

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Hilton Hotel, Mystic, CT
October 7-9, 2008
Motions

Tuesday, October 7, 2008

ICCAT

1. Mr. Preble moved and Mr. Cunningham seconded:
that the Council recommend that ICCAT set the 2009 TAC for Western Atlantic bluefin tuna at 1,500 mt.
 - 1a. The motion was perfected to read:
that the Council recommend that the U.S. delegation to ICCAT negotiate the 2009 TAC for Western Atlantic bluefin tuna at no lower than 1,500 mt.
 - 1b. Mr. Goethel moved to substitute and Mr. Avila seconded:
that the Council recommend that the U.S. delegation follow the science in setting ICCAT member quotas in 2009.

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

- 1c. The main motion as substituted was voted:
that the Council recommend that the U.S. delegation follow the science in setting ICCAT member quotas in 2009.

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

2. Mr. Preble moved and Ms. McGee seconded:
that the Council recommend that ICCAT remove the carryover of underharvest of Western Atlantic bluefin tuna and require an immediate (next season) payback of overages.
 - 2a. The motion was perfected to read:
that the Council recommend that ICCAT remove the carryover of underharvest of Atlantic bluefin tuna and require an immediate (next season) payback of overages.

The motion, as perfected, **carried** on a show of hands (7/5/2).

3. Mr. Preble moved and Ms. McGee seconded:
that the Council recommend that the Eastern Atlantic bluefin tuna fishery be indefinitely suspended.
 - 3a. The motion was perfected to read:
that the Council recommend that the Eastern Atlantic bluefin tuna fishery be suspended until mandatory compliance measures are instituted by ICCAT nations.

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

SCALLOPS

4. Mr. Simpson moved and Mr. Stockwell seconded:
to direct the Committee to refine the list of alternatives in draft Amendment 15 in light of new scallop action timelines. For example, the Committee should seriously consider the list below as well as any other alternatives that could impact timing of the action.

1. no restriction on the number of permits that can be stacked on one limited access vessel
2. IFQ program for the limited access fishery
3. convert open area days-at-sea (DAS) into access area trips in open areas

4a. Mr. Goethel moved to substitute and Mr. Rice seconded:
to strike Items 1, 2 and 3 from draft Amendment 15

4b. Mr. Odlin moved to amend the substitute and Ms. McGee seconded:
to strike Item 1 from draft Amendment 15

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

4c. Mr. Stockwell moved to substitute and Mr. Rice seconded:
to strike Items 1 and 2 from draft Amendment 15.

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

4d. The motion to substitute was voted:
to strike Item 1 from draft Amendment 15.

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

4e. The substitute motion was voted:
to direct the Committee to refine the list of alternatives in draft Amendment 15 in light of new scallop action timelines. For example, the Committee should seriously consider the list below as well as any other alternatives that could impact timing of the action.

2. IFQ program for the limited access fishery
3. convert open area DAS into access area trips in open areas

Item 1 “*no restriction on the number of permits that can be stacked on one limited access vessel*” has been stricken from draft Amendment 15.

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

5. Mr. Simpson moved and Mr. Odlin seconded:
that the Council send a letter to NEFSC that requests the NEFSC conduct an analysis comparing 2006 and 2008 observer data and how that data was used for yellowtail flounder monitoring. Specifically, how is volume converted into lbs, was there an improvement from 2006 to 2008 concerning how an observer estimates bycatch (count/measure), fishing behavior impacts, how data is extrapolated, etc.

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

Wednesday, October 8, 2008

HERRING

Research Set-Aside (RSA) Priorities for the 2010 Fishing Year

1. Mr. Blount moved on behalf of the committee:
to recommend that the research priorities for the 2008/2009 fishing year be carried over for the 2010 research set-asides.

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

2. Mr. Blount moved on behalf of the committee:
to request that NMFS release the unused RSA for Areas 2/3 back into the fishery for fishing year 2008 and 2009.

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

Development of Alternatives for Amendment 4 Draft EIS

3. Mr. Blount moved on behalf of the committee:
that the Council eliminate quota allocations (group, sector, individual, LAPPs, etc.) from consideration in this amendment.

- 3a. Ms. Tooley moved to amend and Mr. Simpson seconded:
that the Council include quota allocations (group, sector, individual, LAPPs, etc.) for consideration in this amendment.

- 3b. The motion to amend was perfected to read:
that the Council include quota allocations (group, sector, individual, LAPPs, etc.) for consideration in this amendment that are predicated upon significantly improved monitoring system.

The motion to amend **failed** on a roll call vote (3/13/1).

Yes –Avila, McGee, Tooley

No – Blount, Cunningham, Pierce, Fair, Goethel, Leary, Stockwell, Grout, Odlin, Preble, Rice, Simpson, Gibson

Abstention(s) – Darcy

- 3b. The main motion was voted:
that the Council eliminate quota allocations (group, sector, individual, LAPPs, etc.) from consideration in this amendment.

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

4. Mr. Blount moved on behalf of the committee:
that in the event the Council not consider an amendment for any form of LAPP, that the December 31, 2006 date be established for qualification for allocation history in Area 1a.

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

5. Mr. Blount moved on behalf of the committee:
that the Council request that the herring PDT craft alternatives for time/area closures to protect the SNE/Mid-Atlantic runs of river herring (including the Cape Cod area).

5a. Ms. Tooley moved to amend and Mr. Simpson seconded:
that the Council request that the herring PDT, in conjunction with sea herring fishery participants, craft alternatives for time/area closures to protect the SNE/Mid-Atlantic runs of river herring (including the Cape Cod area).

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

5b. The main motion was voted:
that the Council request that the herring PDT craft alternatives for time/area closures to protect the SNE/Mid-Atlantic runs of river herring (including the Cape Cod area).

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

6. Mr. Blount moved on behalf of the committee:
that the Council collaborate as much as possible with ASMFC and the Mid-Atlantic Council regarding the management of the river herring resource.

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

7. Mr. Blount moved on behalf of the committee:
if herring vessels are observed, that coverage be distributed fairly to meet the needs of science and management throughout the range of the fishery.

7a. Dr. Pierce moved and Mr. Grout seconded:
to table the previous motion.

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

8. Mr. Stockwell moved and Mr. Gibson seconded:
to request that the herring PDT develop a range of alternatives for an at-sea monitoring program (onboard observer and electronic) with a CV of 20%, that focuses upon Atlantic herring, river herring and groundfish species of concern.

8a. The motion was perfected to read:
to request that the herring PDT develop a range of alternatives for an at-sea monitoring program (onboard observer and electronic) with a CV of 20% to 30%, that focuses upon Atlantic herring, river herring and groundfish species of concern.

8b. Dr. Pierce moved to amend and Ms. Tooley seconded:
to request that the herring PDT develop a range of alternatives for an at-sea monitoring program (onboard observer and electronic) with a CV of 20% to 30%, that focuses upon Atlantic herring, river herring species and haddock.

The motion to amend **carried** on a show of hands (10/6/1).

- 8c. Dr. Pierce moved to amend and Mr. Odlin seconded:
to strike 30% from the motion.

The motion to amend **carried** on a show of hands (9/8/0).

- 8d. The main motion as amended was voted:
to request that the herring PDT develop a range of alternatives for an at-sea monitoring program (onboard observer and electronic) with a CV of 20%, that focuses upon Atlantic herring, river herring species and haddock.

The main motion, as amended, **carried** on a show of hands (13/3/1).

9. Mr. Blount moved on behalf of the committee:
to approve the Amendment 4 draft discussion document, as modified by the committee September 30 and October 1, as well as by the Council on 10/8, for further development into management alternatives for inclusion in the draft EIS.

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

MPA

10. Mr. Stockwell moved and Mr. Fair seconded:
to send the draft letter of September 25 re "Comments on Conducting Consultations Pursuant to Section 304(d) of the National Marine Sanctuaries Act (ANPR).

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

TMGC

11. Mr. Pappalardo moved and Mr. Preble seconded:
recommend the following U.S./Canada area TACs for FY 2009:
- | | |
|-----------------------------------|---|
| Eastern Georges Bank cod: | 1,700 mt (527 mt U.S./1,173 mt Canada) |
| Eastern Georges Bank haddock: | 30,000 mt (11,100 mt U.S./18,900 mt Canada) |
| Georges Bank yellowtail flounder: | 2,100 mt (1,617 mt U.S./483 mt Canada) |

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

12. Mr. Odlin moved and Mr. Goethel seconded:
that the Council recommend to NMFS to immediately drop the Georges Bank yellowtail trip limit to 2,500 lbs. a trip.

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

Thursday, October 9, 2008

GROUND FISH

1. Mr. Odlin moved and Ms. Tooley seconded:
that permits in CPH be allowed to lease groundfish DAS and participate in groundfish sectors.

The motion **carried** on a show of hands (11/4/2).

2. Mr. Leary moved and Ms. Tooley seconded:
to remove the DAS leasing cap.

The motion **failed** on a show of hands (5/11/1).

3. Mr. Preble moved and Mr. Gibson seconded:
that it is the intent of the NEFMC to manage all fisheries by science and to move all species toward quota-based, LAPP management.

- 3a. The motion was perfected to read:
that it is the intent of the NEFMC to manage all fisheries by science and to move all species toward quota-based management.

- 3b. Dr. Pierce moved and Mr. Odlin seconded:
to postpone the previous motion indefinitely.

The motion **failed** on a show of hands (5/10/2).

- 3c. The motion was further perfected to read:
that it is the intent of the NEFMC to manage all fisheries and to move groundfish toward quota-based management.

- 3d. Mr. Grout moved to substitute and Mr. Preble seconded:
that it is the intent of the NEFMC to manage groundfish based on the best available science and move towards an output-based management system in Amendment 17.

- 3e. Mr. Cunningham moved to amend the substitute and Mr. Avila seconded:
that it is the intent of the NEFMC to manage groundfish based on the best available science and move towards an output-based management system beginning with Amendment 16 and to be further developed in Amendment 17.

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

The substitute motion **carried** on a show of hands (12/5/0).

4. Mr. Cunningham moved and Mr. Stockwell seconded:
that the Council recommend that the last sentence in the current regulations end after the word “requirements.”

- 4a. The motion was perfected to read:
that the Council recommend to NMFS for Amendment 16 that in the last sentence of the current regulations, eliminate the wording “as well as any other applicable federal regulations.”

The motion was **withdrawn** and remanded to the Groundfish Committee.

5. Ms. Tooley moved but it was not seconded:
that the Council include a placeholder in Amendment 4 to allow the industry to develop a proposal for sectors or other LAPP in the Atlantic herring fishery.

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