

2009

Multispecies Adjustment

Planning

Staff Discussion Document

September 5, 2006

I. Background

A. Amendment 13

Amendment 13 adopted rebuilding strategies that rebuild most stocks by 2014. Most adopted rebuilding programs include a planned reduction in fishing mortality in 2009. Some of these reductions are substantial: white hake (-77%), southern windowpane flounder (-50%), SNE/MA yellowtail flounder and CC/GOM yellowtail flounder (-35%), and SNE/MA winter flounder (-28%). The amendment includes a default change in the ratio of Category A and Category B DAS designed to achieve these reductions. This changes the ratio of Category A to Category B DAS to 45%/55%, an 18.2 percent reduction in available Category A DAS.

The amendment also adopted a review of rebuilding progress in 2008 followed by adjustments as necessary to continue rebuilding, with any necessary adjustments implemented for the 2009 fishing year. The review of rebuilding progress includes a re-evaluation of reference points as well as a recalculation of the fishing mortality necessary to rebuild stocks within the adopted time frame. For those stocks with an adaptive rebuilding strategy the amendment includes guidance on determining if rebuilding is proceeding according to schedule as well as possible management responses. The adjustment that will be implemented in fishing year 2009 is a follow-on to Amendment 13 and a refinement of the measures considered in that action.

B. 2008 Assessments

Data Sources

NEFSC assessments use four primary data sources:

- Vessel trip reports, which include landing and discard information by gear and area
- Commercial dealer landings, which include weight by market category (provided by dealers) and size composition/age samples collected by NMFS port agents or contractors
- Observer data, which include discarded and kept catch as well as length frequencies and age samples collected by observers
- Trawl survey data, which include survey indices and survey lengths and ages from NMFS, state, and industry-based surveys

Collection of these data is not instantaneous and the time lags affect the assessment meetings. In general, data that must be aged (commercial port samples, research survey age samples, and observer age samples) usually take the longest to prepare and are the critical factor that determines the timing of assessment meetings. Age data from the fall trawl survey and calendar year catch-at-age commercial landings data are typically available for assessment scientists in April or May of the following year (i.e. the data for the fall 2006 trawl survey and calendar year 2006 landings will be available April/ May 2007). It is not feasible to make these data available earlier because of the processing time involved in preparing, analyzing, and validating the large numbers of age samples.

The time needed to receive data from state or industry-based surveys is variable and cannot be directly controlled by NMFS/NEFSC.

GARM III Meetings

The NEFSC is planning four meetings to develop the assessment information supporting the groundfish management action that will be implemented May 1, 2009. The scope of work is far greater than any previous undertaking. The four meetings with currently scheduled dates are shown below. Results of each meeting will be released as soon as appropriate (e.g. the reference point results will not be held until the final meeting).

- Data/methods (October 2007): A review of landings and discard estimation procedures.
- Assessment methodology (February 2008): Comparison of different assessment models and selection of appropriate model to use for each stock, similar to the model evaluation component of a benchmark meeting.
- Reference Points (April 2008): Updates of reference points.
- GARM III (August 4-8, 2008): Determination of stock status based on updated reference points. The results of the final meeting (GARM III) will be published in September, 2008.

The NEFSC explored earlier meeting dates (such as having the final GARM III assessment meeting in April or May 2008) in order to allow more time for development of management measures. Because of the time necessary to age the CY 2007 catch and the 2007 fall trawl survey, a spring meeting is possible only if these data are not included and the terminal year of the assessment is 2006. This would mean management measures implemented May 1, 2009 would be based on estimates of fishing mortality and biomass for CY 2006. While it is possible to estimate CY 2007 and 2008 biomass and fishing mortality by projecting forward using commercial landings estimates, these estimates are subject to considerable uncertainty. This is particularly the case in this instance, since in CY 2006 the fishery will likely operate under three different sets of regulations (Amendment 13, Interim Rule, and FW 42).

C. Management Actions

The two types of management actions that may be considered by the Council include a framework adjustment or an amendment. Either action could be supported by an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The choice between an EA and an EIS depends on the scope of the impacts.

In concept, a framework should have a smaller scope of management actions and thus be easier to prepare but this has not been the case for recent groundfish actions. As a result, there is little, if any, difference in the extent of the analyses prepared to support a framework action as compared to an amendment. In recent years the preparation of groundfish documents has been hindered by Council delays in selecting measures and bundling the measures into alternative packages. Since framework adjustments are no longer implemented without first issuing a proposed rule and providing an opportunity

for public comment there is little difference required in the time needed to implement a framework action as compared to an amendment.

There is a substantial difference in the time needed to review an EIS as compared to an EA. An action submitted with an EIS requires submission of a DSEIS and a 45-day comment period that includes public hearings, followed by submission of the final document (FSEIS) and a 60-day comment period. An EA does not require submission of a draft document and its public review during a comment period, and the comment period for the final document can be shorter than 60 days. As a result, an action supported by an EA can take at least two months less to review than an action supported by an EIS.

In the context of the 2009 adjustment, in order to meet a May 1 implementation date the Council would need to approve a DSEIS by August 2008 and vote on final measures and approve the FSEIS in late September, 2008. If the proposed action is supported by an EA, the Council must approve measures by November, 2008.

D. Future Conditions

Stock Status

Recent experience suggests that Council planning should allow for these possibilities:

- The “balkanization” of groundfish management – that is, the creation of special management programs, sectors, etc. – introduces additional uncertainty into assessment results.
- Not all stocks will need the same change in fishing mortality. Regardless of the chosen management strategy, the difficulty will be simultaneously achieving all mortality objectives in a multispecies fishery. The situation may be exacerbated because several stocks (e.g. GB haddock, plaice, redfish, witch flounder) could be in satisfactory condition, making it more costly to sacrifice yield from these “healthier” stocks in order to rebuild weaker stocks.
- Based on the GARM II and other recent assessments, the Council will face difficult challenges in rebuilding GB yellowtail flounder, CC/GOM yellowtail flounder, SNE/MA yellowtail flounder, and GOM haddock. Biomass estimates for these stocks place them behind rebuilding trajectories. Barring changes in stock conditions or reference points, mortality reductions in 2009 may need to be greater than estimated in Amendment 13.
- Changes in the fishing industry over the next few years (as a result of FW 42 measures, a possible industry buyout, permit transfers, management of the general category scallop fishery, etc.) will introduce additional uncertainty into evaluating future impacts of proposed measures.
- If recent assessments are any indication, the Council should be prepared for an unwelcome surprise – that is, the condition of some stock(s) will be substantially worse than anticipated even if catches are less than TTACs.

Groundfish Industry

FW 42 analyses suggest groundfish landings (excluding GB haddock) in FY 2006 may decline to approximately 2/3 of FY 2004 landings. Landings should increase gradually through 2009 to approach (but probably not exceed) the 2004 total. Catches of GB haddock could mitigate these declines but there is doubt that the industry will be able to harvest the full GB haddock TTAC given effort restrictions and the small cod quota in the eastern US/CA area. As a result of these declines in landings, short-term revenues will decline (FW 42 estimated a -19 percent decline in groundfish revenues). Price increases (as a result of reduced supply) may mitigate the revenue declines, but coupled with unreliable supply could also reduce available markets (which could counter-act any price increase due to reduced supply). The decline in landings and revenues will likely reduce the number of vessels landing groundfish, though it is uncertain if those vessels will leave the fishery permanently or seek short-term alternatives and re-enter at a future date. Many of these impacts will not be evenly distributed, with vessels that fish in differential DAS counting areas suffering the largest economic loss. These economic conditions will increase the need for the Council to facilitate harvest of healthy stocks in the next management action.

II. 2009 Adjustment Options

There are three interwoven decisions when planning the management strategy for the next adjustment. They are:

- What is the Council willing to accept for the terminal year of the assessments that will be completed in GARM III?
- What management action will be submitted – an amendment or a framework adjustment?
- Will the management action be supported by an EIS or an EA?

Of these three decisions, the choice between an amendment and a framework has the least impact on preparation time while the choice between an EIS and an EA has the most impact.

The following discussion identifies several approaches the Council could consider for the next adjustment. All of the options assume the Council will begin work on the management action in 2007.

A. Final GARM Meeting in April/May 2008

These options would result in the terminal year of the assessments being 2006. As a result, management measures implemented May 1, 2009 will be based on CY 2006 stock size and fishing mortality estimates. Reconsidered reference points would also have one less year of input data. While both options provide more time to craft management measures than was available for FW 42, they introduce additional uncertainty since the terminal year of the assessments is 2006.

1. Amendment or framework adjustment and EA completed after GARM III

This option would provide six months (June-November) between GARM III and a final vote on the framework adjustment.

2. Amendment or framework adjustment and EIS completed after the GARM

This option provides one month (June) to finalize a DSEIS after the GARM. The DSEIS would be approved in August, followed by public hearings and a final vote on the amendment two months later (October).

B. Final GARM Meeting in August, 2008

1. Framework Adjustment and EA completed after GARM III

This option is similar to the schedule for FW 42 and would be subject to the same time pressures.

2. Early Amendment and EIS, followed by specification/triggered action and EA

Under this scenario, the Council would immediately begin work on an amendment with approval of the DSEIS by February 2008, followed by public hearings and a final vote on the amendment in May/June 2008. These measures would then be automatically implemented (or adopted through a simple framework action and EA) once the results of the groundfish assessments are received. An example of this approach is the annual adjustment of monkfish trip limits and DAS allocations in response to trawl survey indices. Applying this management model to the multispecies fishery will prove difficult given the number of stocks and widely varying condition of those stocks.

3. Early preparation of an amendment and an EIS. The DSEIS would be completed and taken to public hearing prior to the final GARM III assessment meeting. The DSEIS would include arrangement of management alternatives intended to encompass the effort reductions that may be needed to meet rebuilding objectives. Once the specific reductions needed are known (that is, after the GARM III assessments are published), the Council would choose a proposed action and the EIS would be submitted to NMFS that described the possible outcomes of the assessments. The Council would select a proposed action (late September, 2008) and submit the final document and EIS in November after receipt of assessment results.

III. Groundfish Oversight Committee Recommendations

On August 24, 2006, the Oversight Committee agreed on recommending to the Council:

- (1) The assessments should be timed so that CY 2007 data can be used (the final assessment meeting will be in August 2008).
- (2) The Council should prepare a plan amendment supported by an EIS.
- (3) While not addressed in this paper, the Committee recommends the Council should accept and consider fully developed alternative management systems.

