



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

MEETING SUMMARY

Groundfish Advisory Panel

Sheraton Colonial Hotel, Wakefield, MA

April 1, 2014

The Groundfish Advisory Panel (GAP) met on April 1, 2014 in Wakefield, MA to: 1) continue development of Amendment 18 (A18) and, 2) to discuss Framework Adjustment 52 (FW52) that would revise commercial groundfish accountability measures (AMs) for Southern and Northern windowpane flounder stocks.

MEETING ATTENDANCE: Bill Gerencer (Chairman), Ms. Jackie Odell (Vice Chair), Mr. Carl Bouchard, Mr. Chris Brown, Mr. Richard Canastra, Mr. Jim Odlin, Mr. Paul Parker, Mr. Ted Platz, Ms. Maggie Raymond, Mr. Michael Russo, Mr. Geoff Smith, and Mr. Hank Soule, Dr. Jamie Cournane, Ms. Rachel Feeney, Dr. Fiona Hogan, Capt. Rachel Neild (NEFMC staff); Ms. Sarah Heil, Mr. Michael Ruccio (NMFS GARFO staff), Dr. Paul Rago (NEFSC staff). In addition, approximately 5 members of the public attended.

DOCUMENTATION: Discussions were aided by: PDT memo regarding Amendment 18 dated March 21, 2014, PDT memo regarding Amendment 18 – accumulation limits dated March 25, 2014, Amendment 18 Discussion Document dated March 25, 2014, PDT memo regarding FW52 dated March 24, 2014, GAP meeting summary dated October 4, 2012, GAP meeting summary dated March 6, 2013, GAP meeting summary dated June 10, 2013, GAP meeting summary of September 16, 2013, Groundfish OSC meeting summary dated January 23, 2014, and Groundfish OSC meeting motions dated March 28, 2014.

KEY OUTCOMES:

- The GAP recommended an in-season adjustment to address windowpane flounder AMs and the initiation of another framework to establish sub-ACLs for fisheries in the other sub-components.
- The GAP does not recommend US/CA trading at this time but if pursued supports the Committee preferred alternative.
- The GAP does not recommend set asides for new entrants or permit banks at this time or the creation of inshore/offshore areas.
- The GAP recommends that individuals and permit banks should be subjected to the same accumulation limit, if any.
- The GAP made a series of recommendations to the Research Steering Committee.

AGENDA ITEM #1: FRAMEWORK ADJUSTMENT 52 – WINDOWPANE FLOUNDER ACCOUNTABILITY MEASURES

PRESENTATION: DEVELOPMENT OF FRAMEWORK 52 TO THE MULTISPECIES FMP

Staff provided an overview of the projected timeline for the development of Framework 52 (FW52), which would have the Council taking final action in June 2014. The purpose of FW52 is to revise Accountability Measures (AMs) for the commercial groundfish fishery for northern and southern windowpane flounder stocks. Due to overages for both stocks in FY2012, the AMs will be implemented in FY2014. Based on preliminary FY2013 data, an overage for northern windowpane flounder has occurred. At the February 2014 Council meeting, the Council requested that any revision to the current AMs be applied to FY 2014, retroactively, or any overages that occurred prior to FY2014 and initiated FW52. The two stocks have differing statuses; northern windowpane flounder is overfished and overfishing is occurring while southern windowpane flounder is not overfished and overfishing is not occurring. On a recent PDT conference call, the PDT did not have any major concerns regarding the discard methodology but plans to further examine FY2013 trips with high discards. The PDT does not conduct stock assessments but did look at updated survey indices, which suggest increases in stock sizes. Potential alternatives discussed included revising the AM triggers based on stock status, using survey information and utilizing catch performance. Staff requested guidance from the GAP regarding potential alternatives.

Discussion on the Presentation:

The GAP thought all participants in fisheries that catch windowpane flounder should be held accountable for their respective catch, not just the Groundfish fishery. Staff noted that if the Committee decided to create a sub-ACL for other fisheries that would extend the timeline for FW52. To accommodate that, a GAP member proposed a two prong approach: FW52 could make changes in season while sub-ACLs could be addressed in the next available action. To date, there has been no official response from the Mid Atlantic Fishery Management Council but they are represented on the Groundfish Committee. If a sub-ACL was established for scallops, it would be established in the next available Groundfish action and the associated AM would be developed in the next available scallop action.

The PDT discussed recent high discards on a small number of trips but based on analysis decided to keep these outliers in the dataset. A GAP member was concerned that on those few trips the discards appeared to be especially high and associated with a single vessel. The PDT did hear from industry regarding their proposal to allow sectors to manage that sub-ACL themselves. One GAP member thought that proposal would work well enough that an AM may not be triggered again. There are difficulties associated with allocating windowpane flounders to sectors. There is no current appropriate methodology to allocate windowpane to sectors; the allocation methodology for groundfish stocks is not appropriate for windowpane. Staff proposed using co-catch as a proxy for windowpane catch history but this would have to be analyzed by the PDT.

There was strong concern regarding the economic loss the fishery was facing because of the AM. It was estimated by a GAP member that New Bedford would lose \$10 million because of the inability to catch winter flounder in the AM areas with the approved modified gears. A full economic analysis that looks at all ports would be conducted as part of the impacts analysis in the FW52 document.

A GAP member considered modified gear for the small-mesh fishery to be essential in order to fix the problem in the SNE area. The small-mesh trips outnumber the Groundfish trips in that region but the benefit was expected to be far reaching.

Motion # 1 (MR. ODLIN/MS. RAYMOND):

The Groundfish Advisory Panel (GAP) recommends to the Groundfish Oversight Committee (GF OSC) that they:

1. Move forward with an in-season adjustment of the current windowpane flounder AMs for the groundfish fishery in FW52 utilizing updated survey indexes, and
2. Immediately initiate another framework to further allocate the windowpane flounder ACL to be expanded to other components of the fishery, and develop AMs for these components.

Discussion on the Motion:

The first part of the motion could be achieved in FW52 and not affect the timeline; the second would be addressed in the next available Groundfish action. This strategy would not address any theories that some vessels are targeting windowpane flounder despite not being able to land them. However, that issue could be addressed in any inter-sector program industry developed.

MOTION 1 CARRIED 11-0-0.

Motion #2 (Brown/Raymond):

The GAP recommends to the GF OSC that they consider measures to implement flounder-friendly gear in small-mesh fisheries throughout the range of the windowpane flounder, winter flounder, and SNE/MA yellowtail flounder stocks.

Discussion on the Motion:

At a recent sector managers meeting, the managers were made aware of the windowpane flounder issue and the consequences. NMFS also provided sector managers with the names of the vessels likely to be affected by the AM. A GAP member expected changes in sector catch because of the awareness raised at that meeting.

In terms of modified gear, a GAP member informed the panel that there was gear available but not everyone is using it. Research funding was expected in April to address any voids in research regarding these additional modified gears. Staff considered this motion could be completed in a framework action; FW52 could be developed to just focus on the southern windowpane flounder stock. This was also considered as a potential AM for the small-mesh fishery if a windowpane flounder sub-ACL was established for that fishery.

MOTION 2 CARRIED 10-0-0.

Motion #3 (Odlin/Canastra):

The GAP recommends to the GF OSC that the windowpane actions recommended by the GAP (i.e., Motions #1 and #2) should be given priority by the OSC, because of the immediate negative economic impacts on and increased safety concerns of the industry.

A sector developed plan does not need to go through a Council action; a GAP member thought that sectors could go to NMFS once it was developed to put it in place via a sector operations plan. There

were still a number of issues to be dealt with, e.g. leasing – if a sector leases fish then do they get a portion of windowpane flounder with it.

Regardless, the current AMs were considered to be ineffective at achieving their goal and would cause severe negative economic impacts on the fleet.

Motion as perfected #3a (Odlin/Canastra):

The GAP recommends to the GF OSC that the windowpane actions recommended by the GAP (i.e., Motions #1 and #2) should be given priority by the OSC, because of the immediate negative economic impacts on and increased safety concerns of the industry. It is unfair for the groundfish industry to bear the burden of the current AMs.

Safety concerns were included in the motion because in SNE most of the vessels likely to be affected were smaller, which would have difficulties going further out to sea.

MOTION 3a CARRIED 11-0-0.

AGENDA ITEM #2: AMENDMENT 18 – FLEET DIVERSITY AND ACCUMULATION LIMITS

PRESENTATION: DEVELOPMENT OF AMENDMENT 18 TO THE MULTISPECIES FMP (RACHEL FEENEY)

Staff provided a brief overview on further development of A18. A18 is expected to go to the Council at the April 2014 Council meeting for approval of a range of alternatives to be analyzed in the DEIS. At their March 28, 2014 meeting, the Committee voted to remove the March closure and tote requirement for handgear A vessels; all other proposed alternatives for the handgear A fishery were moved to considered and rejected. The Committee also recommended in-season trading of specific sector(s) ACE as the preferred alternative for US/CA quota trading. With regards to accumulation limits, after considered recent Council motions and PDT analysis, the Committee added a sub-option and another option to the accumulation limit alternatives. The sub-option would limit the PSC of GB cod at 30%, GOM cod at 15% and pollock at 20%; the option would limit the PSC for all stocks at 20% except for GB winter flounder (30%). The Committee declined to develop alternatives for the scoping comment that proposed creating incentives to actively fish, preventing a situation where most of the PSC holders don't actively fish. Further discussion of outstanding scoping comments will be addressed at the April 4, 2014 Committee meeting.

Discussion on the Presentation

Staff explained that Table 4 in the presentation refers to holdings in 2013; the 1% criteria is arbitrary and was used to show the distribution of the number of people with 1% holdings of the various stocks. It is important to note that PSC doesn't add up to 100%; an MRI can have more than one person on it, which can lead to difficulties in understanding the data. There was some concern that the table was misleading. A lot of data and analysis has been generated but there weren't a lot of good solutions in the document. A GAP member suggested focusing on the big picture today to make the Amendment more useful to small business owners.

A GAP member informed the Panel that the reimbursement fund for VMS is still in place and could not understand why the handgear A permit holders were claiming that was an impediment to joining sectors.

There was some confusion as to why the GAP had to discuss accumulation limits again. A GAP member was not sure A18 was necessary and was concerned that permit holders were feeling victimized by this

action. Another GAP member thought sectors could easily create a quota set aside or baseline criteria for leasing but it has not been done because sector members knew they would not work. A GAP member thought it was important to make decisions on sound analysis; the Northeast Seafood Coalition looked into restricting leasing and determined it would be detrimental. Staff noted that the PDT was not tasked with this analysis; only with an analysis of inshore/offshore landings in SA 514. Although it was thought that some of the necessary information to analyze leasing could be obtained from sector operations reports, however, these are not public documents.

The Committee decided against included permit splitting in this Amendment as it would be more appropriate in an omnibus amendment.

Motion #4 (Odell/Raymond):

The GAP recommends to the GF OSC that the GF OSC recommend, in the US/CA in season quota trading section, Option 2, sub-option B (in-season trades of sector ACE).

The maker of the motion crafted the motion to be in line with a GAP motion from the September 16, 2013 meeting. Based on Committee discussion, the expected timeline for a trade was 6 months. A GAP member was against trading with CA, especially since a sector could trade all the EGB cod to CA when that quota was needed here. There was no right of first refusal included in the US/CA trading alternatives and it was unclear how a trade could be made that would not negatively impact a US fisherman by reducing available US quota. The draft alternatives have not yet been reviewed by CA.

Motion to substitute #4a (Raymond/Odlin):

To substitute that the GAP recommends to the GF OSC that it not pursue trades with Canada at this time. However, if the GF OSC disagrees, then the GAP recommends to the GF OSC that the GF OSC recommend, in the US/CA in season quota trading section, Option 2, sub-option B (in-season trades of sector ACE).

Rationale: Quota trading with CA was not desired at this time. However, if the Committee moves forward on quota trading then the GAP supports the preferred alternative they selected. If a sector trades EGB cod away that may not be in the best interest of the US fishery. Under this proposal there is no way for those industry members to acquire that themselves. The GAP did not include a provision for right of first refusal at this time because trading was not well developed to proceed with the alternative. If it was implemented then sectors could develop a process amongst themselves to offer quota to each other before proposing a trade with CA.

A GAP member found it odd that there are restrictions on trading between components of US fisheries but the Council was developing measures to trade with CA.

Public Comment:

- Vito Giacalone – I just want to provide some background. Trading first came from the first crisis for GB yellowtail flounder with the enormous reduction and it was the US considering a trade. We heard they were thinking about trading haddock for yellowtail flounder and didn't know. This was a response to avoid having the TMGC from trading someone else's fish without them knowing it. In the event that you end up with a trade happening the sectors would voluntarily contribute to the trade or not. That was the idea. I'm not sure what the Council's role would be in this; you could streamline it to be TMGC and industry or the sectors. I agree with the motion as well. At this point the thought of trading is unlikely and there are still concerns with it. I would support the motion and the first option to not do that at this point. At least this mechanism is there as a backup and was designed to protect us. We had some additional thoughts about limiting the

participation that any one sector could have in any particular deal to the amount of PSC that the sector held. If there was a 10 lbs deal and the sector held 2% of the stock they could only participate in the deal at 2%. That language isn't in the document right now. It would be important to see the GAP at least weigh in because the Committee might not take the recommendation to just do away with this. If you can make this better I would suggest you limit the participation of sectors, any one sector, to the proportion of ACE that they hold in the fishery.

MOTION 4a CARRIED 8-1-2.

MOTION as Substituted 4a CARRIED 8-1-2.

Motion #5 (Platz/Brown):

The GAP recommends to the GF OSC that language be included in the vessel upgrade provisions to allow an increase in the length of 10% or 10 ft to address the greater constraints a percentage based formula places on the ability of small boats to adapt to sustainability and fishing considerations.

Staff informed the GAP that the vessel upgrade restrictions were removed by the Council so they could be addressed in an omnibus amendment. If action was taken under the Multispecies FMP the regulations would only apply to Groundfish vessels and would not achieve the intended goal.

MOTION 5 WITHDRAWN.

Motion #6 (Raymond/Bouchard):

The GAP does not support accumulation caps on the fishery; however, if the GF OSC continues to pursue accumulation caps, the GAP recommends that the GF OSC focus only on a cap on number of permits that can be held by an individual or entity. The cap should prevent disenfranchisement of current owners (no forced divestiture) while encouraging the consolidation that is still needed to reduce overcapitalization. The cap should not limit the number of permits enrolled in a sector. The GAP recommends that the GF OSC should not impose restraints on the flow of allocation trades or leases between individuals, sectors, and/or vessel classes. Such restraints are incompatible with the fundamental concept that sectors themselves should decide when, how and by whom the sector's allocation should be utilized. Trade restraints would limit sectors' ability to pursue their own diversity goals, such as providing allocation to new entrants, or giving preference to owner-operators, specific vessel classes, and/or gear types.

The GAP recommends that the GF OSC should not set aside PSC or ACE for new entrants or permit banks. There are no such set asides in any fishery in the Northeast, and the groundfish fishery should not be used as testing ground for such a concept.

The GAP recommends that the GF OSC should not create inshore/offshore areas. Restrictions applied differently to inshore/offshore areas have been discussed within the industry dating back to A13 and were not supported then or now.

Rationale – Based on the comments made this morning about previous recommendations from the GAP not being fully considered by the Committee or Council, I wanted to reiterate 1 and 2 and also based on discussions today 3 and 4 were relevant and according to staff they came up in scoping they need to be addressed. The intent was to provide the Committee with rationale to reject those concepts by giving them a GAP motion.

A GAP member noted that the GAP has recommended a 5% permit cap; a number of the GAP recommendations have only been further supported by additional information provided by the PDT. There was some frustration that the GAP was being asked to review these same issues again. PSC for new

entrants was not favored because of the fishery disaster that was declared in FY2013; there wasn't enough PSC for existing members to survive on and taking away their PSC was not OK.

A GAP member voted against the motion because the permit cap was not considered as meaningful as a cap on PSC; the inshore/offshore issue continues to be raised and must be important to some fishery participants.

MOTION 6 CARRIED 9-1-1.

Accumulation Limits

Staff informed the GAP that their preferred 5% permit cap has been included as an alternative in the document, in addition to PSC caps being considered. The GAP had no further comments on accumulation limits.

Public Comment

- Vito Giacalone – Just in case, while on the PSC capping idea, has the Committee ever talked about overall accumulative PSC capping? Because the individual stock one is why people are wrapped around the axle. In order for someone to come down to the limit they can't add up the stocks that they don't have enough of. These are going to stay glued together. I think industry still supports permits staying together and not taking individual PSCs for individual stocks and pulling them out. If that's the case then adding up all the PSCs that someone owns ends up being a lot smoother and more controllable. There's 1500 PSCs if they all add up to 100%; there's 15 allocated stocks. Compass Lexecon said 15.5% was the PSC recommended amount. To do that on one stock we know doesn't work well with the way this fishery is put together but to apply 15.5% or something of the 1500 % then you truly would have 15.5% of the fishery. Having 15.5% of one stock doesn't mean anything. Since they punted a bunch of new old alternatives at the last Committee meeting, if the GAP was so inclined to make sense of something simple like that and just say somebody's portfolio, you add up all of their PSCs together, it doesn't matter what stocks you own a lot of or a little of it just comes up to one number. If that is less than 15% of the fishery then Compass Lexecon has already told us that can't even come close to market control. Just looking for something simple if the PSC currency ends up being the hang-up.

Motion #7 (Raymond/Smith):

The GAP recommends to the GF OSC that the GAP supports the following options for the Handgear A fishery: removing the March 1-20 closure; removing the standard tote requirement; and to consider exempting HA vessels from VMS.

Rationale –This is not supporting HA vessels being exempt but would provide us with the pros and cons of doing that. They can get reimbursed for the cost but the operational costs would still be imposed on them so it's just for consideration and this would be a way to get some of these guys into this.

A GAP member was concerned about including VMS exemption; some fishermen were concerned these HA vessels will enter the closed areas. It was suggested to make the exemption for sector reporting requirements, which constitute the bulk of the data transmission costs. A new compact VMS system is being tested in Florida, which might be more suitable for small boats if approved for use. The maker of the motion thought all those concerns could be evaluated during the development of the alternative.

MOTION 7 FAILED 5-6-0.

Motion #8 (Raymond/Brown):

While acknowledging the work of permit banks in providing a public good and helping to meet the objectives of A18, the GAP recommends to the GF OSC that if accumulation limits go forward permit banks should not be given a greater cap than other entities.

A GAP member was confused as to why permit banks would be different to sectors as you can't use PSC unless enrolled in a sector, so they were theoretically similar. Another GAP member clarified that the only permit holders that don't have to join a sector to utilize ACE are state operated permit banks. A GAP member emphasized that permit banks work on the behalf of communities and should not be considered to have any ulterior motives. Permit banks are addressing some of the goals and objectives of A18 already and because of this should not be subjected to different regulations to individuals. A GAP member stated that out of concern that individuals might compete with permit banks for holdings by allowing permit banks to have a higher cap because they provide public good; same cap should apply to all.

MOTION 8 CARRIED 10-0-1.

AGENDA ITEM #3: UPDATE FROM THE NEFSC ON PROGRESS FOR THE EMPIRICAL BENCHMARK ASSESSMENT FOR GB YELLOWTAIL FLOUNDER

Overview

Dr. Paul Rago provided the GAP with an overview of the empirical benchmark assessment scheduled for April 14-18, 2014 in Woods Hole, MA. The goal of this benchmark is to utilize all available information regarding the Georges Bank yellowtail flounder stock to derive catch advice. This approach will allow direct consideration of cooperative research projects and any alternative research in the assessment. The benchmark results will be used in the TRAC assessment in June 23-27, 2014 in Woods Hole, MA. The NEFMC's SSC will have the opportunity to review the benchmark on August 25-26, 2014

Dr. Rago described past efforts to address model performance in the GB yellowtail flounder stock assessment. The VPA model used for this stock has performed well in the past but has developed a retrospective pattern. It is thought that VPA model performance is better under a high fishing mortality scenario; as fishing effort has decreased so has model performance. The ICES review of alternative models in July 2013 did not provide a suitable alternative model that addressed the retrospective pattern.

To date, 47 working papers have been submitted for consideration in the assessment that cover a broad range of topics including: movement and distribution, life history, catchability, biomass estimation, reference points, catch, and overview and synthesis. Some of these working papers have been published; some of those data are also being reanalyzed. To address the question of whether natural mortality has increased tagging, catch curves, incidence of ichthyophonous, changes in sex ratios, and trends in average weight will be examined. Landings and discard estimations will also be looked at. Other studies from the Groundfish PDT indicate the presence of an observer has an effect on fishing behavior but it is unclear whether it has an impact. There is not a lot of direct evidence on predators of yellowtail flounder; in particular, consumption estimates by seals are not available. Prey availability may be limiting.

The mechanism causing the uncertainty needs to be identified in order to improve the model performance. However, the time when the mechanism began affecting the system may remain unknown so it might not be possible to go back in time to correct for such a change.

GAP Discussion

The GAP discussed three issues and the synergies between the issues: sources of mortality, management actions, and the trawl fishery.

Sources of Mortality

The GAP discussed potential sources of mortality, both natural and fishing and its impact on the assessment results and catch advice. The NEFSC bottom-trawl survey is not detecting many year classes after 3 or 4 years of age, as it did previously. These missing fish in the assessment has led to poor model performance. GAP members did not think inaccurate reporting of landings contributed to the cause of poor model performance. Dr. Rago explained that natural mortality could have been underestimated or possibly have changed over time. Management measures may have reduced fishing mortality to such a point that it may be more in line with natural mortality, which potentially would make natural mortality no longer negligible by comparison. Dr. Rago described that this is one aspect that will have to be decided on by managers as to whether catch rates should remain low or high under a high mortality scenario. The GAP also discussed with Dr. Rago that a similar assessment approach was utilized for GOM winter flounder. Dr. Rago explained that in the fluke fishery the natural mortality was changed from 0.2 to 0.3 for both sexes; natural mortality can vary with sex.

Management Actions

The GAP also discussed the impact of the 2004 Special Access Program for GB yellowtail flounder. Dr. Rago showed that landings dropped pretty quickly after the 2004 access program; noting that the special access program was approved because of a high estimated biomass on the bank. After the program, it was realized that the previous biomass estimate was about 4 times too high and effort was drastically reduced as a consequence. The GAP Chair hypothesized that this further decrease in effort could have also negatively impacted model performance. Dr. Rago pointed out that no models are being developed around the world that would not be vulnerable to these levels of uncertainty.

Trawl Fishery

A GAP member considered reduced trawling of the sea floor to be affecting productivity of flatfish (i.e., as less fishing effort occurs the fewer fish are available). The member pointed out that a research study conducted in Holland suggested that this was the case for flatfish. The member also argued that additional evidence is from the experience of the Nantucket Lightship area that was closed to trawling for yellowtail flounder and that now that species is not found within the closed area. Another question was raised as to whether closed areas are more beneficial to predators than the species they were established to protect. A GAP member asserted that industry needs 1000 mt of yellowtail flounder each year to remain viable and proposed using that as a quota for however long it takes to solve any issues.

AGENDA ITEM #4: OTHER BUSINESS

Research Steering Committee

Staff informed the GAP that there were available funds in the Council budget for potential short-term research projects. The Council Chair requested the Research Steering Committee (RSC) identify possible research questions with priority given to collaborative research projects focusing on groundfish because currently there is no RSA funding. The RSC met on March 14, 2014 to discuss the scope of intended research. They concluded that focus would be on groundfish with priority given to projects with an on the water component. One caveat was the money could not be used to augment federal funding or ongoing federally funded projects. The RSC developed the following research questions.

Groundfish Research Questions from the RSC

1. What is the recreational haddock discard mortality rate?
2. To examine the timing and distribution of cod spawning in GOM and GB/SNE stocks.
3. To refine biological stock structure for GOM Cod and GB/SNE cod.

4. What are the gear engineering solutions that could reduce bycatch of GB YTF?
5. Identify GB YTF hot spots and develop an avoidance system.
6. What are the gear engineering solutions that could reduce bycatch of SNE WPF?
7. Identify SNE WPF hot spots and develop an avoidance system.
8. Examine species-specific net herding/effective swept area characteristics of the NOAA survey trawl net?

Motion #9 (Odlin/Odell):

The GAP recommends to the GF OSC that there be an additional bullet added to the groundfish research priority list developed by the Research Steering Committee (RSC): to identify the reasons for the low quota utilization rates on the healthy stock of GB haddock and to identify ways to increase utilization of that stock and provide management advice.

MOTION 9 CARRIED 7-0-0.

A GAP member, having sat on the RSC for a number of years, thought the process was backwards – research priorities should be discussed by the GAP first and then sent to the RSC. However, it was appreciated that this was a one-time situation.

Motion #10 (Platz/Bouchard)

That the GAP requests that future determinations for cooperative research spending be generated by the GAP prior to being sent to the RSC for review.

MOTION 10 CARRIED 7-0-0.

Motion #11: (Odlin/Canastra)

The GAP recommends to the GF OSC and RSC that #4, #5, #6, #8 (from the above list of groundfish research questions from the RSC) be removed from the list of recommendations.

Rationale – Research questions #4,5 and 6 are already done and #8 should not be done with Council money. That's part of the NEFSC obligation.

The GAP provided feedback to the RSC by editing the list of research questions. Any questions that dealt with engineering gear to reduce bycatch of GB yellowtail flounder were considered to be unnecessary as gear already exists that reduces flounder catch. No gear was available that could discriminate between one flounder species and another. Another recommendation was to determine where fish stocks are so vessels wouldn't have to avoid them and could land them instead. In terms of the hot spots for GB yellowtail flounder, it was suggested that VMS could be examined for where vessels are not fishing and that's where the hot spots are. The scallop industry also has a yellowtail flounder bycatch avoidance program, which was not necessary or a priority for sectors for this circumstance.

Research question #6 was considered to be different to the others as it was trying to get the approval of science for gears that avoid windowpane flounder in small-mesh fisheries. Research question #7 was not considered a useful question at this time.

Motion friendly amended #11a: (Odlin/Canastra)

The GAP recommends to the GF OSC and RSC that #4, #5, #7, #8 (from the above list of groundfish research questions from the RSC) be removed from the list of recommendations and #6 should be focused on small-mesh fisheries.

Focusing research question #6 on small-mesh fisheries was considered most useful. Mandatory gear modifications in the small-mesh fishery would be more effective.

MOTION 11a CARRIED 6-0-1.

Public Comment

- Vito Giacalone – I don't know if the GAP would be interested in adding a recommendation. Recently we've had closed area exemptions for sectors denied primarily for not having industry funded 100% observer coverage, however, in the most recent rules that came out NMFS was talking about concerns from the NEFSC of maybe not having sufficient shore side support as far as being able to analyze the data independent to the regular data. When you have additional ASM you also end up with additional shore side stuff. We're concerned on two levels; once we are able to figure out how to get in there we need to have that data analyzed and analyzed differently to compare to catch rates outside those areas so we can advise policy. I don't know if NEFSC has the resources to do it all.

Motion #12: (Odlin/Brown)

To add another bullet to the groundfish research priority list developed by the RSC: that in the event that sector exemptions to access closed areas are required to have shore-side data analysis that funds be directed to that purpose.

This issue was raised in the last notice on potential sector exemptions; even if industry could afford 100% observer coverage, which is required to enter the closed areas, there may be insufficient funding to process that data. It was not clear at the time of the meeting whether this would violate the caveat that this funding could not be used for federally funded programs.

MOTION 12 CARRIED 7-0-0.

Electronic Monitoring Workshop

Staff encouraged the GAP to participate in the Electronic Monitoring workshop being held in Portsmouth, NH on May 7-8, 2014. The GAP and public could also comment on electronic monitoring at the April 2014 Council meeting; a presentation of the overview of Electronic Monitoring Technologies was scheduled. A lot of details on how costs could be reduced still had to be worked out and any feedback would be appreciated.

The meeting adjourned at 5:08 pm