



October 16, 2014

Dr. Jacob Kritzer, Chair
Scientific and Statistical Committee
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Dear Dr. Kritzer:

The Northeast Seafood Coalition (NSC) appreciates the opportunity afforded by the Science and Statistical Committee (SSC) for the commercial fishing industry to provide estimates of incidental, non-target catch of GOM cod under the prevailing operating conditions and regime shift experienced in the fishery. Although NSC has numerous issues concerning the lack of process and transparency surrounding the trial update delivered by the Northeast Fishery Science Center in August, we are grateful for the SSC's efforts to recommend a provisional ABC until more information was provided.

The Northeast Sector Service Network (NESSN), an organization that provides technical and operational services on behalf of the Northeast Fishery Sectors, prepared an analysis for the PDT upon the SSC's request (see attached). Like other Groundfish Sectors, the NEF Sectors have access to fisheries data, which is managed and reported to NMFS in accordance with the Sector regulations. This unique access enables the sectors to collaborate through the coordination of the NESSN network to provide reports and analysis that could not have been accomplished in the past. The report provided to the PDT is one example.

In their report, NESSN provides an incidental, non-target catch of GOM cod estimate of 205 mt based on fishing activity of the NEF Sectors alone. This estimate, which is based on prevailing conditions, is necessary to allow continued fishing for other stocks and other fisheries in the Gulf of Maine in FY 2015. NESSN also notes that the constant catch ABC strategy of 1,550 mt, established for fishing years 2013-2015, has directly served as a spatial and temporal management tool among and within statistical block areas due to the operational realities of low allocations and high lease costs.

Members of the SSC should be aware that the current ABC for GOM cod of 1,550 mt has greatly altered the behavior and fishing activity of the fleet. Also, large reductions (45-60%) in the ACLs for other important GOM stocks such as CC/GOM yellowtail flounder, witch flounder and American plaice have not only dramatically reduced overall effort in the GOM since 2013 but it has lowered the baseline need for incidental catch of cod. However, NSC cannot overemphasize our concern that 2013 / 14 catch rates on GOM cod may be due to a cyclical environmental effect on catchability and spatial distribution and that these incidental catch estimates are based upon recent conditions and do not account for changes in fish behavior.

As it stands now, the provisional ABC of 200 mt would equate to a groundfish sector sub-ACL of roughly 100 mt. This sub-ACL does not offer enough for GOM cod to serve as incidental catch for the groundfish fishery nor does it allow other fisheries to operate efficiently (e.g. dogfish, monkfish, skates) in the Gulf of Maine. Furthermore, an ABC of 200 mt does not offer a significant biological gain in the projected spawning stock biomass. In the PDT report dated September 11, 2014 to the SSC, Table 4 reveals there is less than a 2% gain in spawning stock biomass between 2015 catch at Fmsy and the 200 mt provisional ABC.

NSC recommends members of the SSC will consider the following when making their final recommendation for the 2015 ABC for GOM cod:

- The 200 mt PDT recommendation is directly linked to an F rebuild to 2024 and the reference point for Bmsy at circa 57,000 mt.
- The PDT notes this requires stock productivity that has not been seen in many years, if at all, ***with a 37% annual compounded stock growth*** necessary to rebuild
- Therefore, at a 200 mt F rebuild we are almost certainly chasing an unattainable target within the 10 year timeframe which started less than 6 months ago.
- Recent recreational catch estimates showed nearly 180 mt of catch in just two months of fishing.
- The commercial fishing industry has offered solid estimates of incidental catches assuming continued low catch rates.

NSC contends, with great certainty, that there will be enormous impacts on the recreational and commercial components of the fleets in the GOM at the 200 mt ABC F rebuild level. We also note that there has never been an economic impact analysis conducted in the past that has attempted to estimate impacts at these (200 mt) levels of catches. To know the true impacts would be to know - with some certainty -, the amount of GOM cod needed as incidental catch to keep the Gulf of Maine open for other species and fisheries.

To conclude, there is a high degree of certainty that huge losses of yield on other stocks and loss of business will occur at the 200 mt catch F rebuild level. Comparatively, what certainty or confidence do we have that fishing at 200 mt F rebuild rather than a level that is safely set below the OFL, will rebuild GOM cod to 57,000 by 2024?

During the SSC meeting on October 20, 2014, NSC hopes the SSC will consider the OFL and ABC control rules in the context of the honest incidental catch levels provided by industry. We hope the SSC will closely examine the M.2 Bmsy reference points which are driving F rebuild catches far below incidental catch estimates.

Lastly, we hope the SSC will consider the plausibility of the notion that prevailing conditions are consistent with and in support of the M.2 model reference points and the existing rebuilding plan. In order to adequately consider prevailing conditions, the SSC may conclude that substantial changes to the reference points may be warranted. However, if this is deemed to be outside the TORs for the upcoming SSC meeting then NSC respectfully suggests that an ABC associated with F rebuild under the current rebuilding scenario is unwarranted and that the OFL and ABC control rule at 75% Fmsy would prevent overfishing and account for scientific uncertainty at least for the 2015 ABC.

Sincerely,



Jackie Odell, Executive Director

CC: Terry Stockwell, Chair, New England Fishery Management Council
Elizabeth Etrie, Program Director, Northeast Sector Service Network