

February 24, 2014

Terry Stockwell, Chairman  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

Dear Terry,

It is with great urgency that I write to you today to request the Council address the existing Accountability Measures (AM) for Northern and Southern windowpane flounder through an expedited and focused Framework action.

We understand that a focused Framework adjustment can be accomplished in two Council meetings with one of them being a Committee meeting. Therefore we believe the Council could act to initiate a Framework during the February Council meeting, which would place the first Framework meeting at the next Groundfish Committee meeting and the second to occur at the full Council meeting scheduled in April. NSC greatly appreciates the limitations on Council resources which is why we offer that this Framework be focused on the groundfish sub-ACL and AMs for windowpane only.

NSC is committed to assisting the Council and NMFS toward immediate management adjustments that can prevent long term biological or economic losses. More specifically, to adjust the Multispecies FMP through focused, limited measure Frameworks where policy solutions may already exist and profound negative consequences can be avoided. NSC strongly believes this is the case with the Northern and Southern windowpane flounder AMs.

Over the past few months, NSC has come to learn that the existing AM for Northern windowpane flounder is entirely inadequate and therefore ineffective for preventing ACL overages while the triggering of the Southern windowpane flounder AM now appears to be largely unnecessary. The following includes additional information for consideration:

**NORTHERN WINDOWPANE FLOUNDER:**

- The existing AMs are reactive and only trigger once the ACL is exceeded which is rarely known in-season.
- We estimate the existing large AM area will cost 5 to 10 million dollars in lost revenues.
- The existing AM areas do not account for much of the area where windowpane bycatch has been occurring in recent years. There will be tremendous economic losses without commensurate biological benefits in the form of windowpane mortality.

- The AM only applies to groundfish. Groundfish caught 100.5% of the 2012 sub ACL yet the large AM area was triggered.
- The groundfish industry will be prepared to submit an alternative AM that will provide improved accountability to the sub-ACL.

SOUTHERN WINDOWPANE FLOUNDER:

- The most recent status determination for this stock is that S. windowpane is rebuilt.
- The ACL overage reported in 2012 is covered by the increase in the ACL in 2013.
- The economic impacts to our SNE membership that will result from lost income generated from the SNE winter flounder and SNE yellowtail flounder fishery will be substantial. A framework will allow a focused look at the AM and future catch projections using updated information.

Thank you in advance for your consideration.

Sincerely,



Jackie Odell  
Executive Director