

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**Eastland Park Hotel, Portland, ME**  
**June 22-24, 2010**  
**Motions**

**Tuesday, June 22, 2010**

**VMS/ENFORCEMENT**

1. Mr. Avila moved on behalf of the committee:  
to recommend that observers must be available before the time set by the pre-trip sailing notification so that the safety check is completed before that time.
- 1a. Mr. Goethel moved to amend and Mr. Preble seconded:  
that observers must be available before the time set by the pre-trip sailing notification, so that the safety check is completed before that time.

The motion to amend was **withdrawn** by its maker.

The main motion was **withdrawn** by the Chair.

**HABITAT**

2. Mr. Preble moved on behalf of the committee  
to recommend to the Council that the Habitat Committee and PDT's work plan include development of the following concepts (motions 1 and 2 from the June 10 Committee motions).

The motion **carried** on a show of hands (13/2/1).

**Wednesday, June 23, 2010**

**GROUND FISH**

1. Mr. Blount moved on behalf of the committee:  
to recommend to the Council to replace the existing party/charter control date with the new date published in the *Federal Register* and to recommend to the Council that party/charter boat fishery measures be included in the next groundfish amendment.
- 1a. Mr. Cunningham moved to amend and Mr. Odlin seconded:  
to recommend to the Council to replace the existing party/charter control date with the new date published in the *Federal Register* and to recommend to the Council that party/charter boat fishery measures be included in the next appropriate groundfish action.

- 1b. Mr. Odlin moved to substitute and Mr. Avila seconded:  
to reaffirm the existing party/charter control date.

The motion to substitute **carried** on a roll call vote (10/6/1).

Yes – Messrs. Avila, Blount, Fair, Leary, Odlin, Pierce, Preble, Stockwell, Ms. Tooley, Ms. McGee

No - Messrs. Alexander, Cunningham, Gibson, Goethel, Grout and Libby

Abstention(s) - Ms. Kurkul

The substitute motion **carried** on a show of hands (12/4/1).

2. Mr. Blount moved on behalf of the committee:  
to recommend that the Council request an emergency action from NMFS to make GOM winter flounder a zero-possession fishery.
- 2a. Mr. Goethel moved to substitute and Mr. Preble seconded:  
to 1) suspend accountability measures for sectors but have sectors continue to record catch; 2) have the SSC use mixed stock exceptions to set new acceptable biological catch for GOM winter flounder; 3) sector and common pool 100 lb. trip limit and 4) accountability measures for both sector and common pool; vessel must cease fishing, return to port and report position of winter flounder catch if in excess of 100 lbs. for that trip.
- 2b. The motion to substitute was perfected to read:  
for GOM winter flounder, 1) suspend accountability measures for sectors but have sectors continue to record catch; 2) have the SSC use mixed stock exceptions to set new acceptable biological catch for GOM winter flounder; 3) sector and common pool 100 lb. trip limit; 4) accountability measures for both sector and common pool; vessel must cease fishing, return to port and report position of winter flounder catch if in excess of 100 lbs. for that trip.
- 2c. The motion to substitute was further perfected to read:  
for GOM winter flounder, 1) suspend accountability measures for sectors but have sectors continue to record catch; 2) sector and common pool 100 lb. trip limit; 3) accountability measures for both sector and common pool; vessel must cease fishing, return to port and report position of winter flounder catch if in excess of 100 lbs. for that trip.
- 2d. Mr. Grout moved to amend the substitute and Ms. McGee seconded:  
for GOM winter flounder, ask NMFS to 1) suspend accountability measures for sectors but have sectors continue to record catch; 2) sector and common pool 50 lb. trip limit; 3) accountability measures for both sector and common pool; vessel must cease fishing, return to port and report position of winter flounder catch if in excess of 50 lbs. for that trip.

The motion to amend the substitute **failed** on a roll call vote (4/13/0).

Yes – Messrs. Preble, Grout, Goethel and Alexander

No – Ms. Tooley, Ms. McGee, Ms. Kurkul, Messrs. Stockwell, Pierce, Odlin, Libby, Leary, Gibson, Fair, Cunningham, Blount and Avila

Abstention(s) - none

- 2e. The motion (#2c) as substituted was voted:

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

- 2f. The main motion was voted:  
to recommend that the Council request an emergency action from NMFS to make GOM winter flounder a zero-possession fishery.

The main motion **failed** on a show of hands (5/12/0).

3. Mr. Blount moved on behalf of the committee:  
to recommend to the Council to ask the SSC if, when GOM winter flounder ABCs were calculated based on landings, whether the SSC considered that landings were constrained in those years by regulations that were then in place.
- 3a. Mr. Grout moved to substitute and Mr. Stockwell seconded:  
to ask the SSC to examine any recent fisheries independent and fisheries dependent data collected since GARM 3 for GOM winter flounder and to evaluate whether this new information would affect their current ABC recommendation for GOM winter flounder.

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

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

4. Mr. Blount moved and Mr. Cunningham seconded:  
that the Council move forward with the initiation of Framework Adjustment 45.

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

5. Mr. Grout moved and Mr. Goethel seconded:  
to include as an option for evaluation in Framework Adjustment 45, an exemption to the handgear A and B permits for requirements in dockside monitoring.

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

6. Dr. Pierce moved and Mr. Avila seconded:  
to include in Framework Adjustment 45, measures to protect spawning cod aggregations: 1) currently targeted by the recreational fishery in the Ipswich Bay/Whaleback area and 2) vulnerable to sector vessels fishing in the Southwestern portion of the Amendment 16 June sector rolling closure exempted area. These measures will include a May and June prohibition of cod possession by recreational fishermen fishing in Areas 132 and 133 and removal of the June rolling closure exemption for sector fishing in Areas 132 and 133.

- 6a. The motion was perfected to read:  
to include in Framework Adjustment 45, measures to protect spawning cod aggregations: 1) currently targeted by the recreational fishery in the Ipswich Bay/Whaleback area and 2) vulnerable to sector vessels fishing in the Amendment 16 June sector rolling closure exempted area. These measures will include a May and June prohibition of cod possession and/or closure to recreational fishermen fishing in defined Areas of 132 and 133 and removal of the June rolling closure exemption for sector fishing in defined Areas of 132 and 133.

The motion, as perfected, **carried** on a show of hands (16/0/0).

7. Ms. McGee moved and Mr. Preble seconded:  
to direct the Groundfish PDT to use the following goals to shape its recommendations to the Council on measures relating to accumulation limits: 1) maintain inshore and offshore fleets; 2) to the extent possible, maintain a diverse groundfish fishery, including different gear types, vessel sizes, geographic locations, and levels of participation; 3) maintain a balance in the geographic distribution of landings to protect fishing communities and the infrastructure they provide and 4) prohibit any person from acquiring excessive access to the resource, through in order to prevent extraction of disproportionate economic rents from other permits holders.

7a. The motion was perfected to read:  
to direct the Groundfish PDT to use the following goals to shape its recommendations to the Council on measures relating to accumulation limits: 1) maintain inshore and offshore fleets; 2) to the extent possible, maintain a diverse groundfish fishery, including different gear types, vessel sizes, geographic locations, and levels of participation; 3) maintain a balance in the geographic distribution of landings to protect fishing communities and the infrastructure they provide and 4) prohibit any person or government entity from acquiring excessive access to the resource, through in order to prevent extraction of disproportionate economic rents from other permits holders.

7b. Ms. Tooley moved to amend and it was seconded:  
to direct the Groundfish PDT to use the following goals to shape its recommendations to the Council on measures relating to accumulation limits: 1) maintain inshore and offshore fleets; 2) to the extent possible, maintain a diverse groundfish fishery, including different gear types, vessel sizes, geographic locations, and levels of participation; 3) prohibit any person or government entity from acquiring excessive access to the resource.

The motion to amend **failed** on a show of hands (4/13/0).

7c. The main motion was further perfected to read:  
to direct the Groundfish PDT to use the following goals to shape its recommendations to the Council on measures relating to accumulation limits: 1) maintain inshore and offshore fleets; 2) to the extent possible, maintain a diverse groundfish fishery, including different gear types, vessel sizes, geographic locations, and levels of participation; 3) maintain a balance in the geographic distribution of permits to protect fishing communities and the infrastructure they provide and 4) prohibit any person or government entity from acquiring or controlling excessive access to the resource, through in order to prevent extraction of disproportionate economic rents from other permits holders.

The motion, as perfected, **carried** on a show of hands (16/0/1).

### Thursday, June 24, 2010

### MONKFISH

1. Mr. Stockwell moved and Mr. Fair seconded:  
to approve Amendment 5 for submission to NMFS.

The motion **carried** on a show of hands (15/0/1).

## **PRIORITIES**

2. Mr. Preble moved and Mr. Cunningham seconded:  
to revise priorities to: 1) include a new Groundfish Committee to prepare Framework Adjustment 45 and continue work on the Joint scallop/groundfish yellowtail action (move it above the line) and 2) move the Interspecies Committee actions to below the line.

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

## **SCALLOPS**

3. Dr. Pierce moved and Mr. Avila seconded:  
that the Council initiate Framework Adjustment 22 containing sea scallop fishery specs for 2011 and 2012 and measures to minimize impacts of incidental take of turtles. This framework may include modifications to vessel monitoring systems and other measures based on advisory panel input such as delaying the opening date of Mid-Atlantic access areas for general category vessels and revisiting a provision to allow LAGC IFQ vessels to possess up to 100 bushels of in-shell scallops seaward of the VMS demarcation line.

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

## **OTHER BUSINESS**

4. Mr. Preble moved and Mr. Goethel seconded:  
to improve reporting and enforcement in the bluefin tuna angling quota and that it be required that a self-locking metal tag be immediately affixed to the tail of all bluefin tuna retained under the angling quota, and that no bluefin tuna can be legally possessed without such tail tag properly affixed, and that a card-type reporting system be established throughout the fishery.

The motion was **withdrawn** by its maker.

5. Mr. Preble moved and Mr. Avila seconded:  
given the critical importance of 2010 ICCAT proceedings to the traditional commercial and recreational bluefin tuna fisheries of New England, that the Council request that its ICCAT advisory committee representative be included in the 2010 U.S. delegation to the 2010 annual ICCAT meeting [*letter to be written to Rebecca Lent by July 13*].

The motion **carried** on a show of hands (16/0/1).