

**AMENDMENT # 9 TO THE
FISHERY MANAGEMENT PLAN
FOR ATLANTIC SURFCLAM AND OCEAN QUAHOG FISHERIES**

MAY 1996

Mid-Atlantic Fishery Management Council

in cooperation with the

National Marine Fisheries Service

and the

New England Fishery Management Council

Draft adopted by MAFMC: 22 February 1996

Final adopted by MAFMC: 16 May 1996

Final approved by NOAA: 27 September 1996

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2. SUMMARY

The Amendment is intended to bring the Fishery Management Plan for the Atlantic Surfclam and Ocean Quahog Fisheries (FMP) into compliance with the guidelines in 50 CFR 602 which mandate a quantifiable definition of overfishing in all FMPs. The FMP modified by this Amendment was implemented on 17 November 1977. The Amendment does not change the MSYs, OYs, or quota setting process and, therefore, does not alter the FMP's consistency with any National Standard. National Standard 1 is the only standard affected by the redefinition of overfishing produced through this Amendment and since the Council's time-horizon, quota-setting policy is more conservative than the adopted rate-based alternative overfishing definition, conservation and management measures for these resources will continue to prevent overfishing. The Council's quota setting policy will remain the annual "target" harvest level, while the new rate based overfishing level will be the "threshold" of harvest levels beyond which the long-term productive capability of the stock is jeopardized.

The objectives of the FMP are:

1. Conserve and rebuild Atlantic surfclam and ocean quahog resources by stabilizing annual harvest rates throughout the management unit in a way that minimizes short term economic dislocations.
2. Simplify to the maximum extent the regulatory requirement of surfclam and ocean quahog management to minimize the government and private cost of administering and complying with regulatory, reporting, enforcement, and research requirements of surfclam and ocean quahog management.
3. Provide the opportunity for industry to operate efficiently, consistent with the conservation of surfclam and ocean quahog resources, which will bring harvesting capacity in balance with processing and biological capacity and allow industry participants to achieve economic efficiency including efficient utilization of capital resources by the industry.
4. Provide a management regime and regulatory framework which is flexible and adaptive to unanticipated short term events or circumstances and consistent with overall plan objectives and long term industry planning and investment needs.

The management unit is all surfclams (*Spisula solidissima*) and all ocean quahogs (*Arctica islandica*) in the Atlantic EEZ.

2.1. Overfishing Definitions

Overfishing is currently defined as the catch of surfclams or ocean quahogs exceeding the annual quota for each species. The provisions of the FMP concerning annual quotas, vessel allocations, cage tags, minimum size limit, closed areas, and reporting have prevented overfishing, given the existing stock conditions during the past nearly two decades of management for these two species. The NMFS has concluded that the MSY-based/relatively constant harvesting strategy used as the previous overfishing definition is no longer acceptable since it depends on the Council taking appropriate action rather than relying on a quantifiable rate-based standard.

The adopted overfishing definition for surfclams is a fishing mortality rate of $F_{20\%}$ (20% of the maximum spawning potential, or MSP), which equates to an annual exploitation rate of 15.3%. The adopted overfishing definition for ocean quahogs is a fishing mortality rate of $F_{25\%}$ (25% of the MSP), which equates to an annual exploitation rate of 4.3%.

Alternative overfishing definitions for surfclams are:

1. A fishing mortality rate of F_{max} , which corresponds to an annual exploitation rate of 16.5%, and