

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Ocean Edge Resort, Brewster, MA
November 16-18, 2010
Motions

Tuesday, November 16, 2010

PRIORITIES

1. Mr. Grout moved and Ms. McGee seconded:
to accept the draft 2011 management priorities as set forward by the Executive Committee.

- 1a. Mr. Odlin moved to amend and Ms. Tooley seconded:
that priority #1 read: to prepare Framework Adjustment 46 specs (OFLs/ABCs/ACLs) for 20 stocks 2012-2014, address outstanding AMs for ocean pout, windowpane flounder and halibut and consider revising/eliminating the Georges Bank closed areas.

The motion to amend **failed** on a show of hands (4/10/0).

2. Mr. Stockwell moved to amend and Mr. Goethel seconded:
to move the catch shares workshop to below the line.

The motion to amend **failed** on a show of hands (4/9/0).

3. Dr. Pierce moved to amend and Mr. Odlin seconded:
to add a 5th groundfish action, to request an Emergency Action to increase the size of the haddock bycatch cap for the sea herring fishery and modify the area to which the cap applies with consideration of 100% observer coverage in that area and industry funding for that coverage tied to a cap increase.

- 3a. The motion was perfected to read:
to modify Framework Adjustment 46 (item #1) to increase the size of the haddock bycatch cap for the sea herring fishery and modify the area to which the cap applies with consideration of 100% observer coverage in that area and industry funding for that coverage tied to a cap increase.

- 3b. Mr. Goethel moved to substitute and Mr. Stockwell seconded:
to create Framework Adjustment 47 to address issues associated with the haddock bycatch cap in the sea herring fishery for implementation in 2011.

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

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

4. Ms. Tooley moved to amend and Mr. Odlin seconded:
to initiate a scallop amendment, upon the completion of Framework Adjustment 23, to address the development and implementation a pilot leasing program.

The motion to amend **failed** on a show of hands (5/8/0).

5. Mr. Fair moved to amend and Ms. Tooley seconded:
that the issue of separating state and federal water fisheries in the Gulf of Maine be added to scallop Framework Adjustment 23.

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

6. Mr. Grout moved to amend and Mr. Leary seconded:
that it be the intent of the Council that herring Amendment 5 take priority over Framework Adjustment 47 as outlined today in the groundfish plan.

The motion to amend **carried** on a show of hands (8/5/0).

7. Mr. Stockwell moved to amend and Mr. Fair seconded:
that following the completion of scallop Framework Adjustment 23, the Council initiate an amendment to develop IFQs in the scallop fishery.

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

8. The main motion as amended was voted
to accept the draft 2011 management priorities as set forward by the Executive Committee and as amended this date.

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

Wednesday, November 17, 2010

SCALLOPS

1. Dr. Pierce moved on behalf of the committee:
that the Council adopt Section 2.4 of the Framework Adjustment 22 document, the committee endorses as preferred motion 1 and motion 2 from the advisory panel, with clarification to include 2013 default allocations shown below:

| | CA1 | CA2 | NL | HC | DMV | ET | Total | Channel | OA DAS |
|------|-----|-----|-----|-----|-----|----|-------|---------|--------|
| 2011 | 1.5 | 0.5 | - | 1 | 1 | - | 4 | Open | 32 |
| 2012 | 0.5 | 1 | 0.5 | 1.5 | 0.5 | - | 4 | Open | 34 |
| 2013 | - | 1 | 1 | 1.5 | 0.5 | - | 4 | Open | 26 |

Advisory panel motion 1. Gutowski/Hughes; the advisory panel adopt Option 1 as the preferred alternative.

Advisory panel motion 2. Hughes/Welch; “split fleet” trip allocation should occur randomly (not regionally-based; i.e. a lottery should be used) and transparently. A public posting of who received trips should be available to the fleet to increase ease of trading, and this lottery should be included in the publication of Framework Adjustment 22 as trip allocation by vessel.

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

2. Dr. Pierce moved on behalf of the committee:
that the Council accept the advisory panel motion to recommend the NGOM TAC be left at status quo 70,000 lbs.

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

3. Dr. Pierce moved on behalf of the committee:
recommend keeping the status quo value for incidental catch of 50,000 lbs.

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

4. Dr. Pierce moved on behalf of the committee:
to accept the advisory panel RSA research priority recommendations as listed below in addition to the PDT recommendations, with number 2 as high priority, number 3 as high priority, number 1 as medium priority, and numbers 4-6 as other priority:

1. assess abundance and biomass of scallops in the open areas (other resource areas) and determine NMFS survey dredge efficiency in those other resource areas (combine with existing bullet under medium priority);
2. add as a priority research to support the assessment of the loggerhead turtle population in the Mid-Atlantic and put in either high or medium priority (i.e. satellite tagging and investigation of seasonal movements, etc.);
3. determine seasonal bycatch rates of yellowtail, and other key bycatch species (incorporate in bullet point number two of the PDT recommendations as a high priority);
4. if a habitat research area is identified in a future action, allow RSA funds to be used for projects to enhance scallop production using rotational strategies;
5. develop methodologies for the scallop fleet to collect and analyze catch data on a near real-time basis (i.e. meat weight, bycatch, etc. "study fleet" concept);
6. continue scallop dredge environmental impact studies.

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

5. Dr. Pierce moved on behalf of the committee:
to move Alternative 2.11.1 (VMS) to considered but rejected.

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

6. Dr. Pierce moved on behalf of the committee:
that the Council support an RPM of one access area trip maximum in the Mid-Atlantic (measure C for 2011 and F for 2012) with no seasonal closures. In addition, a caveat should be included that if someone traded in two additional Mid-Atlantic access area trips (to have four total), he would be limited to taking two during the turtle window instead of one.

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

7. Dr. Pierce moved on behalf of the committee:
to eliminate the schedule of Georges Bank access areas in the regulations.

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

8. Dr. Pierce moved and Mr. Stockwell seconded:
that the Council approve Framework Adjustment 22 for submission to NMFS for review and approval.

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

SKATES

9. Mr. Goethel moved and Mr. Gibson seconded:
to initiate a framework to change the 2011 trip limit to maximize the length of the 2011 skate wing fishery.

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

SPINY DOGFISH

10. Mr. Stockwell moved and Mr. Avila seconded:
that the spiny dogfish quota be set at 20 million lbs with a 3,000 lb trip limit for the 2011/2012 fishing year only.

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

Thursday, November 18, 2010

MONKFISH

1. Mr. Stockwell moved on behalf of the committee:
the preferred alternative in Framework Adjustment 7 would set the ACT at 6,567 mt, or 86.5% of the ABC (7,592 mt), and allocate 40 DAS with trip limits of 1,250 lbs. and 600 lbs. (tail weight per DAS, for permit categories AC and BD, respectively).

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

GROUND FISH

2. Mr. Blount moved and Mr. Cunningham seconded:
to adopt Section 4.1.1, Option 2 (revised SDC for pollock), Section 4.1.2, Option 2, Suboption A (revised Georges Bank Yellowtail Flounder rebuilding strategy, 2016/50%), and Section 4.1.3, Option 2 in Framework Adjustment 45 (revised ACLs).

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

3. Mr. Blount moved and Mr. Cunningham seconded:
to adopt Section 4.1.5, Option 1 (no action for yellowtail flounder allocation to the scallop fishery), as amended with the table on page 30 in Framework Adjustment 44.

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

4. Mr. Blount moved on behalf of the committee:
in Section 4.2.1 of Framework Adjustment 45, to only implement new sectors for which an operations plans was submitted by the deadline.

- 4a. Mr. Grout moved to amend and Mr. Stockwell seconded:
that in Section 4.2.1 of Framework Adjustment 45, to only implement new sectors for which an operations plans was submitted by the deadline with the exception of the state operation plans (RI, NH and MA).

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

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

5. Mr. Blount moved and Mr. Cunningham seconded:
to adopt Section 4.2.1, Option 2 in Framework Adjustment 45 (implementation of additional sectors). Those additional sectors are: 1) State of ME; 2) State of RI; 3) State of NH; 4) State of MA and 5) Sustainable Harvest Sector 3.

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

6. Mr. Blount moved and Mr. Stockwell seconded:
to adopt Section 4.2.2, Option 2 in Framework Adjustment 45 (handgear and small vessel exemption from dockside monitoring).

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

7. Mr. Blount moved and Mr. Stockwell seconded:
to adopt Section 4.2.3, Options 2, 3, and 4 in Framework Adjustment 45 (removal of dockside monitoring, removal of requirement for industry to fund at-sea monitoring in 2012, continuation of trip-end hail requirement).

- 7a. Mr. Odlin moved to substitute and Mr. Cunningham seconded:
to adopt Section 4.2.3, Options 2, 3, and 4 in Framework Adjustment 45 (removal of dockside monitoring, removal of requirement for industry to fund at-sea monitoring in 2012, continuation of trip-end hail requirement) and that Option 2 will read "that NMFS provide as much funding as possible for up to 100% dockside monitoring through 2012 with a target of 100% if funds are available and beginning in FY 2013 there be 100% dockside monitoring paid for by the dealers."

- 7b. The motion to substitute was perfected to read:
to adopt Section 4.2.3, Options 2, 3, and 4 in Framework Adjustment 45 (removal of dockside monitoring, removal of requirement for industry to fund at-sea monitoring in 2012, continuation of trip-end hail requirement) and that Option 2 will read "that NMFS provide as much funding as possible for up to 100% dockside monitoring through 2012 with a target of 100% if funds are available and prioritize vessels that do not have an at-sea observer."

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

The substitute motion **carried** on a show of hands (14/2/0).

8. Mr. Grout moved and Mr. Avila seconded:
not to require dockside monitoring west of 72°30'.

- 8a. The motion was perfected to read:
that the Council support an exemption to sectors for dockside monitoring west of 72°30' for fish landed and that it apply to the common pool starting in 2012.

- 8b. Mr. Grout moved to substitute and Mr. Stockwell seconded:
to remove dockside monitoring from the list of reporting requirements for sectors.

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

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

9. Mr. Blount moved and Mr. Cunningham seconded:
to adopt Section 4.2.4, Option 2 (distribution of PSC from cancelled permits) and Section 4.2.5, Option 2 in Framework Adjustment 45 (December 1st submission of sector rosters).

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

10. Mr. Blount moved and Mr. Cunningham seconded:
to adopt Section 4.3.1, Option 2 in Framework Adjustment 45 (general category scallop dredge exemption).

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

11. Mr. Blount moved and Mr. Goethel seconded:
to adopt Section 4.3.2, Option 2 in Framework Adjustment 45 (Gulf of Maine spawning protection area closure).

- 11a. Mr. Grout moved to amend and Mr. Goethel seconded:
that the following changes be made for Option 2, under Section 4.3.2:
1) replace the second bullet with the following language “all recreational fishing vessels using gear capable of catching groundfish are prohibited from fishing in the area from April through June. Only pelagic hook and line gear, as defined in the commercial fishing exempted gear regulations, is allowed for use in the area” and 2) add a 4th bullet that states “the take or possession of any groundfish species by vessels using exempted gear in this area from April through June is prohibited.”

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

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

12. Mr. Blount moved and Mr. Grout seconded:
to adopt Section 4.3.3, Option 2, 4, and 5 in Framework Adjustment 45 (handgear permit measures).

- 12a. Mr. Grout moved to amend and Mr. Odlin seconded:
to amend the first paragraph in Option 4, for Section 4.3.3, to read as follows: “the handgear A vessel trip limit for cod will remain at 300 lbs. per trip (one trip per day) until such time that the Regional Administrator has lowered the trip limit for cod for the relevant stock area that applies to the limited access DAS vessels fishing in the common pool below 300 lbs. Once this has occurred, the cod trip limit for vessels fishing under a handgear A permit would become equal to the trip limit for cod that applies to the limited access DAS vessels fishing in the common pool in the relevant stock area for the remainder of the fishing year.”

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

- 12b. Mr. Stockwell moved to amend and Mr. Goethel seconded:
for Section 4.3.3, to substitute Option 3 for Option 2.

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

- 12c. The main motion as amended was voted:
to amend the first paragraph in Option 4, for Section 4.3.3, to read as follows: “the handgear A vessel trip limit for cod will remain at 300 lbs. per trip (one trip per day) until such time that the Regional Administrator has lowered the trip limit for cod for the relevant stock area that applies to the limited access DAS vessels fishing in the common pool below 300 lbs. Once this has occurred, the cod trip limit for vessels fishing under a handgear A permit would become equal to the trip limit for cod that applies to the limited access DAS vessels fishing in the common pool in the relevant stock area for the remainder of the fishing year.” Also, for Section 4.3.3, to substitute Option 3 for Option 2.

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

13. Mr. Odlin moved and Mr. Stockwell seconded:
to exempt handgear A and B permits from the seasonal closures on Georges Bank.

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

14. Mr. Blount moved and Mr. Cunningham seconded:
to approve Framework Adjustment 45, as amended, for submission to NMFS for review and approval.

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

15. Mr. Blount moved on behalf of the committee:
to send a letter to NMFS that they waive the requirement that ACE transfers be completed within 2 weeks after the end of the year as they see necessary and desirable.

- 15a. Ms. Tooley moved to amend and Mr. Goethel seconded:
to send a letter to NMFS that they waive the requirement that ACE transfers be completed within 2 weeks of all sectors receipt of final NMFS reconciliation of ACE’s status.

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

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

16. Mr. Blount moved on behalf of the committee:
to ask NMFS to send a letter to all licensed groundfish dealers reminding them of their reporting requirements under the law.

- 16a. The motion was perfected to read:
to send a letter to sector managers urging them to contact NMFS to report dealers who are reporting incomplete data.

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