

New England Fishery Management Council
Skate/Whiting Oversight Committee Meeting
Providence, RI

Draft Meeting Summary
January 18, 2012

Purpose of meeting: The Oversight Committee reviewed a draft Amendment 19 document, which for the first time included the PDT's analysis of impacts of the proposed alternatives. Based on these analyses, the PDT also presented its advice about consideration of preferred alternatives. The committee developed recommendations for selecting preferred alternative in the final Draft Amendment 19 document, after discussing the merits and potential impacts of the alternatives. The committee started a meeting with a brief review of measures that NMFS included in the Secretarial Amendment and published as a proposed rule, an action adopting many of the specifications and measures developed by the Council for Amendment 19.

The committee met jointly with the Whiting Advisory Panel. The Oversight Committee's recommendations for preferred alternatives and on other matters will be reported to the Council at its January 2012 meeting.

Attendance: Committee members: David Goethel (chair), Mary Beth Tooley, Mark Alexander, and Rodney Avila. Whiting Advisory Panel: Vito Calomo (chair). Also in attendance were Andrew Applegate (staff) and Moira Kelly and Michael Pentony (NMFS staff).

Summary - Whiting

Moira Kelly, the small mesh multispecies policy analyst at the Regional Office, gave the committee an overview of the proposed rule for the Secretarial Amendment, an action adopting many of the specifications and measures developed by the Council. This action if approved would be published as a final rule in time for the beginning of the 2012 fishing year on May 1. She reported that the close of proposed rule comments is Feb 21 and the Council would be consulted at the January Council meeting. And unlike an Emergency Action or a Notice Action, the measures being proposed would have no expiration or sunset. The Council could adopt these or other measures in Draft Amendment 19 which if approved would replace or augment the measures in the Secretarial Amendment.

Mrs. Kelly explained that the Secretarial Amendment has the same annual catch limit (ACL) specifications as those included in Draft Amendment 19, which would be updated in the final rule to reflect the changes in Amendment 19 to accommodate recent vessel trip report data corrections. It also includes stock-wide annual TALs and the 90% TAL triggers, as well as in-season accountability measures (AM) (red and silver hake possession limits by stock area). It includes a pound-for-pound post-season AM and a general specification and annual monitoring process. It does not include landings targets by small mesh area program in the northern stock area, quarterly TALs in the southern stock area, nor year around red hake possession limits.

Mr. Applegate then summarized the PDT recommendations given in the Jan 17, 2012 memo to the Oversight Committee and answered questions from the committee about the PDT's thoughts and rationale. He explained that if quarterly TALs were chosen for the southern area, then a new roll up or cumulative TAL procedure would be preferred, because it would be easier to implement and understand. The PDT indicated that a 400 lbs. red hake and 2000 silver hake incidental possession limit would be sufficient in both stock areas as an in-season AM, while minimizing the effect on added discarding. The PDT thought that year around red hake possession limits would be precautionary, like the purpose served for the skate bait possession limit, but there were no data to indicate that the proposed limits would improve size selectivity, although it might help based on inferences made from other similar groundfish. The PDT had no preference for either proposed post-season AM because neither addresses a potential cause of overages, i.e. discards.

The committee also discussed the process for requiring weekly vessel trip reports (VTRs), language that was borrowed from the groundfish amendments. It included language about VMS and VTR serial numbers, but industry advisors thought that the requirement would be a problem because small mesh multispecies fishing vessels either reported as a trip out of the fishery (DOF) or a herring trip (retaining herring), when they target red and silver hakes. The committee decided to remove the VMS language and retain the requirement that vessel operators provide VTR serial numbers to dealers who purchase red, silver, and offshore hakes, keeping it as a preferred alternative because it would enhance timely and accurate monitoring of landings by stock area.

The PDT argued that an annual monitoring report prepared and presented by NMFS would be sufficient, but the committee thought that involvement of the Whiting PDT in the report would be necessary. Instead of choosing one of the two annual monitoring alternatives as preferred alternative, the committee designed a hybrid alternative to be recommended as preferred alternative. In this alternative, NMFS would be responsible for developing the report, but the Whiting PDT would have review and oversight responsibilities.

Based on the PDT recommendations and the above discussion, the committee approved the following motions to recommend preferred alternatives in Draft Amendment 19. Motion 12 is a recommended Council comment on the Secretarial Amendment measures.

MOTIONS - Whiting

1. Mr. Alexander/Mr. Avila moved to adopt new overfishing definitions in Section 4.1 as preferred alternatives. The motion carried 4-0.
2. Mrs. Tooley/Mr. Kendall moved to adopt a stock wide TAL for the northern stock area (Section 4.4.1) (as proposed in the Secretarial Amendment) as the preferred alternative. This is also the No Action alternative. The motion carried 4-0.
3. Mr. Avila/Mr. Alexander moved to adopt a 400 lbs. incidental possession limit as a red hake AM in the northern stock area (Section 4.5.1.3) as the preferred alternative. This is

also expected to be approved in the Secretarial Amendment, and is therefore the No Action alternative. The motion carried 3-0.

4. Mr. Avila/Mr. Alexander moved to adopt a 2000 lbs. incidental possession limit as a silver hake AM in the northern stock area (Section 4.5.2.3) as the preferred alternative. This is the alternative recommended by the PDT to be considered as preferred. The motion carried 4-0.
5. Mr. Avila/Mr. Alexander moved to ask the Council to recommend that NMFS adopt the (2000 lbs. silver hake) AM as the final action in the Secretarial Amendment.
6. Mr. Alexander moved to table the above motion pending discussion of AMs for the southern management area. The motion carried 4-0.
7. Mrs. Tooley/Mr. Kendall moved to adopt a triggered quarterly allocation (Section 4.6.3) and the roll up monitoring process (Section 4.6.4.2) as preferred alternatives. The motion carried 4-0.
8. Mrs. Tooley /Mr. Alexander moved to use the recommended language in paragraph 3 to address concerns by NMFS with Section 4.6.4.1 (a quarterly TAL adjustment process) and treat it as a non-preferred alternative. The motion carried 4-0.
9. Mrs. Tooley /Mr. Avila moved to adopt a 400 lbs. incidental possession limit as a red hake AM in the southern stock area (Section 4.7.1.3) as the preferred alternative. This measure is also expected to be approved in the Secretarial Amendment. The motion carried 4-0.
10. Mr. Avila/Mr. Kendall moved to adopt a 2000 lbs. incidental possession limit as an AM for silver hake in the southern stock area (Section 4.7.2.3) as the preferred alternative. This is the alternative recommended by the PDT to be considered as preferred. The motion carried 4-0.
11. Mr. Avila/Mr. Kendall moved to bring tabled motion #5 back to the floor. The motion carried 4-0.
12. Mr. Avila/Mr. Alexander: To ask the Council to recommend that NMFS adopt this AM (2000 lbs. for silver hake; preferred alternative in Draft Amendment 19) for both stock areas as the final action in the Secretarial Amendment. The motion carried 4-0.

13. Mr. Kendall/Mrs. Tooley moved to adopt no action in Section 4.8 (no year around red hake possession limit for both stocks) as the preferred alternative. The motion carried 4-0.
14. Mrs. Tooley/Mr. Kendall moved to adopt Section 4.10.2 to reduce the incidental possession limit trigger as a post-season AM as the preferred alternative. The motion carried 4-0
15. Mrs. Tooley/Mr. Avila moved to adopt Section 4.9.1, requiring weekly VTRs and assign landings to stock and/or management area as a preferred alternative. The motion carried 4-0.
16. Mrs. Tooley/Mr. Kendall moved to add a new alternative in Section 4.3 as a preferred alternative that NMFS prepare annual landings, discard summaries, and trends in survey biomass in consultation with the PDT to be reported to the Council in June. The motion carried 4-0.