

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Sheraton Ferncroft
Danvers, MA
January 24, 2008
MOTIONS

Thursday, January 24, 2008

GROUND FISH

1. Mr. Cunningham moved on behalf of the committee:
to recommend the following alternatives:
No action: the history associated with each permit joining a sector will be calculated based on landings from the most recent 5-year period prior to the sectors implementation. For sectors starting operations on 5/1/09, NMFS has determined this period will be FY 2002-2006.
Alternative 1: the history associated with each permit joining a sector will be calculated based on landings during the period FY 1996 through FY 2006.
Alternative 2: the history associated with each permit joining a sector will be calculated based on two (2) factors that are weighted equally: landings during the period FY 1996 through FY 2006, and a factor calculated from permit baseline length, horsepower and allocated days-at-sea (DAS).
- 1a. Mr. Pierce moved and Mr. Goethel seconded:
to table the previous motion until later in the meeting.

The motion to table **failed** on a show of hands (7/8/0).
- 1b. Mr. Preble moved but it was withdrawn:
to add an additional alternative:
Alternative 3: the history associated with each permit joining a sector will be calculated based on two (2) factors that are weighted equally: landings during the period FY 1996 through FY 2006, and a factor calculated from permit baseline length, horsepower and allocated DAS and that this alternative apply across all stocks and all areas.
- 1c. Mr. Cunningham moved and it was seconded:
to withdraw the main motion until later in the day.
- 1d. Mr. Salisbury moved and Mr. Odlin seconded:
that Items 1, 8, 9, 10, 11, 12, 13 be remanded to the Groundfish Committee as tentative objectives for Amendment 16.
Item 1 - promote sector enrollment;
Item 8 - minimize analytical difficulties in determining catch histories for allocation;
Item 9 - establish an allocation system that fairly and equitably distributes quota to participants recognizing that it is unlikely that any allocation can be 100% acceptable to all participants;
Item 10 - to the extent practicable preserve the current makeup of the fleet both in size categories and in geographical areas;
Item 11 - provide a mechanism for capacity reduction through consolidation;
Item 12 - provide incentive to self-govern;
Item 13 - recognize past and present participation and dependence on the fisheries.

- 1e. Dr. Pierce moved to amend and Mr. Nelson seconded:
to add Items 2 and 4 as tentative objectives for determining potential sector contributions in Amendment 16.
Item 2 - minimize effort displacement into other fisheries and impacts on common pool (non-sector) vessels;
Item 4 - take into account the current investments made by industries (e.g. permit purchases and days-at-sea leasing).

The motion to amend **failed** on a show of hands (4/11/0).

- 1f. Mr. Preble moved to substitute and Mr. Rice seconded:
to substitute the five (5) goals suggested by Mr. Simpson for the list of 13 objectives:
- 1) address bycatch issues;
 - 2) simplify management;
 - 3) give industry greater control over their own fate;
 - 4) provide a mechanism for economics to shape the fleet rather than regulations (while working to achieve fishing and biomass targets);
 - 5) prevent excessive consolidation that would eliminate the day boat fishery
(*these goals are specific to sector allocation, not to the amendment at large.*)

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

The substitute motion **carried** on a show of hands (12/2/1).

- 1g. Mr. Cunningham moved on behalf of the committee:
to recommend the following alternatives for calculating potential sector contributions/permit history:
No action: the history associated with each permit joining a sector will be calculated based on landings from the most recent 5-year period prior to the sectors implementation. For sectors starting operations on 5/1/09, NMFS has determined this period will be FY 2002-2006.
Alternative 1: the history associated with each permit joining a sector will be calculated based on landings during the period FY 1996 through FY 2006.
Alternative 2: the history associated with each permit joining a sector will be calculated based on two (2) factors that are weighted equally: landings during the period FY 1996 through FY 2006, and a factor calculated from permit baseline length, horsepower and allocated DAS.

- 1h. Mr. Preble moved to amend and Mr. Nelson seconded:
to add Alternative 3 to the previous motion.
Alternative 3: the history associated with each permit joining a sector will be calculated based on two (2) factors that are weighted equally: landings during the period FY 1996 through FY 2006, and a factor calculated from permit baseline length, horsepower and allocated DAS. The portion allocated based on capacity applies to all stocks allocated to sectors (*regardless of where the boat fished or landed*).

The motion to amend **carried** on a show of hands (10/2/2).

- 1i. Mr. Leary moved to substitute and Mr. Salisbury seconded:
that for Alternatives 2 and 3, remove the formula 10L+HP but leave the allocated Category "A" DAS = baseline capacity.

- 1j. Mr. Leary moved to amend and Mr. Nelson seconded:
to create Alternatives 2A and 3A removing the formula $10L+HP$ and that 2A and 3A be analyzed by the Groundfish PDT using the allocated "A" DAS = baseline capacity.

The motions to substitute and amend were **withdrawn**.

- 1k. Mr. Leary moved to amend and Mr. Goethel seconded:
to direct the Groundfish PDT to analyze the functionality of the formula $10L+HP \times$ allocated "A" DAS pertaining to vessel size and gear type.

The motion to amend was **ruled out of order**.

- 1l. Mr. Leary moved to amend and Mr. Goethel seconded:
to add an alternative that uses as the capacity formula in Alternatives 2 and 3: capacity = allocated Category "A" DAS.

The motion to amend **failed** on a show of hands (2/11/1).

- 1m. The main motion, as perfected and as amended, was voted:
to recommend the following alternatives:

No action: the history associated with each permit joining a sector will be calculated based on landings from the most recent 5-year period prior to the sectors implementation. For sectors starting operations on 5/1/09, NMFS has determined this period will be FY 2002-2006.

Alternative 1: the history associated with each permit joining a sector will be calculated based on landings during the period FY 1996 through FY 2006;

Alternative 2: a quota share allocation based 50% on history, using FY 1996-2006 as the baseline period and 50% upon vessel baseline capacity, using the formula: $(10L+HP)(\text{allocated "A" DAS}) =$ baseline capacity, the portion allocated based on capacity applies to the stocks landed by the permit;

Alternative 3: the history associated with each permit joining a sector will be calculated based on two (2) factors that are weighted equally: landings during the period FY 1996 through FY 2006, and a factor calculated from permit baseline length, horsepower and allocated DAS using the formula: $(10L+HP)(\text{allocated "A" DAS}) =$ baseline capacity. The portion allocated based on capacity applies to all stocks allocated to sectors (*regardless of what stocks the boat landed*).

The motion **carried** on a show of hands (13/1/1).

2. Ms. McGee moved and Mr. Preble seconded:
that Alternative 3 be designated as a substitute option under Alternative 2. Furthermore, that the Council select Alternative 2 as the preferred alternative for calculating the shares allocated to each sector.

- 2a. The motion was perfected to read:
that the Council prefers alternatives that combine history with capacity.

The motion as perfected **failed** on a show of hands (4/8/0).

3. Mr. Cunningham moved on behalf of the committee:
that all vessels with a limited access multispecies permit can join a groundfish sector and in the formation of a sector, sector participants can select who may participate in the sector.

- 3a. Mr. Odlin moved to amend and Mr. Stockwell seconded:
that only vessels with a limited access multispecies permit can join a groundfish sector and in the formation of a sector, sector participants can select who may participate in the sector.

The motion to amend **carried** on a show of hands (12/2/0).

The amended motion **carried** on a show of hands (12/2/0).

4. Ms. McGee moved and Mr. Avila seconded:
to eliminate rolling closures from the list of universal exemptions for sectors

- 4a. Dr. Pierce moved and Mr. Salisbury seconded:
to table motion #4 indefinitely.

The motion to table carried on a show of hands (11/3/0).

5. Mr. Cunningham moved on behalf of the committee
that the Council consider the request to have NMFS institute emergency action as requested by the CCCHFA concerning the expansion of the Closed Area 1 area SAP.

- 5a. Mr. Salisbury moved and Mr. Avila seconded:
to table the previous motion until the February Council meeting.

The motion to table carried on a show of hands (12/2/0).