-05505.pdf>).

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***Background***

The following section summarizes some background information regarding: 1) the control date in the recreational fishery, 2) recent trends in landings and effort, 3) recreational allocations, 4) recreational catch performance, 5) stock status of groundfish stocks, and 6) summary of current management measures.

## **Background Information**

### ***1. The control date in the recreational fishery***

The control date in the party/charter fishery was refreshed to March 19, 2018 (from March 30, 2006). Briefly, the current “control date” is March 19, 2018 and may be used for establishing eligibility criteria for determining levels of future access to the charter/party fishery subject to Federal authority. The control date is intended to discourage speculative entry into the party/charter Northeast multispecies (groundfish) fishery while controlled access restrictions are considered by the Council.

The control date will help to distinguish established participants from speculative entrants to the fishery. Although entering the fishery before the control date will not ensure fishing vessels of future access to the Northeast multispecies resource as the Council may apply additional and/or other qualifying criteria. The Council may choose different and variably weighted measures to qualify participants based on the type and length of participation in the party/charter Northeast multispecies fishery.

Consideration of a control date does not commit the Council or NMFS to develop any particular management system or criteria for participation in this fishery. The Council may choose a different control date, or may choose a management program that does not make use of such a date. Fishers are not guaranteed future participation in the fishery, regardless of their entry dates or level of participation in this fishery before or after the control date. The Council may choose to give variably weighted consideration to fishers active in the fishery before and after the control date.

The Council may also choose to take no further action to control entry or access to the fishery, in which case the control date may be rescinded. Any action by the Council will be taken pursuant to the requirements for the development of fishery management plan amendments established under the MSA.

## 2. Recent trends in landings and effort

**Table 1- Number of fish kept for groundfish and non-groundfish by state for groundfish party and charter permitted vessels, for fishing years 2010 to 2018. \*Other includes CT, DE, MD, NC, SC, and VA. Source: Vessel trip reports, FY2010 to in-season FY2018 (as of February 15, 2019).**

| <b>Year</b>           | <b>2010</b>      | <b>2011</b>      | <b>2012</b>      | <b>2013</b>      | <b>2014</b>      | <b>2015</b>      | <b>2016</b>      | <b>2017</b>      | <b>2018</b>      |
|-----------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Groundfish</b>     | <b>585,055</b>   | <b>431,127</b>   | <b>372,032</b>   | <b>379,231</b>   | <b>219,028</b>   | <b>217,113</b>   | <b>283,852</b>   | <b>273,773</b>   | <b>265,046</b>   |
| MA                    | 250,289          | 172,998          | 153,877          | 160,739          | 86,233           | 62,449           | 126,234          | 107,572          | 84,155           |
| ME                    | 60,111           | 31,784           | 31,239           | 38,461           | 27,225           | 24,720           | 30,718           | 27,043           | 20,161           |
| NH                    | 183,345          | 168,040          | 164,410          | 168,350          | 85,212           | 88,796           | 99,621           | 122,295          | 125,782          |
| NJ                    | 12,255           | 14,049           | 2,339            | 2,677            | 9,570            | 11,532           | 6,140            | 6,800            | 7,537            |
| NY                    | 58,538           | 17,726           | 11,216           | 6,343            | 6,822            | 15,936           | 13,043           | 6,550            | 6,893            |
| OTHER*                | 2,873            | 16,460           | 946              | 249              | 900              | 2,514            | 1,717            | 1,400            | 19,341           |
| RI                    | 17,644           | 10,070           | 8,005            | 2,412            | 3,066            | 11,166           | 6,379            | 2,113            | 1,177            |
| <b>Non-Groundfish</b> | <b>1,766,237</b> | <b>2,030,042</b> | <b>2,215,307</b> | <b>1,788,746</b> | <b>1,906,441</b> | <b>1,877,429</b> | <b>1,965,914</b> | <b>2,030,761</b> | <b>1,991,327</b> |
| MA                    | 212,417          | 198,148          | 238,709          | 205,638          | 232,583          | 202,353          | 96,487           | 119,527          | 115,278          |
| ME                    | 11,568           | 9,174            | 9,087            | 10,724           | 12,651           | 13,546           | 15,375           | 11,438           | 5,540            |
| NH                    | 86,450           | 177,879          | 171,167          | 103,990          | 150,096          | 116,442          | 107,424          | 128,782          | 54,295           |
| NJ                    | 545,502          | 650,710          | 726,793          | 474,129          | 443,121          | 475,863          | 440,475          | 538,273          | 511,673          |
| NY                    | 533,660          | 566,798          | 638,721          | 588,674          | 599,190          | 690,615          | 810,556          | 839,570          | 664,640          |
| OTHER*                | 280,142          | 327,725          | 331,209          | 323,368          | 378,037          | 285,801          | 406,237          | 329,862          | 561,157          |
| RI                    | 96,498           | 99,608           | 99,621           | 82,223           | 90,763           | 92,809           | 89,360           | 63,309           | 78,744           |
| <b>Grand Total</b>    | <b>2,351,292</b> | <b>2,461,169</b> | <b>2,587,339</b> | <b>2,167,977</b> | <b>2,125,469</b> | <b>2,094,542</b> | <b>2,249,766</b> | <b>2,304,534</b> | <b>2,256,373</b> |

*Table 2 - Count of the number of active party and charter groundfish permits by homeport state, fishing year 2000 to 2018. Other includes DE, NC, and SC. "Active" is defined as taking any party or charter trip among those groundfish party or charter permit holders independent of what was caught. Source: Vessel trip reports and permit database. A vessel is included if they 1) have a groundfish party or charter permit (Category I) and 2) took at least 1 party or charter trip, as indicated on the vessel trip report (as of February 8, 2019).*

| <b>Fishing<br/>Year</b> | <b>MA</b> | <b>ME</b> | <b>NJ</b> | <b>NY</b> | <b>RI</b> | <b>CT</b> | <b>MD</b> | <b>NH</b> | <b>VA</b> | <b>OTHER</b> | <b>GRAND<br/>TOTAL</b> |
|-------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------------|------------------------|
| 2000                    | 78        | 16        | 107       | 101       | 29        | 10        | 3         | 13        | 17        | 36           | <b>410</b>             |
| 2001                    | 90        | 14        | 113       | 89        | 32        | 15        | 5         | 21        | 18        | 26           | <b>423</b>             |
| 2002                    | 107       | 17        | 97        | 94        | 32        | 14        | 3         | 23        | 19        | 27           | <b>433</b>             |
| 2003                    | 111       | 18        | 101       | 95        | 29        | 14        | 5         | 27        | 17        | 23           | <b>440</b>             |
| 2004                    | 107       | 17        | 100       | 95        | 30        | 12        | 4         | 24        | 15        | 23           | <b>427</b>             |
| 2005                    | 105       | 16        | 95        | 90        | 30        | 14        | 8         | 17        | 15        | 50           | <b>440</b>             |
| 2006                    | 98        | 22        | 119       | 82        | 46        | 16        | 14        | 20        | 18        | 52           | <b>487</b>             |
| 2007                    | 92        | 22        | 117       | 91        | 48        | 17        | 12        | 22        | 17        | 56           | <b>494</b>             |
| 2008                    | 95        | 22        | 115       | 93        | 47        | 17        | 20        | 21        | 19        | 52           | <b>501</b>             |
| 2009                    | 93        | 23        | 112       | 104       | 48        | 17        | 13        | 22        | 16        | 49           | <b>497</b>             |
| 2010                    | 103       | 23        | 124       | 100       | 48        | 17        | 14        | 21        | 18        | 43           | <b>511</b>             |
| 2011                    | 95        | 23        | 107       | 92        | 40        | 16        | 12        | 20        | 13        | 36           | <b>454</b>             |
| 2012                    | 88        | 22        | 105       | 97        | 39        | 15        | 13        | 19        | 11        | 35           | <b>444</b>             |
| 2013                    | 79        | 24        | 97        | 93        | 39        | 14        | 10        | 23        | 9         | 38           | <b>426</b>             |
| 2014                    | 68        | 23        | 93        | 93        | 35        | 12        | 10        | 24        | 9         | 33           | <b>400</b>             |
| 2015                    | 58        | 24        | 94        | 91        | 30        | 11        | 12        | 20        | 11        | 28           | <b>379</b>             |
| 2016                    | 51        | 19        | 78        | 84        | 31        | 11        | 10        | 16        | 12        | 25           | <b>337</b>             |
| 2017                    | 52        | 17        | 74        | 83        | 29        | 13        | 12        | 14        | 13        | 24           | <b>331</b>             |
| 2018                    | 54        | 18        | 89        | 82        | 30        | 12        | 4         | 16        | 12        | 29           | <b>346</b>             |

### ***3. Recreational allocations***

Amendment 16 (A16) allocated Gulf of Maine cod and Gulf of Maine haddock between the recreational and commercial fisheries. The allocation of Gulf of Maine cod and Gulf of Maine haddock was based on data from 2001-2006 for numbers of fish landed, resulting in 33.7% and 27.5% of the acceptable biological catch (ABC) to the recreational fishery, respectively.

Briefly, A16 established that when an allocation is made between to commercial and recreational groundfish fisheries:

- An allocation will be made of certain regulated groundfish stocks to the commercial and recreational components of the fishery.
- An allocation will be determined after accounting for state waters catches taken outside of the fishery management plan.
- An allocation will not be made in the case of stocks that are not fully harvesting the annual catch limit (ACL).
- An allocation will also not be made if the recreational harvest, after accounting for state waters catches outside the management plan, is less than five percent of the removals.

The steps for determining an allocation are also outlined in A16, such that:

- A defined time period will be used to calculate the allocation.
- When possible, the shares will be determined by using the numbers of fish in the years caught (as used by the assessment: harvested, landed, or discarded) by each component. The shares determined in this manner will be applied to the ACL to determine the weight of catch available for each component.
- If the number of fishes caught by each component is not available, the shares will be calculated based on weight.
- The proportion for each year will be calculated, and then the average proportion over the time period will be the share for each component of the fishery.
- The proportions will be reviewed consistent with the periodic assessment cycle, and if determined necessary, changes can be implemented through a framework action.

Separate management measures by fishing mode (e.g., private, charter, party) are also allowed.

### ***4. Recreational catch performance***

The following table summaries recreational catch performance and management history for Gulf of Maine cod and Gulf of Maine haddock, since A16.

*Table 3- Summary of Gulf of Maine cod recreational catch performance and federal management (fishing years 2010–2018).*

| <b>Fishing Year</b> | <b>Sub-Annual Catch Limit (mt)</b> | <b>Catch (mt)</b> | <b>Percent of catch limit taken (%)</b> | <b>Minimum Size (inches)</b> | <b>Bag Limit Fish per angler - daily</b> | <b>Season Open</b>                              | <b>Season Closed</b> | <b>Additional Measures/Notes</b>   |
|---------------------|------------------------------------|-------------------|---|------------------------------|--|---|----------------------|--|
| 2010                | 2,673                              | 1506.9            | 56.4                                    | 24                           | 10                                       | 5/1/10 to 10/31/10<br>and<br>4/16/11 to 4/30/11 | 11/1/10 to 4/15/11   | First year of sub-ACL 33.7% of ACL<br><br><b>Groundfish Regulations:</b><br>Only one line per angler, and Fillets landed by private recreational and charter/party vessels must have at least 2 sq. inches (5.08 sq. cm) of contiguous skin that allows for the ready identification of the fish species. Such fillets are required to be from legal-sized fish, but the fillets themselves would not need to meet the minimum size requirements in the regulations. |
| 2011                | 2,824                              | 1640.3            | 58.1                                    | 24                           | 10                                       | 5/1/11 to 10/31/11<br>and<br>4/16/12 to 4/30/12 | 11/1/11 to 4/15/12   | First Year: Gulf of Maine (Whaleback) Cod Spawning Protection Area:<br>From April 1 through June 30 of each year, all recreational vessels, including private recreational and charter/party vessels, may only use pelagic hook-and-line gear, as defined below, when fishing in the Whaleback Cod Spawning Protection Area. <sup>1</sup>  |

<sup>1</sup> **Pelagic hook-and-line gear** is defined as handline or rod and reel gear that is designed to fish for, or that is being used to fish for, pelagic species. No portion of this gear may be operated in contact with the bottom at any time.

**Possession Restrictions:** Any vessel fishing in the Gulf of Maine Whaleback Cod Spawning Protection Area, or the Winter Massachusetts Bay Spawning Protection Area, including pelagic hook-and-line gear by recreational vessels, is prohibited from possessing or retaining regulated species or ocean pout from April 1 through June 30 of each year.

**Transiting:** Recreational vessels are allowed to transit the Gulf of Maine Cod Spawning Protection Area, and Winter Massachusetts Bay Spawning Protection Area provided all gear is stowed in accordance with the regulations.



| <b>Fishing Year</b> | <b>Sub-Annual Catch Limit (mt)</b> | <b>Catch (mt)</b> | <b>Percent of catch limit taken (%)</b> | <b>Minimum Size (inches)</b> | <b>Bag Limit Fish per angler - daily</b> | <b>Season Open</b>                        | <b>Season Closed</b>                     | <b>Additional Measures/Notes</b>  |
|---------------------|------------------------------------|-------------------|---|------------------------------|--|---|--|---|
| 2012                | 2,215                              | 937.4             | 42.3                                    | 19                           | 9  | 5/1/12 to 10/31/12 and 4/16/13 to 4/30/13 | 11/1/12 to 4/15/13                       |   |
| 2013                | 486                                | 639.3             | 131.5                                   | 19                           | 9  | 5/1/13 to 10/31/13 and 4/16/14 to 4/30/14 | 11/1/13 to 4/15/14                       |   |
| 2014                | 486                                | 623.3             | 128.3                                   | 21                           | 9  | 5/1/14 to 8/31/14 and 4/15/14 to 4/30/14  | 9/1/14 to 4/14/15                        | Replaced by interim action on 11/15/14  |
|                     |                                    |                   |   | n/a                          | 0  | closed                                    | 11/15/14 to 4/30/15                      | 2014 interim action: Seasonal 30-minute block closures, no recreational gear capable of catching groundfish in closures |
| 2015                | 121                                | 84.5              | 69.8                                    | n/a                          | 0  | Closed year-round                         |  | Interim action Seasonal closures removed on 5/1/16  |
| 2016                | 157                                | 280.9             | 178.9                                   | 24                           | 1  | 8/1/16 to 9/30/16                         | 5/1/16 to 7/31/16 and 10/1/16 to 4/30/17 |   |
| 2017                | 157                                |                   |   | 24                           | 1  | 8/1/17 to 9/30/17                         | 5/1/17 to 7/31/17                        | Replaced by final rule effective on 7/27/17   |

| Fishing Year | Sub-Annual Catch Limit (mt) | Catch (mt) | Percent of catch limit taken (%) | Minimum Size (inches) | Bag Limit Fish per angler - daily | Season Open              | Season Closed                | Additional Measures/Notes  |
|--------------|-----------------------------|------------|----------------------------------|-----------------------|-----------------------------------|--------------------------|------------------------------|--|
|              |                             | 245.4      | 156.3                            | n/a                   | 0                                 |                          | and<br>10/1/18 to<br>4/30/18 |  |
| 2018         | 220                         |            |                                  | n/a                   | 0                                 | Closed year-round        | Closed year-round            | First Year: Winter Massachusetts Bay Spawning Protection Area: From November 1 through January 31 of each year, all recreational vessels, including private recreational and charter/party vessels, may only use pelagic hook-and-line gear, as defined below, when fishing in the Winter Massachusetts Bay Spawning Protection Area. <sup>1</sup> |
| 2019         | 220                         |            |                                  | n/a                   | 0                                 | <i>Closed year-round</i> |                              | <i>Previous year's regulations stay in place unless replaced through Council/NMFS recreational management measure process</i>  |

*Table 4 - Summary of Gulf of Maine haddock recreational catch performance and federal management (fishing years 2010–2018).*

| <b>Fishing Year</b> | <b>Sub-Annual Catch Limit (mt)</b> | <b>Catch (mt)</b> | <b>Percent of catch limit taken (%)</b> | <b>Minimum Size (inches)</b> | <b>Bag Limit Fish per angler - daily</b> | <b>Season Open</b> | <b>Season Closed</b> | <b>Additional Measures/Notes</b>  |
|---------------------|------------------------------------|-------------------|---|------------------------------|--|--------------------|----------------------|---|
| 2010                | 324                                | 297.4             | 91.8                                    | 18                           | no limit                                 |                    | n/a                  | First year of sub-ACL 27.5% of ACL<br><br>Groundfish Regulations:<br>Only one line per angler, and Fillets landed by private recreational and charter/party vessels must have at least 2 sq. inches (5.08 sq. cm) of contiguous skin that allows for the ready identification of the fish species. Such fillets are required to be from legal-sized fish, but the fillets themselves would not need to meet the minimum size requirements in the regulations. |
| 2011                | 308                                | 238.5             | 77.4                                    | 18                           | no limit                                 | 5/1/11 to 1/5/12   | n/a                  | First Year: Gulf of Maine (Whaleback) Cod Spawning Protection Area:<br>From April 1 through June 30 of each year, all recreational vessels, including private recreational and charter/party vessels, may only use pelagic hook-and-line gear, as defined below, when fishing in the Whaleback Cod Spawning Protection Area. <sup>1</sup>   |
|                     |                                    |                   |   | 19                           | 9  | 1/6/12 to 4/19/12  | n/a                  | Accountability Measure (AM) for 2010 overage  |
|                     |                                    |                   |   | 18                           | no limit                                 | 4/20/12 to 4/30/12 | n/a                  | AM lifted after re-evaluation of data showing no 2010 overage   |
| 2012                | 259                                | 280.7             | 108.4                                   | 18                           | no limit                                 |                    | n/a                  |   |
| 2013                | 74                                 | 231.5             | 312.2                                   | 21                           | no limit                                 |                    | n/a                  |   |

| <b>Fishing Year</b> | <b>Sub-Annual Catch Limit (mt)</b> | <b>Catch (mt)</b> | <b>Percent of catch limit taken (%)</b> | <b>Minimum Size (inches)</b> | <b>Bag Limit Fish per angler - daily</b> | <b>Season Open</b>                             | <b>Season Closed</b>                           | <b>Additional Measures/Notes</b>         |
|---------------------|------------------------------------|-------------------|---|------------------------------|--|--|--|--|
| 2014                | 173                                | 658.6             | 380.7                                   | 21                           | 3  | 5/1/14 to 8/31/14<br>and<br>11/1/14 to 2/28/15 | 9/1/14 to 10/31/14<br>and<br>3/1/15 to 4/30/15 | <i>See Cod interim action</i>            |
| 2015                | 372                                | 381.9             | 102.7                                   | 17                           | 3  | 5/1/15 to 8/31/15<br>and<br>11/1/15 to 2/29/16 | 9/1/15 to 10/31/15<br>and<br>3/1/16 to 4/30/16 |  |
| 2016                | 928                                | 887.0             | 95.6                                    | 17                           | 15                                       | 5/1/16 to 2/28/17<br>and<br>4/15/17 to 4/30/17 | 3/1/17 to 4/14/17                              |  |
| 2017                | 1,160                              |                   |   | 17                           | 15                                       | 5/1/17 to 2/28/18<br>and<br>4/15/18 to 4/30/18 | 3/1/18 to 4/14/18                              | Replaced by final rule effective 7/27/17 |

| <b>Fishing Year</b> | <b>Sub-Annual Catch Limit (mt)</b> | <b>Catch (mt)</b> | <b>Percent of catch limit taken (%)</b> | <b>Minimum Size (inches)</b> | <b>Bag Limit Fish per angler - daily</b> | <b>Season Open</b>  | <b>Season Closed</b>                      | <b>Additional Measures/Notes</b>   |
|---------------------|------------------------------------|-------------------|---|------------------------------|--|---|---|--|
|                     |                                    | 795.0             | 68.5                                    | 17                           | 12                                       | 5/1/17 to 9/16/17 and 11/1/17 to 2/28/18 and 4/15/18 to 4/30/18 | 9/17/17 to 10/31/17 and 3/1/18 to 4/14/18 |  |
| 2018                | 3,358                              |                   |   | 17                           | 12                                       | 5/1/18 to 9/16/18 and 11/1/18 to 2/28/19 and 4/15/19 to 4/30/19 | 9/17/18 to 10/31/18 and 3/1/19 to 4/14/19 | First Year: Winter Massachusetts Bay Spawning Protection Area: From November 1 through January 31 of each year, all recreational vessels, including private recreational and charter/party vessels, may only use pelagic hook-and-line gear, as defined below, when fishing in the Winter Massachusetts Bay Spawning Protection Area. <sup>1</sup> |
| 2019                | 3,194                              |                   |   | 17                           | 12                                       | 5/1/19 to 9/16/19 and 11/1/19 to 2/28/20 and 4/15/20 to 4/30/20 | 9/17/19 to 10/31/19 and 3/1/20 to 4/14/20 | <i>Previous year's regulations stay in place unless replaced through Council/NMFS recreational management measure process</i>  |

5. *Stock status of groundfish stocks*

| <b>Regulated Groundfish Stock</b>                     | <b>Overfishing</b> | <b>Overfished</b> |
|---|--------------------|-------------------|
| Georges Bank cod                                      | <i>Yes</i>         | <i>Yes</i>        |
| Gulf of Maine cod                                     | <i>Yes</i>         | <i>Yes</i>        |
| Georges Bank haddock                                  | No                 | No                |
| Gulf of Maine haddock                                 | No                 | No                |
| Georges Bank yellowtail flounder                      | <i>Yes</i>         | <i>Yes</i>        |
| Southern New England/Mid-Atlantic yellowtail flounder | <i>Yes</i>         | <i>Yes</i>        |
| Cape Cod/Gulf of Maine yellowtail flounder            | <i>Yes</i>         | <i>Yes</i>        |
| American plaice                                       | No                 | No                |
| Witch flounder  | Unknown            | <i>Yes</i>        |
| Georges Bank winter flounder                          | No                 | No                |
| Gulf of Maine winter flounder                         | No                 | Unknown           |
| Southern New England/Mid-Atlantic winter flounder     | No                 | <i>Yes</i>        |
| Acadian redfish                                       | No                 | No                |
| White hake  | No                 | No                |
| Pollock   | No                 | No                |
| Northern windowpane flounder                          | No                 | <i>Yes</i>        |
| Southern windowpane flounder                          | No                 | No                |
| Ocean pout  | No                 | <i>Yes</i>        |
| Atlantic halibut                                      | No                 | <i>Yes</i>        |
| Atlantic wolffish                                     | No                 | <i>Yes</i>        |

6. *Summary of current management measures*

See attachment #1 – Northeast Multispecies Information Sheet: Charter/Party and Recreational Fishing, GARFO, May 1, 2018.

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***Why should I comment?***

The listening sessions are an opportunity for members of the public to raise issues and concerns for the Council to consider for a possible limited access program for the recreational party/charter fishery. The Council needs your input to identify important issues. Your comments will help the Council address your concerns more thoroughly and ensure consideration to address this important issue.

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***What should my comments address?***

Management measures developed by the Council and implemented by NMFS must comply with all applicable Federal laws and Executive Orders. In particular, management measures must comply with ten National Standards specified in the MSA.

During the listening sessions, the Council is particularly seeking comments regarding a possible limited access program for the recreational party/charter fishery. While your comments may address any aspect of a possible limited access program, the Council is seeking your input on the following:

- **Goals and Objectives** – What would the goals and objectives of a limited access program be?
- **Definitions-** Would limited entry apply to all or a portion of the fleet? How would groundfish recreational for-hire be defined?
- **Permits/Vessels** - What would happen to the permits? Permits are attached to the vessel. Would the permits/vessels have value or no value when sold? Would there be any restrictions placed on permits/vessels? Can a vessel have two limited access permits at the same time – i.e., a commercial limited access permit and a for-hire limited access permit? Current regulations only allow one multispecies limited access permit per vessel. Should the for-hire fleet be all limited access, or should there be an open access component with other constraints? Should there be vessel upgrade restrictions? If so, what should they be based on: vessel characteristics (e.g., vessel horsepower, gross tonnage, or number of passengers)?
- **Measures-** What range of management measures would be considered for limited entry? Would the range include catch shares? Will there be a separate party/charter allocation?
- **History-** How will history be used – would it be simple or complex? For example, history could be based on the number of trips, the number of passengers, or the amount of catch – by species/stock. History could be based on permit or permit holder. For example, if my permit #1 fished before the control date but I let that lapse and now have permit #2 that only fished after the control date, can my permit #1 history be used to qualify permit #2? How will changes in management be considered (e.g., no possession of Gulf of Maine cod)? What other qualifying criteria may be considered?
- **New Entrants** - What opportunities will there be for new entrants?

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***What is the process?***

The Council, its Recreational Advisory Panel, Groundfish Committee, and Groundfish Plan Development Team have held preliminary public discussions on a possible limited Access program for the recreational party/charter fishery. With the publication of this listening session document and an announcement in the *Federal Register* of the Council's intent to consider a possible limited access program for the recreational party/charter fishery, public comment will be accepted until May 17, 2019, and 8 listening sessions will be held to provide additional opportunity for input from the public (see meeting dates and locations on the back of the cover page).

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***What is the process (cont.)?***

After information is gathered through the listening sessions, the Groundfish Committee will consider possibly recommending to the Council an initiation of an amendment, with input from the Recreational Advisory Panel and Groundfish Plan Development Team, through a series of public meetings during 2019.

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***How do I comment?***

The Council is scheduling 8 listening sessions, including one webinar (see location and dates of meetings on the back of the cover page). You may attend any of the listening sessions to provide oral comments, or you may submit comments by email to [comments@nefmc.org](mailto:comments@nefmc.org), or written comments by 5 p.m. EST, May 17, 2019:

Thomas A. Nies, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill #2  
Newburyport, MA 01950  
Fax: (978) 465-3116

Please note on your correspondence; "Listening Sessions for Possible Limited Access Program for the Recreational Party/Charter Fishery." Comments may also be accepted via fax at the above fax number.

If you wish to be on the mailing list for future meetings of Groundfish Committee, please contact the Council office at 978-465-0492.

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## Northeast Multispecies Information Sheet Charter/Party and Recreational Fishing



This summary provides a broad overview of restrictions and requirements; it is not a substitute for the regulations. You are strongly encouraged to read the regulations in conjunction with this information sheet to fully understand how this fishery is managed. Most measures described here may be found at 50 CFR 648.88 and § 648.89. Others are set annually.

### Introduction:

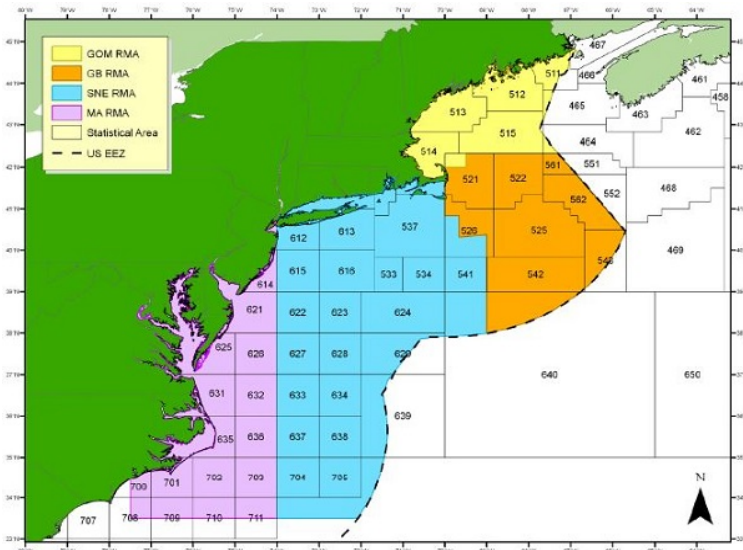
The following measures apply to private recreational fishing vessels in the exclusive economic zone (EEZ, typically 3-200 miles from shore), Federal charter/party permitted vessels, and Federal Northeast (NE) multispecies permitted vessels fishing under the charter/party or recreational regulations (not fishing under a NE multispecies day-at-sea).

### Federal Minimum Fish Sizes and Possession Limits for Recreational and Charter/Party Vessels:

| Species  |                              | Possession Limit   | Minimum Size <sup>2</sup><br>(inches) | Open Season   |
|--|------------------------------|--|---------------------------------------|---|
| Atlantic cod   | Inside GOM RMA <sup>1</sup>  | <b>NO RETENTION</b>  | <b>N/A</b>                            | <b>CLOSED</b>   |
|  | Outside GOM RMA <sup>1</sup> | Private Boat: 10 fish per person per day<br>Charter or Party Boat: <b>10 fish per person per day</b> | <b>23</b>                             | All Year  |
| Haddock  | Inside GOM RMA <sup>1</sup>  | Private Boat: 12 fish per person per day<br>Charter or Party Boat: 12 fish per person per day        | 17                                    | May 1 – September 16<br>November 1 – February 28<br>and April 15 – April 30 |
|  | Outside GOM RMA <sup>1</sup> | Private Boat: Unlimited<br>Charter or Party Boat: Unlimited  | 18                                    | All Year  |
| Atlantic halibut   |                              | 1 fish per <b>vessel</b> per trip  | 41                                    | All Year  |
| Pollock  |                              | Unlimited  | 19                                    | All Year  |
| Witch flounder (gray sole)                                     |                              | Unlimited  | 14                                    | All Year  |
| Yellowtail flounder  |                              | Unlimited  | 13                                    | All Year  |
| American plaice (dab)  |                              | Unlimited  | 14                                    | All Year  |
| Winter flounder (blackback)                                    |                              | Unlimited  | 12                                    | All Year  |
| Redfish (ocean perch)  |                              | Unlimited  | 9                                     | All Year  |
| Offshore hake, red hake, white hake, and silver hake (whiting) |                              | Unlimited  | None                                  | All Year  |
| Atlantic wolffish, windowpane flounder, ocean pout             |                              | <b>NO RETENTION</b>  | <b>N/A</b>                            | <b>CLOSED</b>   |

<sup>1</sup>Gulf of Maine (GOM) Regulated Mesh Area (RMA): See figure below. <sup>2</sup>Minimum size is measured as total length.

### Regulated Mesh Areas



The GOM RMA is bounded on the east and south by a line connecting the following points:

| Point | N. Latitude | W. Longitude |
|-------|-------------|--------------|
| G1    | (1)         | (1)          |
| G2    | 43° 58'     | 67° 22'      |
| G3    | 42° 53.1'   | 67° 44.4'    |
| G4    | 42° 31'     | 67° 28.1'    |
| CII3  | 42° 22'     | 67° 20'      |
| G6    | 42° 20'     | 67° 20'      |
| G7    | 42° 20'     | 69° 30'      |
| G8    | 42° 00'     | 69° 30'      |
| G9    | 42° 00'     | (2)          |

<sup>1</sup>The intersection of the shoreline and the U.S.-Canada Maritime Boundary.

<sup>2</sup>The intersection of the Cape Cod, MA, coastline and 42°00' N. lat.

## **ALL VESSELS:**

### **Federal and State Regulations:**

State recreational fishing regulations may differ from the Federal regulations. Please consult with your state to determine its regulations. When Federal and state regulations both apply, vessels are bound by the most restrictive requirements.

### **Restrictions on Sale:**

It is unlawful to sell, barter, trade, or otherwise transfer for a commercial purpose, or to attempt to sell, barter, trade, or otherwise transfer for a commercial purpose, NE multispecies caught or landed by recreational fishing vessels fishing in the EEZ, or charter/party vessels not fishing under a day-at-sea.

### **Annual Catch Limits**

For two groundfish stocks (GOM cod and GOM haddock), a portion of the Annual Catch Limit (ACL) is allocated to the recreational fishery. Each year, NMFS, in consultation with the New England Fishery Management Council, adjusts management measures to ensure the recreational fishery achieves, but does not exceed its allocation.

### **Gear Restrictions:**

Each angler is limited to one line. There is no limit to the number of hooks per line per person. All other fishing gear must be properly stowed as described in the regulations.

### **Possession Restrictions:**

Fillets, or parts of fish, must have at least 2 square inches of contiguous skin that allows for identification of fish species, while possessed on board and at the time of landing.

- Vessels may possess fillets less than the minimum size specified if the fillets are taken from legal-sized fish.
- For purposes of counting fish, fillets will be converted to whole fish at the place of landing by dividing the number of fillets by two. If fish are filleted into a single (butterfly) fillet, such fillet shall be deemed to be from one whole fish.
- Haddock and cod harvested by recreational and charter/party vessels with more than one person aboard may be pooled in multiple containers. Compliance with possession limits will be determined by dividing the number of fish on board by the number of persons aboard. If there is a violation of a possession limit on board a vessel carrying more than one person, the violation shall be deemed to have been committed by the owner or operator.
- Recreational and charter/party vessels may not fish for, possess, or land any cod from the GOM. Recreational and charter/party vessels may not fish for, possess, or land any haddock from the GOM from March 1 – April 14, and September 17 – October 31. (Cod or haddock caught outside of the GOM RMA during these periods may be on board a vessel transiting the area, but only if all bait and hooks are removed from fishing rods and all cod on board have been gutted and stored, in accordance with the regulations).
- Cod and haddock must be stored so as to be readily available for inspection.
- Any trip covering 2 calendar days, and over 15 hours in duration, may possess 2 daily possession limits worth of cod or haddock. Likewise, any trip covering 3 calendar days, and over 39 hours in duration, may possess 3 times the daily limit of cod or haddock, and so on.

## **CHARTER/PARTY VESSELS:**

### **Permit Requirements:**

Charter/party vessels without a limited access NE multispecies permit that fish for or possess NE multispecies in the EEZ must obtain an open access NE multispecies charter/party permit. Vessels with a limited access NE multispecies permit do not need to obtain a charter/party permit. Such vessels, when fishing under the charter/party rules, must stow all fishing gear except rod & reel or handline gear unless further restricted by a closed area letter of authorization (LOA) described below, and must abide by the restrictions on sale described above.

### **Reporting Requirements**

All NE multispecies charter/party vessels are required to submit a vessel trip report (VTR) to the Greater Atlantic Regional Fisheries Office for each trip. You are **not** required to submit a "Did Not Fish" VTR for weeks that you do not fish.

### **Charter/Party Vessel LOA to Fish in Closed Areas:**

Vessels fishing under charter/party regulations may not fish in the GOM Cod Protection Closures, Cashes Ledge Closed Area, or the Western GOM Closed Area unless the vessel has on board the appropriate LOA issued by the Greater Atlantic Regional Fisheries Office. Restrictions apply, as stated in the LOA. LOAs are available upon request by calling the Regional Office at (978) 281-9370. Additional details on closed areas are available in a separate information sheet.

As a condition of these letters (LOA), the vessel owner must agree to restrictions, including the following:

- Fish managed by either the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council that are harvested or possessed by the vessel may not be sold, bartered or traded or intended for sale, barter or trade, regardless of where caught. Species such as tuna and striped bass may be landed for sale provided the vessel has the proper permits;
- The vessel has no gear other than rod and reel or handline gear on board;
- The LOA must be carried on board the vessel during the participation period;
- Other restrictions, specific to the LOA, are explained in the LOA.

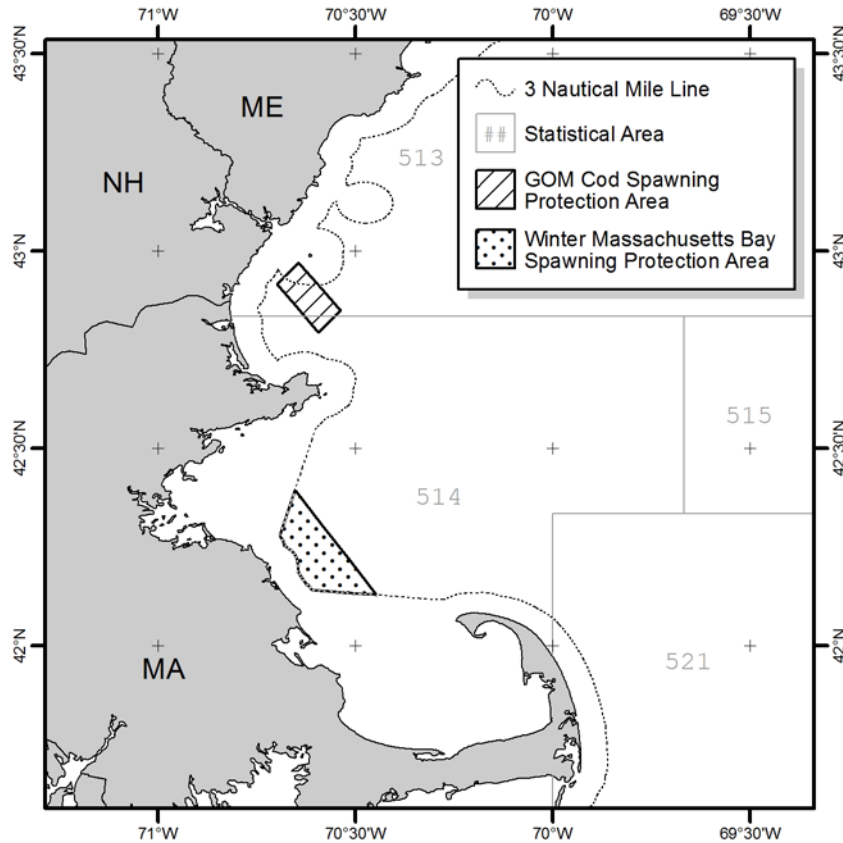
### **Prohibition on Fishing Under a Day-At-Sea While Taking Passengers for Hire:**

Charter/party vessels with a limited access NE multispecies permit are prohibited from fishing commercially when carrying passengers for hire. This provision is intended to more clearly distinguish between vessels carrying passengers for hire and other commercial fishing vessels.

### **Control Date:**

Charter/party vessel owners should be aware that a control date of March 19, 2018 has been published for the NE multispecies charter/party fishery. This date may be used for establishing eligibility criteria for determining future access to the charter/party fishery.

## SPAWNING PROTECTION AREAS



**Gear Restrictions:** The following gear restrictions apply to recreational fishing vessels fishing in the GOM Cod Spawning Protection Area and Winter Massachusetts bay Spawning Protection Area .

- **GOM Cod Spawning Protection Area:** From April 1 through June 30 of each year, all recreational vessels, including private recreational and charter/party vessels, may only use pelagic hook-and-line gear, as defined below, when fishing in the GOM Cod Spawning Protection Area.
- **Winter Massachusetts Bay Spawning Protection Area:** From November 1 through January 31 of each year, all recreational vessels, including private recreational and charter/party vessels, may only use pelagic hook-and-line gear, as defined below, when fishing in the Winter Massachusetts Bay Spawning Protection Area.

| Point | N. Latitude | W. Longitude |
|-------|-------------|--------------|
| CSPA1 | 42° 50.95'  | 70° 32.22'   |
| CSPA2 | 42° 47.65'  | 70° 35.64'   |
| CSPA3 | 42° 54.91'  | 70° 41.88'   |
| CSPA4 | 42° 58.27'  | 70° 38.64'   |

| Point | N. Latitude | W. Longitude |
|-------|-------------|--------------|
| WSPA1 | 42° 23.61'  | 70° 39.21'   |
| WSPA2 | 42° 07.68'  | 70° 26.79'   |

Pelagic hook-and-line gear is defined as handline or rod and reel gear that is designed to fish for, or that is being used to fish for, pelagic species. No portion of this gear may be operated in contact with the bottom at any time.

**Possession Restrictions:** Any recreational vessel fishing in the GOM Cod Spawning Protection Area or Winter Massachusetts Bay Spawning Protection Area is prohibited from possessing or retaining regulated species or ocean pout during the time periods defined above.

**Transiting:** Recreational vessels may transit the GOM Cod Spawning Protection Area, and Winter Massachusetts Bay Spawning Area provided all bait and hooks are removed from fishing rods. Any regulated species on board caught outside the GOM Cod Spawning Protection Area must be gutted and stored.