

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**Hilton Hotel, Mystic, CT**  
**April 23-25, 2013**  
**MOTIONS**

**Tuesday, April 23, 2013**

**SSC NOMINEE DISCUSSION**

1. Mr. Stockwell moved and Mr. Blount seconded:  
that the Council recommend Jonathan Grabowski and Jason McNamee as new SSC members.

The motion **carried** unanimously on a show of hands (16/0/0).

**GROUND FISH**

2. Mr. Stockwell moved on behalf of the committee:  
to task the PDT and SSC to examine the issue of Georges Bank (GB) haddock spillover into the Gulf of Maine (GOM) stock area, provide an estimate of the amount of spillover when large year classes of GB haddock occur and provide suggestions as to how the anticipated spillover of the strong 2010 year class can be used to adjust the GOM haddock ABC for FY 2013, 2014 and 2015.
- 2a. Mr. Stockwell moved and Mr. T. Alexander seconded:  
to table the previous motion to a time certain.

The motion to table **carried** on a show of hands (13/3/0).

**Wednesday, April 24, 2013**

**GROUND FISH (continued from previous day)**

3. Mr. Stockwell moved on behalf of the committee:  
recommend the Council request NMFS implement by Emergency Action a measure that will attribute 10% of GB haddock quota to the GOM haddock quota and 10% of the GOM haddock quota to GB haddock quota.
- 3a. Mr. T. Alexander moved to amend and Ms. Ramsden seconded:  
recommend the Council request NMFS implement by Emergency Action a measure that will attribute up to 10% of GB haddock quota to the GOM haddock quota and up to 10% of the GOM haddock quota to GB haddock quota.

The motion to amend **carried** on a show of hands (12/3/2).

The main motion, as amended, **carried** on a show of hands (13/4/0).

4. Mr. Stockwell moved and Mr. Dempsey seconded:  
to bring back motion #2 from the previous day.

The motion **carried** unanimously on a show of hands (17/0/0).

- 4a. The tabled motion was discussed:  
to task the PDT and SSC to examine the issue of GB haddock spillover into the GOM stock area, provide an estimate of the amount of spillover when large year classes of GB haddock occur, and provide suggestions as to how the anticipated spillover of the strong 2010 year class can be used to adjust the GOM haddock ABC for FY 2013, 2014 and 2015.
- 4b. Mr. McKenzie moved to amend but it was not seconded:  
to task the PDT and SSC to examine the issue of GB haddock and cod spillover into the GOM stock area, provide an estimate of the amount of spillover when large year classes of GB haddock occur, and provide suggestions as to how the anticipated spillover of the strong 2010 year class can be used to adjust the GOM haddock ABC for FY 2013, 2014 and 2015.
- 4c. The tabled motion was further discussed:  
to task the PDT and SSC to examine the issue of GB haddock spillover into the GOM stock area, provide an estimate of the amount of spillover when large year classes of GB haddock occur, and provide suggestions as to how the anticipated spillover of the strong 2010 year class can be used to adjust the GOM haddock ABC for FY 2013, 2014 and 2015.

The motion **carried** unanimously on a show of hands (17/0/0).

5. Mr. Stockwell moved on behalf of the committee:  
recommend the Council request an Emergency Action to incorporate the most recent assessment of white hake from SARC 56 and implement the 2013 ACL as soon as possible during the fishing year to provide additional opportunities to the groundfish fleet.

The motion **carried** on a show of hands (16/1/1).

6. Mr. Stockwell moved on behalf of the committee:  
recommend the Council send a letter to NMFS requesting monthly public reports on size composition of catch for all groundfish stocks which have reduced minimum size limits following the implementation of Framework 48. These monthly reports would be sent to the Council and published on the NERO website and compare proportional landings by size class to this information from FY2011 landings for all specified stocks.

- 6a. Dr. Pierce moved to substitute and Mr. Gibson seconded:  
that the Council request that NMFS:
1. monitor and determine the catch size composition of cod, haddock, gray sole, yellowtail flounder, plaice and redfish for which minimum sizes are reduced through Framework 48;
  2. perform targeted port sampling to determine size composition of landings of these groundfish (supplementing expected low levels of at-sea coverage);
  3. provide the Council and public with quarterly updates of monitoring results including whether catch of small fish as a proportion of total catch has increased relative to FY 2011; and
  4. determine if fishermen are targeting smaller fish leading to a different fishery selectivity having negative implications for yield per recruit, status determination criteria and rebuilding progress.

The motion to substitute **carried** on a show of hands (14/1/2).

The substitute motion **carried** unanimously on a show of hands (17/0/0).

7. Mr. Goethel moved and Dr. Pierce seconded:  
request that the Council send a letter to NEFSC to: 1) establish a research track to map changes to spawning sites and general distribution of all groundfish and explore what these changes mean to long term yield from the fishery; and 2) that ecosystem reference points be a term of reference in all future groundfish assessments.

The motion **carried** unanimously on a show of hands (17/0/0).

8. Mr. Goethel moved and Mr. Preble seconded:  
that the Council consider the development of an ecosystem management plan for a priority for 2014.

The motion **carried** on a show of hands (15/1/1).

9. Mr. Goethel moved and Ms. Ramsden seconded:  
the Council request that the appropriate group (SSC, PDT or NEFSC) calculate a new set of reference points for the current warm water regime. Once these calculations are complete, have the SSC calculate new ABCs and ACLs to be implemented for the remainder of the 2013-2015 period.

- 9a. The motion was perfected to read:  
the Council request that the appropriate group (SSC or NEFSC) initiate calculations for a new set of groundfish reference points for the current regime. Once these calculations are complete, have the SSC calculate new ABCs and ACLs as the new reference points become available.

The motion, as perfected, **carried** on a show of hands (15/1/1).

10. Mr. Goethel moved and Mr. Grout seconded:  
for overfished stocks not covered by previous motions (GOM cod, GB cod, Cape Cod yellowtail flounder, GB yellowtail flounder, witch flounder and plaice) request that the Secretary of Commerce implement interim action to reduce overfishing on all stocks based on F rates for the actual 2012 catch. These would remain in effect until the new reference points and associated ACLs could be implemented.

The motion **failed** on a show of hands (7/10/0).

11. Mr. Goethel moved and Mr. Grout seconded:  
request the Council send a letter to Congress to educate them about the exigent environmental circumstances that have occurred off the New England coast in regards to a new warm water regime. The letter should request Congressional guidance on how to deal with a circumstance not anticipated by Magnuson-Stevens.

- 11a. Dr. Pierce moved and Mr. Gibson seconded:  
to table the previous motion until a time certain.

The motion to table **carried** unanimously on a show of hands (17/0/0).

## HABITAT

12. Mr. T. Alexander moved and Mr. Balzano seconded:  
that the Council direct the Committee to include a no ground cable option for trawl gear as an alternative to closure and to include in that option a mechanism to allow a framework adjustment to modify the no ground cable restriction to a modified ground cable restriction.
- 12a. The motion was perfected to read:  
that the Council direct the Habitat Committee to include a no ground cable option for trawl gear as an alternative to closures for habitat management areas on Georges Bank and to include in that option a mechanism to allow a framework adjustment to modify the no ground cable restriction to a modified ground cable restriction.

The motion, as perfected, **carried** on a show of hands (10/7/0).

## CATT DISCUSSION

13. Ms. Tooley moved and Mr. Kendall seconded:  
the Council direct the CATT to develop options for species that meet the following criteria:

Juvenile:

1. vulnerability score higher than the mean, and;
2. score a 3 for habitat/fidelity substrate

- 13a. The motion was perfected to read:  
the Council direct the CATT to develop options for species that meet the following criteria, excluding Georges Bank haddock:

Juvenile:

1. a vulnerability score greater than the mean or a substrate score equal to 3; or
2. a substrate score 2 or higher and a vulnerability score of 2.0 or higher

The motion, as perfected, **failed** on a show of hands (4/13/0).

## GROUND FISH

14. Mr. Dempsey moved and Mr. Balzano seconded:  
that the Council convene an electronic monitoring working group consisting of 2 current members of the Council, 2 NERO representatives chosen by the Regional Administrator and 2 NEFSC representatives chosen by the Science Director.

The objective of this working group would be to identify any existing barriers or necessary steps to NMFS approving sector operations plan(s) that rely on electronic monitoring as a primary mechanism to achieve the Council's identified compliance and catch attribution goals for this program (separate from the biological sampling program).

The working group will provide a brief progress update at the June Council meeting and will present a full overview at the September Council meeting of existing barriers, identified next steps, respective responsibilities of each participating entity and anticipated timelines to implementation of electronic monitoring.

- 14a. The motion was perfected to read:  
that the Council convene an electronic monitoring working group consisting of 2 current members of the Council, 2 NERO representatives chosen by the Regional Administrator and 2 NEFSC representatives chosen by the Science Director, 2 members of the Groundfish Advisory panel, NOAA General Counsel, a representative from NOAA enforcement and 2 members of the industry.

The objective of this working group would be to identify any existing barriers or necessary steps to NMFS approving sector operations plan(s) that rely on electronic monitoring as a primary mechanism to achieve the Council's identified compliance and catch attribution goals for this program (separate from the biological sampling program).

The working group will provide a brief progress update at the June Council meeting and will present a full overview at the September Council meeting of existing barriers, identified next steps, respective responsibilities of each participating entity and anticipated timelines to implementation of electronic monitoring.

The motion, as perfected, **carried** unanimously on a show of hands (17/0/0).

### **Thursday, April 25, 2013**

#### **MONKFISH**

1. Mr. Stockwell moved and Ms. Tooley seconded:  
the Council requests the NMFS to expedite modification of the final rule on the monkfish Emergency Action to increase the monkfish possession limit while fishing on a groundfish DAS as follows: 600 lbs. (tail weight) per groundfish DAS for Category D vessels and 1,250 lbs. (tail weight) per groundfish DAS for Category C vessels in the NFMA only.

The motion **carried** on a show of hands (13/2/0).

2. Mr. Dempsey moved and Mr. McKenzie seconded:  
to remove the ITQ option from Amendment 6.

The Chair ruled the motion **out of order**.

#### **SCALLOPS**

3. Ms. Tooley moved on behalf of the committee:  
that the Council initiate Framework 25 and include an option to develop alternatives to address those trips allocated in Closed Area 1 in FY 2013 under Framework 24.

The motion **carried** unanimously on a show of hands (16/0/0).

4. Ms. Tooley moved on behalf of the committee:  
recommend that the Council approve the FY 2013 RSA priorities with the changes recommended by the PDT and in motions 5, 6 and 7 from the scallop AP meeting on March 31, 2013.

The motion **carried** on a show of hands (15/0/0).

## **ENFORCEMENT**

5. Mr. Blount moved on behalf of the committee:  
recommend redirecting the letter to the ASMFC, ALWTRP and the state directors encouraging them to meet with fishermen and the lobster associations of ME, MA and NH.

The motion **carried** unanimously on a show of hands (16/0/0).

## **MSA**

6. Ms. Tooley moved and Mr. Dempsey seconded:  
that the Council recommend to the organizers of the Managing our Nation's Fisheries 3 (MONF3) conference that an important amendment to the Magnuson-Stevens Act would authorize the NMFS to provide the U.S. industry with a sustainable certification program and certification mark, which would provide the industry with the ability to promote and sell its seafood products, in both domestic and export markets, as sustainable based upon the requirements of the Act.
- 6a. The motion was perfected to read:  
that the Council recommend to add to the list of reauthorization priorities the need for a sustainable certification that would authorize NMFS to provide the U.S. industry with a sustainable certification program and certification mark, which would provide the industry with the ability to promote and sell its seafood products, in both domestic and export markets, as sustainable based upon the requirements of the Act.

The motion **carried** unanimously on a show of hands (16/0/0).

## **GROUND FISH**

7. Mr. Kendall moved and Mr. Goethel seconded:  
to bring back motion #11 from the previous day.

The motion **failed** on a show of hands (3/14/0).