

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**Hotel Viking**  
**Newport, RI**  
**November 6-7, 2007**  
**MOTIONS**

**Tuesday, November 6, 2007**

**MONKFISH**

1. Mr. Pappalardo moved on behalf of the committee:  
to adopt and recommend the MAFMC also adopt preferred alternatives for Framework Adjustment 5 to the Monkfish FMP the following: Biological Reference Points (BRP) Alternative 1; Days-at-Sea (DAS) Carryover Alternative 1 (6 DAS); Gillnet 3-hour Rule Alternative 3; Large-Mesh Incidental Catch Alternative 1, Option B; and Letter of Authorization Alternative 1 for VMS vessels (no action for non-VMS vessels).

1a. Mr. Stockwell moved to amend and Mr. Leary seconded:  
to add to the Large Mesh Incidental Catch Alternative 1, Option B “or when fishing on a skate letter of authorization throughout the Southern New England regulated mesh area (east of 74°00’”).

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

1b. Dr. Pierce moved to amend and Mr. Simpson seconded:  
for Gillnet 3-hour Rule Alternative 3 that all gillnet monkfish trips less than 15 hours would be counted as 15 hours.

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

1c. Mr. Cunningham moved to amend and Ms. McGee seconded:  
to recommend DAS Carryover Alternative 2 (4 DAS).

The motion to amend **carried** on a show of hands (9/6/0).

1d. The main motion as amended was voted:  
to adopt and recommend the MAFMC also adopt preferred alternatives for Framework Adjustment 5 to the Monkfish FMP the following: Biological Reference Points (BRP) Alternative 1; DAS carryover Alternative 2 (4 DAS); Gillnet 3-hour Rule Alternative 3, that all gillnet monkfish trips less than 15 hours would be counted as 15 hours; Large-Mesh Incidental Catch Alternative 1 Option B (or when fishing on a skate Letter of Authorization throughout the Southern New England regulated mesh area (east of 74°00’)) and Letter of Authorization Alternative 1 for VMS vessels (no action for non-VMS vessels).

Yes – Blount, Cunningham, Pierce, Goethel, Hill, McGee, Kurkul, Grout, Preble, Simpson  
No – Avila, Leary, Stockwell, Odlin, Rice, Salisbury  
Abstention(s) –

The amended motion **carried** on a roll call vote (10/6/0).

2. Mr. Goethel moved and Mr. Cunningham seconded:  
to submit Framework Adjustment 5 to NMFS.

The motion **carried** on a show of hands (10/4/1).

3. Mr. Blount moved and Mr. Preble seconded:  
that the Council initiate Framework Adjustment 6 to the Monkfish FMP to address the backstop.

- 3a. Ms. McGee moved and Mr. Goethel seconded:  
to table the previous motion until the following day.

The motion to table **failed** on a show of hands (6/10/0).

- 3b. Mr. Odlin moved to amend and Mr. Leary seconded:  
that the Council initiate Framework Adjustment 6 to the Monkfish FMP to address the backstop  
adjustments in TACs and possible adjustments in trip limits.

The motion to amend **failed** on a show of hands (6/9/0).

- 3c. The main motion was voted:  
that the Council initiate Framework Adjustment 6 to the Monkfish FMP to address the backstop.

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

4. Mr. Pappalardo moved and Mr. Stockwell seconded:  
that the Council approve the draft letter to the Regional Administrator concerning the vessel  
monitoring systems (VMS) impact on the monkfish fishery and requesting reinstatement of the  
DAS call-in program.

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

### **DOGFISH**

5. Mr. Blount moved on behalf of the committee:  
that the spiny dogfish commercial quota be increased from 4 million lbs. to 8 million lbs. for the  
2008 fishing year. Quota period 1 - 57.9% of 8.0 million lbs. quota (4,632,000 lbs.); quota period  
2 - 42.1% of 8.0 million lbs. quota (3,368,000 lbs.); the specified quota will be for one year only.

The motion **carried** on a show of hands (12/4/0).

6. Mr. Blount moved on behalf of the committee:  
that the trip limit for Harvest Period I and Harvest Period II be 3,000 lbs. or a level consistent with  
that specified by the ASMFC. The specified trip limits will be for one year only.

The motion **carried** on a show of hands (10/6/0).

7. Mr. Blount moved on behalf of the committee: that the NEFMC and MAFMC initiate Framework Action 2 to address issues with spiny dogfish biological reference points, primarily the biomass target.

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

8. Mr. Blount moved on behalf of the committee: that the NEFMC and MAFMC initiate Framework Action 3 or Amendment 1 to allow for allocation of quota for male fisheries.

The motion **carried** on a show of hands (12/0/1).

### **RESEARCH STEERING**

9. Mr. Goethel moved and Mr. Preble seconded: that the Council adopt at least two-year cycles for any new research set-aside (RSA) programs that are developed by the Council.

The motion **carried** on a show of hands (13/0/1).

10. Mr. Goethel moved and Mr. Preble seconded: to recommend a process for reviewing RSA proposals as well as final project reports. Reviews will be conducted by a panel of individuals who are members of groups already in place and associated with the Council's species committees. These include members of the relevant oversight committees, PDTs and advisory panels as well as Council staff and Regional Office plan coordinators and any necessary outside experts.

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

11. Mr. Goethel moved and Mr. Preble seconded: in keeping with its research "steering" role, the RSC will serve as a clearing house by reviewing the final recommendations of the RSA review panels both for RSA proposals and final projects before the review panel's recommendations are finalized by the CRPP staff.

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

### **OPERATIONS HANDBOOK**

12. Ms. McGee moved and Ms. Kurkul seconded: to add the following language at the end of the *Terms of Reference* section on the PDT policy "all management alternatives shall be consistent with the SSC advice."

The motion **carried** on a show of hands (8/6/0).

13. Ms. McGee moved and Mr. Preble seconded: to add the following language at the end of the *Composition* section on the PDT policy "members of Council APs may not be simultaneously serve on PDTs."

The motion **carried** on a show of hands (10/6/0).

14. Mr. Simpson moved and Mr. Salisbury seconded:  
that for the SSC policy, to substitute “the five voting members of the Executive Committee will appoint SSC members...” to “the Council will appoint SSC members...”

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

### Wednesday, November 7, 2007

#### PRIORITIES

1. Mr. Preble moved and Mr. Cunningham seconded:  
that the Council adopt the 2007-2008 priorities as recommended by the Executive Committee.

- 1a. Mr. Goethel moved to substitute and Mr. Odlin seconded:  
to substitute whiting for herring on the priority list.

Yes – Avila, Pierce, Goethel, Stockwell, Grout, Odlin, Rice, Salisbury  
No – Blount, Cunningham, Hill, Leary, McGee, Kurkul, Preble, Simpson, Gibson  
Abstention(s) –

The motion **failed** on a roll call vote (8/9/0).

- 1b. The main motion was voted:  
that the Council adopt the 2007-2008 priorities as recommended by the Executive Committee.

Yes – Avila, Blount, Cunningham, Pierce, Hill, Leary, McGee, Kurkul, Stockwell, Grout, Odlin,  
Preble, Rice, Simpson, Gibson  
No – Goethel, Salisbury  
Abstention(s) -

The motion **carried** on a roll call vote (15/2/0).

#### GROUND FISH

2. Mr. Cunningham moved on behalf of the committee:  
that the Council include only the following modifications to adjust the DAS system in Amendment 16:
- count DAS as a minimum of 24 hours;
  - consider adjustments in differential DAS program;
  - trip limit triggers on stocks with trip limits;
  - adjustments to Category A, B and C DAS split as a tool for adjustments to the DAS program.
- 2a. Mr. Goethel moved but did not receive a second:  
that ‘count DAS as a minimum of 24 hours’ be considered but rejected.

- 2b. The main motion was voted:  
that the Council include only the following modifications to adjust the DAS system in Amendment 16:
- count DAS as a minimum of 24 hours;
  - consider adjustments in differential DAS program;
  - trip limit triggers on stocks with trip limits;
  - adjustments to Category A, B and C DAS split as a tool for adjustments to the DAS program.

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

3. Mr. Cunningham moved on behalf of the committee:  
that the Council include in Amendment 16, as an alternative for complying with ACL/AM requirements, a hard TAC backstop based on Amendment 13 hard TAC options.

- 3a. Mr. Odlin moved to amend and Mr. Salisbury seconded:  
that the Council include in Amendment 16, as an alternative for complying with ACL/AM requirements, a hard TAC backstop based on Amendment 13 hard TAC options and direct the Groundfish Committee to develop mitigating plans to avoid olympic fishing and hard shutdowns.

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

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

4. Mr. Cunningham moved on behalf of the committee:  
that the Council include in Amendment 16 an analysis of reducing or eliminating the conservation tax on DAS transfers. Permit transfers that have taken place before the implementation of this provision will receive a refund of their conservation tax.

- 4a. Mr. Odlin moved to amend and Mr. Salisbury seconded:  
that the tax rebate be an option.

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

- 4b. The main motion as amended was voted:  
that the Council include in Amendment 16 an analysis of reducing or eliminating the conservation tax on DAS transfers. Permit transfers that have taken place before the implementation of this provision will receive a refund of their conservation tax and that the tax rebate be an option.

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

5. Mr. Cunningham moved on behalf of the committee:  
that the Council ask NMFS to postpone opening the eastern US/CA area to all gear types until August 1.

- 5a. Mr. Preble moved and Mr. Gibson seconded:  
to table the previous motion to the February 2008 Council meeting.

The motion to table **carried** on a show of hands (11/6/0).

6. Mr. Cunningham moved and Mr. Grout seconded:  
that the Council include in Amendment 16 an alternative for complying with the ACL/AM process requirements.

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

7. Mr. Goethel moved and Mr. Grout seconded:  
that the Council consider as an alternative a conservation tax on DAS leasing equal to the tax on consolidation.

- 7a. The motion was perfected to read:  
that the Council consider as an alternative a conservation tax on DAS leasing equal to or greater than the tax on consolidation.

The motion, as perfected, **carried** on a show of hands (10/6/0).

8. Mr. Leary moved and Mr. Salisbury seconded:  
to bring motion 5 back to the table (*that the Council ask NMFS to postpone opening the Eastern US/CA area to all gear types until August 1*).

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

- 8a. Mr. Leary moved to amend and Mr. Odlin seconded:  
to postpone the eastern area opening for trawl gear until August 1, longline gear allowed, with a cod cap not to exceed 10% of the annual eastern area cod TAC.

- 8b. Mr. Salisbury moved to further amend and Mr. Rice seconded:  
to postpone the eastern area opening for trawl gear until August 1, longline gear allowed, with a cod cap not to exceed 5% of the annual eastern area cod TAC. In the event that a mechanism cannot be found to cap the catch of cod, then the fallback period would be to postpone all gears until August 1.

The motion to amend **carried** on a show of hands (12/3/1).

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

9. Mr. Preble moved and Mr. Stockwell seconded:  
to reconsider the tabled motion from the September Council meeting (*that the Council form an ad hoc committee to concurrently continue to develop groundfish sectors*).

The motion to reconsider **carried** on a show of hands (14/1/0).

- 9a. Mr. Preble moved to substitute and Mr. Salisbury seconded:  
that the Council direct the Groundfish Committee to continue work on DAS modifications,  
recreational measures, ACL and AM processes and sector management for Amendment 16.

Yes – Avila, Cunningham, Pierce, Goethel, Leary, McGee, Stockwell, Grout, Odlin, Preble, Rice,  
Salisbury, Gibson

No – Blount, Hill, Kurkul, Simpson

Abstention(s) -

The motion **carried** on a roll call vote (13/4/0).