



April 6, 2022

Eric Reid, Chairman  
New England Fishery Management Council  
50 Water Street  
Newburyport, MA 01950

Sent via electronic submission

Dear Eric,

As the Council looks to initiate Groundfish Framework 65, the Northeast Seafood Coalition (NSC) offers the following recommendations for measures being considered under “additional measures to promote stock rebuilding”.

The Agency’s letter dated August 13, 2021 notified the Council of “inadequate progress” on the rebuilding of Gulf of Maine Cod.

In addition to the need to establish a new rebuilding plan by 2023, the Agency offered: “The Council could consider additional spawning protections such as time/area closures, selected gears or other measures that could foster increased spawning success to increase the probability of improvements in recruitment.”

As the Council begins to address the Agency’s letter the NSC strongly urges the Council to proceed in the context of these realities:

1. Atlantic Cod Research Track is ongoing and will be completed in 2023. This assessment is considering a revised stock structure for cod (biological stock delineations are different than what is currently being used to manage the fishery) that could impact biological units and management approaches within the next couple of years.
2. Governance and management issues related to climate change, changing environmental conditions and fishery stock distributions, are under consideration both regionally and nationally.
3. Existing Gulf of Maine cod specific closures implemented for spawning (GOM Cod Spawning Protection Closure (“Whale Back”), Winter Massachusetts Bay Spawning Area and Spring Massachusetts Bay Spawning Protection Area) and reductions in mortality (Gulf of Maine Cod Protection Areas), have lacked ongoing monitoring to evaluate the efficacy of the existing closures.
4. Amendment 23 is targeting up to 100% monitoring coverage rate for commercial fishery participants in the groundfish sector program.

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When “additional measures to promote stock rebuilding” are considered in this context, it should be obvious that reverting to the old management and analytical approaches used to create static time/area closures *to be applied to one subset* of the fishery is an outdated approach if the true goal is biological, improving recruitment.

This is the time to phase out the archaic static time / area closures like the Gulf of Maine Cod Protection Areas and begin to utilize the Amendment 23 “up to 100% coverage rate” to better inform an advanced management approach. Such an approach could include a Dynamic Spawning Closure strategy to target spawning area protections in the time and space when and where spawning is actually occurring. Such an approach could provide much more effective spawning area protections and improve recruitment while allowing for recognizable “benefits” to an industry funded monitoring program as revised under Amendment 23.

If this advanced management approach is beyond the scope of this Framework and capabilities of the Council, NSC recommends to improve the effectiveness of the existing spawning closures that all gear capable of catching or disturbing spawning cod be excluded from the three specific spawning areas as identified to date.

Lastly, in light of the high levels of monitoring, NSC recommends the Council consider regulatory exemptions to the existing Gulf of Maine Cod Protection Areas that allow monitored vessels the opportunity to selectively harvest their allocation of other stocks that are presently precluded by these closures. Commercial participants enrolled under the groundfish sector program, most notably the dayboat fleet, are limited in time and space to safely harvest their allocations. The Gulf of Maine Cod Protection Areas are a combination of mortality and spawning closures applied to the commercial groundfish sector participants only. These areas have greatly prevented fishermen’s ability to harvest the sector sub-ACL on other stocks like flounders and haddock. Regulatory exemptions would again provide “benefits” to an industry funded monitoring program under Amendment 23 while allowing for ongoing real time monitoring to better inform future management. Furthermore, it will be the ONLY reliable means of gaining data from these seasonal closures since the commercial sector will have high levels of monitoring as prescribed by Amendment 23. The components currently exempt from the Cod Protection Measures have either no monitoring or very little monitoring.

As members of the commercial groundfish sector program brace themselves for the upcoming 2022 fishing year, which many believe will be one of the most difficult years since the transition to the sector management program, we hope the Council is mindful of the existing realities and takes this opportunity to create incentives and benefits under Framework 65.

Sincerely,

Jackie Odell  
Executive Director

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Policy Advisor NSC Board of Directors