

New England Fishery Management Council
Groundfish Oversight Committee
Meeting Summary
June 17, 2009

The Groundfish Oversight Committee (Committee) met in Mansfield, MA to select preferred alternatives for Draft Amendment 16 to the Northeast Multispecies Fishery Management Plan (FMP). The Committee reviewed the draft Amendment 16 alternatives and discussed each item that the Council will vote on during their June meeting. Committee members present were Mr. Rip Cunningham (Chair), Mr. Terry Stockwell (Vice-Chair), Mr. Erling Berg, Mr. Frank Blount, Mr. Paul Diodati, Mr. David Goethel, Mr. Mike Leary, Ms. Sally McGee, Ms. Sue Murphy, Mr. Jim Odlin, and Mr. Dave Preble. They were supported by staff members Mr. Tom Nies and Ms. Anne Hawkins (NEFMC), and Mr. Doug Christel (NMFS NERO).

Discussions were guided by the Amendment 16 Decision Document and a summary of public comments on the Amendment, as well as a PDT Report dated June 4, 2009, a Groundfish Advisory Panel meeting summary dated May 26, 2009, and a Recreational Advisory Panel meeting summary dated May 27, 2009.

The Chairs of the Groundfish Plan Development Team and Advisory Panel and the Recreational Advisory Panel reported on their groups' activities. Council staff presented a brief overview of Amendment 16 and a summary of public comments received.

Amendment 16 Recommendations

§4.2 Revised SDCs/Rebuilding Programs

Council staff noted several issues for the revised mortality targets for SNE/MA winter flounder, Atlantic halibut, and GB yellowtail flounder. It is possible that, with a move to output-based management, the mortality target can be adjusted more frequently every time an assessment is performed since effort controls do not have to be redesigned. That could be true immediately for GB yellowtail. There are also proposals for rebuilding targets for newly overfished stocks, one of which requires a Council vote. Clarification was made that there will still be an ABC and ACL for northern windowpane flounder and other stocks that lack a rebuilding projection.

Public comment included:

- Joel Hovanesian, F/V Excalibur: Stretching out the rebuilding time frames is in our best interest under the circumstances. Any measure that will put more stress on the industry would be untenable because of the way we are operating now. I have some concerns about things like the trip limits and running clock provisions for the pollock. Try to stretch this out and make it as easy on the industry as possible. Thank you.

The Committee Chair responded that mortality control options would be discussed later in the day. A Committee member asked whether there would be a large difference in

measures used to accomplish rebuilding goals for pollock if either target year were chosen. Staff responded that calculations had not been performed based on new catch targets and SSC advice, but that the projection tends not to be too sensitive to a few years. It was later added that extending the period may roughly require an additional three percent reduction in effort, which would not significantly affect the design of effort controls.

Motion: The Committee recommends the Council adopt revised mortality targets for rebuilding programs Option 2 (section 4.2.2). (Mr. Stockwell/Mr. Odlin)

Ms. Murphy stated support for the 2017 target date, and added that the timeline could be extended to 2020 if the original target was not met, adding a sort of buffer. The guidance dictates that if rebuilding cannot occur by the end of the period, $F_{rebuild}$ must be maintained until the rebuilding target is reached. In the case of SNE winter flounder, it would be virtually impossible to rebuild by the end date because some fish will be caught as bycatch even with a target catch of zero. She indicated that it was not possible to choose a later rebuilding date because the original biology of the animal suggested that it would rebuild in ten years. A Committee member stated that he interpreted the law to allow a longer rebuilding timeframe if a stock could not be rebuilt at zero fishing mortality by the target year. Another member expressed concern that, if $F_{rebuild}$ is zero, bycatch will increase as a stock rebuilds, and it will increase to a point where it will be more detrimental to the fishery than it would be to have a small directed catch.

The motion **carried** on a show of hands (9-0).

Motion: The Committee recommends the Council adopt revised status determination criteria Option 2 (section 4.2.1.2). (Mr. Goethel/Mr. Stockwell)

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

Motion: The Committee recommends the Council adopt pollock rebuilding period Option 2, to rebuild pollock by 2017. (Mr. Odlin/Mr. Stockwell)

A Committee member asked how often revised status determinations are performed on pollock, and Council staff answered that the normal practice is to do a benchmark assessment every three years, but that there are currently discussions as to how to deal with the assessment process with the increased demands for ABCs and ACLs. There is also talk of doing a joint assessment with Canada next year. The member stated that he supported the motion, because he suspected that this stock, being index-based, will move in and out of overfishing and render the actual rebuilding date irrelevant.

The motion **carried** on a show of hands (9-1-0)

§4.3.1 Annual Catch Limits

Motion: The Committee recommends approval of section 4.3.1.2, Annual Catch Limits. (Mr. Stockwell/Mr. Preble)

Ms. Murphy stated an assumption that if the Committee approves adding wolffish to the management unit it would be included under this motion as well. She then made a friendly motion to amend that the submission date for ACL framework packages be revised from Dec 15th to December 1st to facilitate administrative efficiency.

Motion as perfected: The Committee recommends approval of section 4.3.1.2, Annual Catch Limits, but that the submission date of the ACL action be revised from December 15 to December 1. (Mr. Stockwell/Mr. Preble)

A Committee member asked what kind of consideration for commercial and recreational subcomponent ACLs was included in this portion of the document, and staff responded that it would depend on whether there is a specific commercial and recreational allocation. If the council votes that down, there will be one overall groundfish ACL which will be subdivided for sector and non-sector votes, but not further. There is also language that attempts to remove state waters catch from consideration. In theory, there are considerations for different levels of uncertainty in each component of the fishery. There is the possibility there are different levels of uncertainty for sectors and common pool vessels as well, although the PDT has determined that quantifying the differences between those components in the first few years will be difficult.

The motion **carried** on a show of hands (10-0-0)

§4.3.3.1 Sector Definition/Formation of a Sector

Motion: To recommend the Council support the revised definition of a sector and to adopt option 2 (permits in the CPH category do not need to be reactivated to join a sector) (Mr. Diodati/Mr. Stockwell)

One Committee member stated that, in the face of huge mortality reductions, letting people reactivate permits would be counterproductive.

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: The Groundfish AP recommended considering allowing people with limited access monkfish permits to join groundfish sectors. Would the Committee consider modifying the definition of sectors to say that people with those permits would also be eligible to join? The monkfish plan is undergoing a change to potentially allow sectors, maybe in 2011. There may be a time to form new monkfish sectors. The quickest way to allow them to use their allocation would be to join an existing groundfish

- Vito Giacalone, Northeast Seafood Coalition: I was not thinking this was the best place in the decision document to raise this issue. In our comments to the amendment we submitted a letter to Ms. Kurkul to have the names of our sectors changed to reflect the recent revisions and be as flexible for the future as possible. We are hoping to have the sectors named with roman numerals I-XIII and submitted on the record.

The Committee Chair noted that this topic would be best considered under the approval of additional sectors section of the discussion. The motion was then perfected to reflect the original intent.

Motion as perfected:; To recommend the Council support the revised definition of a sector and to adopt option 2 (permits in the CPH category do not need to be reactivated to join a sector); and that provision be made in the definition of a sector for limited access monkfish permits to be allowed to join a groundfish sector as specified by the monkfish FMP or future groundfish/monkfish action. (Mr. Diodati/Mr. Stockwell)

A Committee member provided the rationale that folding monkfish into a groundfish sector would be crucial to the success of the sector. A Monkfish Committee member noted that this was actually a recommendation of that committee, but that monkfish would not be discussed until after groundfish at the upcoming Council meeting.

Council staff asked for clarification on the meaning of the motion. The Committee responded that the intent is to enable the groundfish sectors to succeed and to provide encouragement for permit holders to join them. With sectors acting under DAS for their allocation of monkfish, this streamlining might allow the industry to better use their days and fishing opportunities. A mechanism such as this one will be necessary to move away from the use of DAS. The hope would be that if someone were to get an allocation of monkfish in 2011, they could add that to their sector's groundfish ACE and be away from DAS. Ms. Murphy stated that it may be necessary to complete a joint monkfish/groundfish action to accomplish this goal. A Committee member responded that this motion could start the trigger for a framework on the groundfish side. Council staff stated that this motion would not remove the requirement that a monkfish boat with a limited access groundfish permit must fish on groundfish DAS while fishing for monkfish. The monkfish plan would have to resolve that. One solution to the problem that cuts in groundfish DAS could prohibit monkfish fishing could be to exempt sector members from DAS reductions.

Motion: To split the question (Mr. Goethel/Mr. Preble)

The motion to split **carried** on a show of hands (7-2-1).

Motion: To recommend the Council support the revised definition of a sector and to adopt option 2 (permits in the CPH category do not need to be reactivate to join a sector).

The **motion** carried on a show of hands (9-1-0)

The Council Chair stated that the problem with sector members and monkfish fishing may apply to other stocks as well. There are a host of issues that need to be addressed, especially if the sector's ops plans recommend an exemption from DAS. He intends to raise this issue during the interspecies discussion of the upcoming Council meeting. He cautioned that the issue highlights the need for coordination in Council plans

Motion: The Committee recommends that provision be made in the definition of a sector for monkfish limited access permits to be allowed to join a groundfish sector as specified by the monkfish FMP or future Council action.

Motion to amend: After "action", add "and may exempt vessels in a sector from multispecies DAS reductions." (Mr. Odlin/Mr. Stockwell)

Committee members stated that even if this motion did not solve all the problems associated with monkfish and sectors, it would at least make clear what direction the Committee was heading. Another Committee member did not support the amended motion because he supported allowing a future action to work out the details.

The motion to amend **carried** on a show of hands (9-1-0)

Motion as amended: The Committee recommends that provision be made in the definition of a sector for limited access permits to be allowed to join a groundfish sector as specified by the monkfish FMP or future Council action and may exempt vessels in a sector from multispecies DAS reductions.

The motion on revisions to sector definitions as amended **carried** on a show of hands (9-0)

§4.3.3.2 Preparation of Sector Proposal and Operations Plan

Motion: The Committee recommends the Council approve Option 2 for additional operations plan requirements (section 4.3.3.2.2). (Mr. Diodati/Ms. McGee)

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

Motion: The Committee recommends the Council require that sector operations plans be submitted to the Council for review and approval. (Mr. Diodati/Mr. Stockwell)

The maker of the motion expressed his position that it is critical to make sector operations more transparent, to allow state agencies to be involved in the oversight process, and to install a higher level of requirement at this point. Given that the state and federal governments each have an obligation to protect public resources, they should both be involved in reviewing sector plans. Also a lot of fisheries, sectors in particular, will be impacting on state waters fisheries, and states need an opportunity to understand fully and comment on operations plans as we move forward. Ms. Murphy responded that she appreciated and invited the states' willingness to look at this, but expressed concern about the tight time frame. Sectors are already having a hard time meeting the September 1st deadline to submit to the agency. There will be a proposed rule for each plan, and that is the point during the process when NMFS hopes to get comments from interested parties including the states.

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: While ordinarily there is no reason not to have the Council look at our operations plan, the issue Ms. Murphy raised about the timing is critical. I would urge you not to include this in the amendment, as it will just add more bureaucracy for probably very little benefit.
- Joel Hovanesian: I guess we are dealing with a new regime and I'm just wondering about the pitfalls and problems that could be coming along, and whether further review of these problems may end up alleviating them. Everyone knows we're being rushed, and maybe this is an opportunity to sit back and point out if this can't be done. If there is a review, would it be worthwhile to consider adding a provision to evaluate the system down the line to see exactly how it is working? If, for example, a certain percentage of vessels leaves the sectors are we going to be able to come up with something that says whether this is acceptable or unacceptable? Something should be added to evaluate this program to ensure that the pitfalls we're concerned with aren't going to come to fruition.

Council staff noted that some of the concerns were addressed in the amendment. Before a new sector could operate, it would have to submit a preliminary operations plan to the Council. The Council would also have the opportunity to comment on the operations plan when it was published in the Federal Register. The deadline for the operations plan does not match well with the council meeting schedule.

The motion **failed** on a show of hands (2-7)

§4.3.3.3.1 Allocation of Resources

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: In our comments on the DEIS we recommended that first sentence of this section be amended to include SNE winter flounder in the unallocated stocks.

- Greg DiDomenico, Garden State Seafood Association: What does the addendum on winter flounder mean?

The Committee Chair clarified that the stock will not be allocated to sectors. It indicates that if the TAC is used on any allocated stock, the sector basically has to shut down.

- Vito Giacalone, Northeast Seafood Coalition: We also commented to treat SNE winter flounder that way. We also want to leave the door open so that if a subsequent assessment determines a TAC, we can do something with that stock so that sectors may receive a portion of it. I don't know if we would otherwise need another action from the Council to allow fishing to restart on that stock if a TAC is determined.
- Joel Hovanesian: I don't understand why we are supporting discards. We are saying that regulatory discard is acceptable, and clearly that is not acceptable. The NEMAP survey showed a higher abundance of SNE winter flounder than SNE yellowtail. We may be dealing with a very high discard rate. Keep that in mind with the decisions you are about to make here.

The GAP Chair noted that he was asked by several members to reiterate their recommendation that SNE/MA winter flounder be treated like ocean pout and windowpane flounder in this section. A Committee member asked Ms. Murphy how to deal with the winter flounder issue, and she responded that the amendment document lays out three options. The agency sees it as a reasonable level to have some sort of catch, and it is up to the Council to decide what level.

Motion as perfected: The Committee recommends the Council approve section 4.3.3.3.1, Revised Allocation of Resource Guidelines. The Committee recommends the Council add SNE/MA winter flounder and Atlantic wolffish (if added to the management unit) to the list of stocks not allocated, but allocation of the SNE/MA WFL stock can be considered in the biennial specification/framework process in the event that a future assessment indicates Annual Catch Entitlement (ACE) can be made available. (Mr. Odlin/Mr. Leary)

A Committee member asked why the cap on the share of stock a sector could be allocated had been removed, and the Committee chair responded that it was a way of mitigating the administrative and economic burden of having to have two separate sectors that could be operating as one with ACE on one stock. There were one or two sectors that would have been in that category on some species because of their makeup. Council staff clarified that the PDT considered the effects of removing a cap, and found that the main reasons to impose a cap would be limiting the market power of one group or promoting social or economic goals in an action. There was not any strong opinion on the Committee that there was any goal that required a cap. A Committee member stated concern that the Council had not articulated any goals or objectives as to the socioeconomic complexion of what our fisheries will look like, and noted that there is clearly some sociopolitical interest in terms of maintaining the integrity of our fishing communities. Another

member stated that her recollection of the 20% cap was that it was specifically designed for the two existing sectors based on the historic allocation of the hook and line vessels.

The motion **carried** on a show of hands (10-0-0)

§4.3.3.3.2 Guidance on sector overages

Motion: The Committee recommends the Council approve Option 1 for the treatment of sector overages. (Mr. Goethel/Mr. Odlin)

The motion **carried** on a show of hands (8-0-2)

Council staff clarified that the options for sector overages only apply after all quota balancing occurs.

Motion: To recommend Sub-option 1 for addressing sector overages. (Mr. Odlin/Mr. Goethel)

The motion **carried** on a show of hands (9-0-1).

§4.3.3.3.3 U.S./Canada Area

Motion: The Committee recommends the Council adopt Option 2 for US/CA area allocations (separate allocations). (Mr. Odlin/Mr. Stockwell)

The motion **carried** on a show of hands (10-0-0)

§4.3.3.3.4 Sector baseline calculations

Public comment included:

- Terry Alexander: I am supporting Option 1 based on calculations on all my different permits. Even on boats with only DAS and no landings, I still end up better with that option. Thank you.
- Maggie Raymond, Associated Fisheries of Maine: We submitted comments in favor of Option 1. That is also the option supported by the GAP and in the summary of public comments. The majority of people recommended that option and we hope you submit it to the Council. Thank you.
- Vito Giacalone, Northeast Seafood Coalition: The biggest concern in our membership was the lack of understanding on this item. The Coalition has no position on this, and wants the issue left to the permitholders themselves. The reason the room is not packed today is because people are still confused. A lot of the concerns about an initial allocation are wrapped up in this, including stranded

- Paul Parker, CCCHFA: Both the sectors and the CCCHFA support Option 1 as well as Option 5. We talked about that a lot at the GAP – the importance that the long-term stability of people's investment will be protected once they declare into sectors. Thank you.
- Joel Hovanesian, Point Judith: I would like to agree with Vito on the lack of knowledge in this whole system moving forward. There is a lot of confusion in the street as well as concerns that the data being forwarded is not reliable. We are basically being asked to make a decision on something that we don't have enough information on.
- Greg DiDomenico, Garden State Seafood Alliance: We represent many vessels from Cape May, and approximately 20 of those support Option 2 on this issue. Mid Atlantic vessels were initially allocated a very low number of DAS. It was initially advantageous to lease those DAS, and now the history will go to the person who leased them, and the permit history will not be retained by those who initially invested in the DAS. Amendment 13 states this issue very clearly. Going with Option 1 would further disadvantage Mid-Atlantic vessels. Thank you.
- Eric Brazer, Manager of Existing Sectors: As indicated in our comments, we support Options 1 and 5. With Option 5, we're only asking to be treated the same way the 17 additional sectors will wish to be treated in the future. Thank you.
- Harold Loftes, Point Judith: I can't support any of these options. There have to be more options. I understand this will be a done deal, but I believe we should have an option to use solely history if we choose to, or history plus size of boat, or maybe just DAS. The options you have here don't fit everybody. We should have the chance to pick what would best suit us, and this doesn't do it. A lot of boats were bought based on DAS, not history. So if you go with history, those boats won't even stand a chance and will almost instantly go out of business. Unless this is changed I can't support any of these options
- Jennifer Litteral, Mid Coast Fishermens' Association and Port Clyde Sector: The sector members couldn't be here, so I'm here for them. They put in comments for Option 2, and their second choice was Option 1 with a possibly longer time frame.

Motion: The Committee recommends the Council to approve Potential Sector Contribution Option 2 (50 pct landings history/50% capacity, FY 96-06). (Mr. Diodati/Mr. Berg)

The maker of the motion stated that he appreciated the comments of Mr. Loftes and agreed that individual fishermen have made investments with DAS in mind. He thought that, while none of the PSC options accommodates the entire fleet, Option 2 does accommodate a larger number of sector participants including small boats in ports that have not had the opportunity to fish on recently recovered stocks. With Option 1, some of the recovered stocks' TACs would be fully allocated to a small group of commercial fishermen. Another Committee member stated that he would not support any of the options. Since stocks change over time, it was impossible for people to know what they

would want the allocation to be. Using catch history alone would reward the people who fished too heavily and created the situation we are in today. Furthermore, there has been uneven access over this period, especially in the western GOM. The only equitable way to allocate stocks would be to exchange Category A DAS for fish. People that hold permits with DAS but no history will put those boats in the common pool, which will lead to a reactivation of effort and be bad for the environment. Using the years 1996-2001 would get rid of the leasing problem and be the period that A DAS were based on. He stated that he may make a motion at the full Council meeting to use those years. Another Committee member argued that straight history would lead to less disruption in the fisheries and be easier and more universal.

Motion to substitute, as perfected: The Committee recommends the Council approve PSC Options 1 (FY 96-2007, note modified year) and 5 combined. (Mr. Odlin/Ms. McGee)

Ms. Murphy stated that the 2007 information was available and had been included in calculations for the status quo PSC option. NOAA General Counsel had advised that, since the year 2007 was included in one of the options that went out to public comment, it could be counted within the range of alternatives that were considered. Another Committee member stated that with the full ability to trade ACE, using the full time series will smooth the bumps and make this as fair a process as possible. One member expressed support for Option 5 but not Option 1, while another member did not support Option 5 unless it applied to the entire fishery. He would not support separate baselines for different people, but thought that the time frame in Option 5 would be the fairest for all the allocations.

Motion to substitute **carried** on a show of hands (6-3-1).

Motion to substitute: To use FY 1996-2001 for all stocks landed for all vessels. (Mr. Goethel)

The Chair ruled the motion to substitute **out of order**.

The main motion, as substituted and perfected, **carried** on a show of hands (6-3-1)

Public comment included:

- Vito Giacalone, Northeast Seafood Coalition: I am a little concerned about the process on the last vote. I think there were fundamentally different things to comment on for Option 5, and you did not invite public comment. It was a policy issue as opposed to a vote on the merits. The mailings that went out to permit holders did not include 2007 at all, and if things change that much we should have an opportunity to comment even if just to help the process. People weren't given the final 2007 numbers as a stand-alone. No permit holders, including myself or anyone in the fishery, have any idea what impact adding 2007 will have on their allocations. That was a big vote and you made two substantive changes to what

The Committee Chair responded that he thought they would be separate issues, so the combination of the options was a surprise. A Committee member asked what kind of additional information could be provided to permit holders before the decision date in September, both on the addition of the year 2007 and also information to help people decide whether to opt in to sectors. Ms. Murphy responded that the 2007 data is available, but that it would take a week or so to run numbers again and convey information to the industry. However, the exact numbers that the PSCs would translate into will not be known until the Council goes through the specifications process in the fall.

§4.3.3.4 Mortality/Conservation Controls

Motion as perfected: The Committee recommends the Council accept Option 1 (revised mortality controls), to include SNE/MA WFL as a stock with landings prohibited. (Mr. Preble/Ms. McGee)

The motion **carried** on a show of hands (9-1-0)

§4.3.3.5.3 Enforcement

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: ASM supports Option 2. That was also the option that was supported by the GAP.
- Vito Giacalone, Northeast Seafood Coalition: NESC also supports Option 2.

Motion: The Committee recommends the Council adopt Option 2 (monitoring and enforcement, sector joint liability). (Mr. Stockwell/Mr. Preble)

Ms. Murphy repeated comments that the Office of Law Enforcement would like as much flexibility as possible, and supports Option 1. They have spoken to that at Committee meetings in the past. Another Committee member supported Option 2, arguing that if it is not exactly spelled out what people are liable for, then participation in sectors is likely to be greatly reduced. Also, getting loans on vessels has become a problem when banks cannot determine what liability sector members have.

The motion **carried** on a show of hands (9-1-0)

Motion: The Committee recommends the Council also approve Option 3 (consequences of sector overages). (Diodati/Stockwell)

The motion **failed** on a show of hands (2-6-1)

§4.3.3.5.4 Sector Monitoring Requirements

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: AFM urges the Council to recommend that the level of monitoring for sectors be left up to negotiations between the sector and NMFS. Ms. Kurkul wrote a letter to you last June that if sectors met SBRM levels for observer coverage, then dockside monitoring is not necessary. We're concerned about mandating some level of coverage that may not be appropriate. Many of our vessels fish in more than one stock area on a trip. We think those vessels might need more coverage than those that fish in only one area. It would be inappropriate to have the same level as a guy who fishes 10 miles offshore every day. NMFS doesn't know how much these services are going to cost the industry. Picking a number that might be out of the range that the industry can afford would be a big problem. Ms. Kurkul said she will use some money to pay for monitoring in 2010. We don't think the money will be there, and that high levels of coverage will be affordable for the industry, in the first couple years of this plan. We urge you to leave it there. We feel comfortable the agency won't let us off the hook with some low level of monitoring. We're very very concerned about the costs and picking some level that might not be attainable in the short or the long term. The people to whom we sell fish are under very strict requirements to report correctly, and report weekly to the agency, and there are very strict penalties for vessels that are misreporting, so we don't think 100% of all trips need to be monitored.
- Vito Giacalone, Northeast Seafood Coalition: For the sake of moving along, I would want to echo AFM's concerns about costs, especially with so many unknowns right now. This is a blank check type of thing, and for the purposes of leaving the option open, we support Option 1 for dockside and Option 1 for at-sea monitoring, and also Option 1 for the assumed discard rate because we have a concern that the sector-specific rate will be difficult to calculate. Where ACE trading is allowed, you tag an extra value on permits based on their discard rate. You can recapture quota by having permits with higher discard rates. Also we have not seen the discard rates and sectors would have opportunities in their operations plans to explain how they would recapture that rate through a monitoring program.
- Emilie Litsinger, Environmental Defense: We support Option 2 for dockside and at-sea monitoring. This is a great opportunity to improve compliance, the science,

- Joel Hovanesian F/V Excalibur: I am worried about the costs of this program. There is literally nothing left anymore. Our biggest concern is that it's going to end up coming out of the hatch as it usually does at some point down the line. We're not opposed to the monitoring, but concerned with the cost of the monitoring. If the money is available, by all means move forward with the plans for monitoring at sea and on the docks if necessary. The costs associated with this plan, if they aren't provided for, are not there in the books anymore. Thank you.
- Jennifer Litteral: Today there was the start of a dockside monitoring pilot program with two of the sectors to look at what the costs will be during the pilot. The Port Clyde sector is looking to 100% monitoring at least for Year One, but I'm not going to take a position on the options right now. Hopefully the data from the pilot will come in before September.

Motion: The Committee recommends the Council approved Option 2, 100 percent dockside monitoring required for all sector vessels. (Ms. McGee/Mr. Diodati)

The maker of the motion stated that, during a time of major transition, it is critical to have robust monitoring in place. She expressed gratitude that NOAA had provided some funding, giving a clear signal right out of the gate that they are committed to transition. A Committee member opposed this motion and felt that dockside monitoring would be redundant and costly, especially if there was already an observer on the boat. The higher the cost of sectors, the faster he felt consolidation of the fleet would be forced.

Motion to substitute: To substitute Option 1 for Option 2. (Mr. Goethel/Mr. Odlin)

The maker of the motion to substitute argued that the purpose of enforcement was to ensure that people do not disobey the rules. He stated that dockside monitoring would just add another layer of bureaucracy to management. Another Committee member stated that the success of catch share programs relied on 100% monitoring and that it was a matter of public interest to ensure that conservation objectives are being met. He also argued that public resources were being allocated through privatization, and that it was too much to ask of the government to also fund monitoring for the private beneficiaries.

The motion to substitute **failed** on a show of hands (4-5-1)

The main motion **carried** on a show of hands (5-4-1)

Motion: The Committee recommends the Council approve Option 1 (less than 100 percent at-sea electronic monitoring and at-sea observation). (Mr. Diodati/Mr. Stockwell)

One Committee member stated that it would be better to start with a high level of monitoring and peel it back where unnecessary. Another supported the motion because of concerns about sectors being cost-prohibitive. Another thought that it was not necessary to have 100% coverage if data was sound, and cited IFQ programs that do not have 100% coverage.

Motion to table to time uncertain (Mr. Odlin/?)

Motion to table **failed** on a show of hands (4-6).

Motion to amend: To insert “100% ASM” prior to at-sea observers. (Mr. Diodati)

The motion to amend **failed** for lack of a second.

Ms. Murphy stated that the remaining \$1.5 million after paying for dockside monitoring would not fully fund at-sea monitoring. The agency has been on record that NMFS should decide coverage for each sector, which will be a different level. NEFSC would make the determination when the sector comes in with a proposal.

The motion **carried** on a show of hands (7-2-1)

Motion: The Committee recommends that for the discard rate calculation the Council use Option 2 (sector specific discard rate). To adopt the revisions to the assumed discard rate language that are in the letter from the Regional Administrator dated June 10, 2009. (Mr. Odlin/Mr. Diodati)

The maker of the motion provided the rationale that assessments used are not very recent. One Committee member opposed the motion, stating that fishermen fish differently when they are monitored, so data from observed trips is inadequate to compare to data from unobserved trips. Another member questioned how data was being collected, because the discard rate for sectors should only consider sub-legal fish since everything else will be retained. He also disagreed that fishermen engaged in different practices on monitored trips. Ms. Murphy stated that the NEFSC had discussed this issue, and handed out copies of discard rate estimates that discounted regulatory discards. The NEFSC supports this option.

The motion **carried** on a show of hands (8-1-1)

§4.3.3.6 Sector Annual Reports

Motion: The Committee recommends the Council adopt Option 1 for sector annual reports. (Mr. Stockwell/Mr. Diodati)

The motion **carried** on a show of hands (9-0-0).

§4.3.3.7 Transfer of ACE

The Committee decided to leave the preferred alternative as previously designated.

§4.3.3.8 Sectors and Special Management Programs

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: I support SAPs. Is this the time to recommend that sectors have access to SAPs when they still have ACE to use?
- Joel Hovanesian: We are going to get into this a little bit – the US/Canada area and stuff. This is a little off the subject. If we’re going to allow some sort of fishing in that area, I wish the Council would start to consider leveling this playing field with the Canadians. I think Ms. McGee was right as far as the importance of allowing access if you want people to participate in the sectors – for example having access to the Hague Line. We have the eliminator trawl ready, willing, and tested, but no fishery for it because we don’t have access to where the fish are. I reluctantly support this. Thank you.

Motion: The Committee recommends the Council approve section 4.3.3.8.2 (US/CA Haddock SAP provisions). (Mr. Odlin/Mr. Diodati)

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

Motion: The Committee recommends the Council adopt section 4.3.3.83. (CAII YTF SAP provisions: sectors subject to reporting requirements and gear requirements, and not subject to cod, haddock, or YTF trip limits *and number or frequency of trips*). (Mr. Odlin/Mr. Stockwell)

The maker of the motion provided the rationale that, if sectors have a hard TAC on yellowtail, there is no reason to limit the trips there. It should also not matter how many trips they take to get the haddock.

Public comment included:

- Joel Hovanesian: What are you suggesting for the gear requirements? My concern is how quickly the yellowtail flounder TAC will be filled.

The motion **carried** on a show of hands (9-0-1).

Motion: The Committee recommends to the Council that the Regional Administrator be provided the flexibility to remove sector vessel reporting requirements for the special management programs if found to be unnecessary. (Ms. Murphy/Mr. Odlin)

The motion **carried** on a show of hands (10-0-0)

§4.3.3.9 Interaction with Common Pool vessels

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: We submitted comment in favor of expanding universal exemptions to include access to rolling closures, year-round access to the Eastern U.S./Canada area provided sectors have ACE, and to allow vessels using a separator/Ruhle trawl to use a six inch codend. We hope the Committee and Council will endorse those types of recommendations. There should be no concern about fishing there when they are subject to a hard TAC. It will be difficult to justify an exemption in the operations plans because there isn't any justification for them on the record except that they are to control mortality. It would ease preparation of the EA so we don't have to justify it there.
- Vito Giacalone, Northeast Seafood Coalition: We support that 100%. We're running into that in a big way with the rolling closures. There's no promise to get those relieved, and it really doesn't make sense to have effort closures in place in a hard TAC system. That would be the single biggest thing that would promote sector enrollment. The six inch codend would also go a long way toward accessing haddock

Motion: The Committee recommends the Council adopt the following universal exemptions: trip limits on allocated stocks, seasonal closed areas, groundfish DAS restrictions, and allowing use of 6 inch codends on Georges Bank while using a haddock separator trawl or Ruhle trawl. (Mr. Odlin/Mr. Stockwell)

The Committee Chair stated that rolling closures should not be included in a Committee recommendation, because the Council already voted not to include them in a list of universal exemptions for sectors. A Committee member stated that he intended to bring that issue to the full Council at their upcoming meeting.

Public comment included:

- Vito Giacalone, Northeast Seafood Coalition: As far as a six-inch mesh size, the GOM haddock stock is fully rebuilt according to GARM III, but quotas will be fairly small because MSY is fairly small. If you are going to chase them, you may as well do it in the GOM with a six-inch codend. I don't know why we'd be preventing people from catching it if it's fully rebuilt and they're on a quota.
- Joel Hovanesian: I think a 6-inch codend will lead to a lot of sub-legal fish being discarded, and it should be 6-inch square.
- Maggie Raymond, Associated Fisheries of Maine: There is a provision later to allow the six-inch codend in the B DAS program, so the analysis has already been done.

One Committee member felt that he could support some of these items being exempted with adequate justification from the sector, but not as a universal exemption with no explanation. Some other members were in favor because this motion would give people increased flexibility to improve their fishing techniques and be more efficient. One member preferred a six-inch square codend and stated that he would likely move that at the Council meeting.

The motion **carried** on a show of hands (7-2-1)

§4.3.4 Reporting Requirements

Motion: The Committee recommends the council adopt 4.3.4.2 (area specific requirements). (Mr. Odlin/Ms. McGee)

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

Motion: The Committee recommends the Council adopt section 4.3.4.3 Option 3, Sub-option 2, to account for non-sector vessel discards. (Mr. Odlin/Mr. Goethel)

The motion **carried** on a show of hands (9-0-1).

§4.3.5 Commercial/Recreational Allocation

Public comment included:

- Vito Giacalone, Northeast Seafood Coalition: I continue to support one baseline for all commercial and recreational sectors, so the option that uses 1996-2006.

One Committee member did not feel that groundfish should be allocated specifically to the recreational component because of a lack of reliable data and changing demographics.

Motion: The Committee recommends the Council adopt section 4.3.5.1 (No Action). (Mr. Preble)

The motion **failed** for lack of a second.

Motion: The Committee recommends the Council adopt section 4.3.5.2, using years 2001 to 2006 as the baseline. (Mr. Diodati/Mr. Blount)

One Committee member thought that it was worthy for the full Council to be involved in the debate on this issue, but supported the motion as the recommendation of the RAP. Another did not support the motion because it was inequitable to have different baselines for different people. One member favored using the longest time period possible. Council staff clarified that if there were no allocation, then in the case of an overage there would

be the same targeted reduction for both the commercial and recreational components. Another member expressed hope that the onset of state and federal licensing would give a better idea of actual recreational catch numbers.

The motion **carried** on a show of hands (7-2-1).

§4.4.2 Commercial Fishery Measures

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: ASM reluctantly supports Option 3A. Obviously any one of these options will wreak havoc on the common pool. Option 2A is just more complicated than anybody could imagine. My vessel only fishes in the 1:1 area and I can never get a counting from the agency of my DAS, so I don't know how they will even keep track of this. Option 4 turns the SNE area into an area where you can fish with gear that doesn't catch any fish, so that's totally unacceptable. With some concern we urge you to adopt Option 3A. We suggest you look into the option the GAP raised of whether the 24-hour clock really needs to apply to every trip. It was recommended by day boat people who were afraid if they went slightly over that they would be charged 48 hours.

Motion : The Committee recommends the Council adopt Option 2A, differential DAS and trip limits, section 4.4.2.2. (Mr. Goethel)

The motion **failed** for lack of a second.

Motion: The Committee recommends the Council adopt section 4.4.2.3, Option 3A, 24 hour clock with trip limits. (Mr. Diodati/Mr. Preble)

One Committee member expressed safety concerns with the 24-hour clock, and stated that there was a subtle psychological effect on dayboats that, if you charge for the time, they will use it. He felt that the system was inherently inequitable and essentially charged a different rate for people who fish less.

The motion **carried** on a show of hands (6-1-3).

§4.4.3.1 Provisions for Landing Fillets

Motion: The Committee recommends the Council adopt section 4.4.3.1, Option 2 (fillets landed with skin on for identification purposes). (Mr. Stockwell/Mr. Goethel)

A Committee member stated that the marine patrol would like to see some skin-on fillets for identification purposes.

Motion to amend: To remove “fillets must meet minimum size limits” and replace with “fillets must be from legal sized fish.” (Mr. Preble/Mr. Blount)

The motion to amend **carried** on a show of hands (8-0-2)

Ms. Murphy stated that the option meant that fillets of species with a recreational allocation of an ACL could be landed with skin off. Since that was only GOM cod and haddock, and not all species, she did not support the motion.

Motion as amended: The Committee recommends the Council adopt section 4.4.3.1, Option 2 (fillets landed with skin on for identification purposes), but remove “fillets must meet minimum size limits” and replace with “fillets must be from legal sized fish.”

The motion as amended **carried** on a show of hands (9-1-0).

Motion: The Committee recommends the Council adopt section 4.4.3.2, Option 2, removal of limit on the number of hooks per line. (Mr. Diodati/Mr. Preble)

The motion **carried** on a show of hands (8-0-2)

§4.4.3.3.1 GOM Cod Options

The RAP Chair informed the Committee that at its meeting the RAP agreed on recommending Option 1 for GOM cod. After the meeting, he had been contacted by many recreational fishermen and RAP members who supported Option 3 instead.

Motion: If the Council selects a different allocation timeline than 2001-2006, the Committee recommends the Council adopt section 4.4.3.3.1 Option 3, a change in season for GOM cod. (Mr. Odlin/Mr. Blount)

The motion **carried** on a show of hands (8-0-2)

Motion: If the Council selects a different allocation timeline than 2001-2006, the Committee recommends the Council adopt section 4.4.3.3.2 Option 1, haddock minimum size of 21 inches. (Mr. Odlin/Mr. Diodati)

A Committee member expressed opposition to the motion, stating that haddock do not survive well when discarded, and raising the size would increase the discards drastically. Another opposed any effort control for haddock, given the robustness of the stock.

The motion **failed** on a show of hands (3-4-2).

Motion: The Committee recommends the Council adopt section 4.4.3.3.2, Option 3. (Mr. Goethel)

The motion **failed** for lack of a second.

§4.4.7 Accountability Measures

Public comment included:

- Maggie Raymond, Associated Fisheries of Maine: ASM supports Option 2 – differential DAS. A hard TAC will lead to a race for fish, market gluts, and create safety implications. With respect to AMs for the recreational fishery, we do not have a preferred option, but we do think there has to be some sort of AM on the recreational allocation as well. Thank you.
- Vito Giacalone, Northeast Seafood Coalition: We echo support for Option 2. We want to avoid derby issues with a hard TAC, so the differential DAS counting option is the only one we can favor.

Motion: The Committee recommends the Council adopt section 4.4.7.1.2, differential DAS AM for common pool vessels. (Mr. Odlin/Mr. Leary)

Ms. Murphy opposed this motion, stating that the hard TAC AM would provide both in-season accountability and overage deductions. The guidelines indicate that if the information is available, it was necessary to do in-season adjustments. A derby fishery is somewhat problematic, and that was why the Committee and Council voted up the trimester TAC.

The motion **carried** on a show of hands (5-2-2).

Motion: The Committee recommends the Council adopt section 4.4.7.2.1, Option 1 for recreational fishery AMs. (Mr. Diodati/Mr. Odlin)

The motion **carried** on a show of hands (9-1-0).

§4.4.2.5 SNEMA Small Mesh Fisheries Gear Requirement

Public comment included:

- Greg DiDomenico, Garden State Seafood Alliance: I want to make it clear how many vessels signed on to our comment letters adamantly opposing this gear requirement. This issue is very serious. The geographical range of this requirement is really broad. It has been untested. The impact on winter flounder bycatch is unknown as well. To cite the DEIS, “the impacts of the requirement on this fishery is unclear,” and later, “there is no experimentation using this gear”. You are going to hear from some fishermen from NY and RI and I’m fairly certain we’re all in agreement on this. Thank you.

- Joel Hovanesian, Rhode Island Commercial Fishermen's Alliance: I would like to agree with everything Greg just said. Also keep in mind that these gear modifications aren't a one-size-fits-all situation. It may well work in one season or for one type of thing. But for everyone to use it at all times is not what we're looking for.
- Hank Lackner, Montauk NY: I am opposed to gear changes in SNE. There is no science that it will save any blackbacks. We shouldn't suffer any losses in our catch levels with a new net that hasn't been tested or tried. Thank you.
- Chuck Weimar, Commercial Fisherman, Montauk NY: I oppose this net design and would like to see the no action alternative in there. We don't know anything about this kind of net or what it does. For the Council to ask us to modify the gear without any test or knowledge of the economic impacts, it would end up being a disaster. Do you have any results on anything? Then I would ask you to get some of that stuff before you approve anything like this. Thank you.
- Emilie Litsinger, Environmental Defense: I just wanted to let everyone know that a study is underway right now with Sea Grant and some fishermen at URI. Hopefully we will have some results next week. Thank you.
- Bill Grimm, F/V Perception, Montauk NY: Unfortunately all of our members couldn't be here. We question where this came from. Who came up with this? I suggest we can this until we come up with some results and take it from there.

A Committee member stated that this proposal came from someone very well-respected in the industry and likely had merit, but with little evidence he could not support it yet. Another member suggested putting off a decision until the Council meeting until some information may be available, but Council staff responded that data was required to go through the SSC and technical teams before it was considered at Council meetings.

Motion: The Committee recommends the Council move section 4.4.2.5, SNE small mesh fisheries gear requirement, to considered but rejected. (Mr. Berg/Mr. Leary)

One Committee member explained that the nets would limit bycatch of winter flounder. Although some yield of other fish may be lost, the net would allow the fisheries to remain open. He stated that the choice was no fishing or this net, and that this Council has done several gear modifications without science. Another supported the development of these types of industry-initiated experimental fisheries. Ms. Murphy stated that the gear could be added in a framework at a later date if proven to be effective.

The motion **failed** on a show of hands (3-6-1)

§4.4.2.6 GOM Sink Gillnet Pilot Program

Motion: The Committee recommends the Council adopt section 4.4.2.6.2. (Mr. Leary/Mr. Stockwell)

Ms. Murphy reiterated statements made by NMFS in letters on this issue. The program appears to be a SAP, and the proper protocol is that it should go through research first and get an EFP.

The motion **carried** on a show of hands (7-3-0).

§4.4.2.7 Haddock Minimum Size

Motion: The Committee recommends the Council adopt section 4.4.3.7.2, reduction in haddock minimum size. (Mr. Stockwell/Mr. Odlin)

A Committee member stated that it was unclear whether the haddock stock was sufficiently robust to understand the movement of smaller animals. She thought it would be prudent to let the latter end of the age structure fill out, and so opposed the motion. Another thought that because of the issue of discard mortality, this motion would not have any effect on mortality, but rather lead to less waste of fish. The PDT Chair reported that when minimum size is reduced, there is some small tradeoff between the yield and spawning stock biomass per recruit. It is generally not true that the 18-inch size is juvenile for GB haddock. The median age at maturity is slightly under 18 inches, so they are generally mature. The 18 inch size is pretty far to the left on the selectivity curve for 6.5-inch mesh, so it should not add a lot of discards. That would not be the case using a six-inch mesh or having a superabundant year class.

The motion **carried** on a show of hands (9-1-0).

§4.3.2 Addition of Atlantic Wolffish to the Management Unit

Motion: The Committee recommends the Council adopt section 4.3.2.1, add wolffish to the management unit. (Mr. Stockwell/Mr. Preble)

The motion **carried** on a show of hands (7-3-0)

Motion: The Committee recommends the Council adopt section 4.3.2.1, Option 2 as the preferred option for wolffish EFH. (Mr. Preble/Mr. Goethel)

The maker of the motion stated that Option 2 was the preferred option of the Habitat Committee.

The motion **carried** by a show of hands (10-0-0)

§4.3.6 Changes to the DAS Transfer and Leasing Programs

Council staff noted that the GAP recommended removing the cap on DAS leasing.

Motion: The Committee recommends the Council adopt section 4.3.6.2, and sub-option A. (Mr. Odlin/Mr. Diodati)

One Committee member stated that she would support this action in combination with a hard TAC on the common pool, but opposed it since the Committee made a different recommendation.

The motion **carried** on a show of hands (9-1-0)

Motion: The Committee recommends the Council adopt section 4.3.6.5, eligibility of CPH permits to participate in DAS leasing and transfer programs. (Mr. Odlin/Mr. Stockwell)

The motion **carried** on a show of hands (9-0-0).

§4.3.7.1 Incidental Catch TACs

Motion: The Committee recommends the Council adopt section 4.3.7.1, Option 1, revised incidental catch TACs for the Category B DAS program. (Mr. Stockwell/Mr. Goethel)

The motion **carried** on a show of hands (8-0-1)

§4.3.7.2 CAI Hook Gear Haddock SAP Revisions

Motion: The Committee recommends the Council adopt section 4.3.7.2.2, expanded CAI Hook Gear Haddock SAP, with coordinates the same as in the interim action. (Mr. Leary/Mr. Odlin)

The motion **carried** on a show of hands (9-0-0)

§4.3.7.3 Eastern U.S./Canada Haddock SAP

Motion: The Committee recommends the Council adopt section 4.3.7.3.2, EUS/CA Haddock SAP reauthorization. (Mr. Odlin/Mr. Stockwell)

The motion **carried** on a show of hands (9-0-0).

§4.3.7.4 CAII Yellowtail Flounder SAP

Motion: The Committee recommends the Council adopt section 4.3.7.4.4.2, Option 2, changes to the CAII YTF SAP. (Mr. Odlin/Mr. Stockwell)

The motion **carried** on a show of hands (8-0-1).

§4.3.7.5 SNE/MA Winter Flounder SAP

Motion: The Committee recommends the Council adopt section 4.3.7.5.2, SNEMA WFL SAP suspension. (Mr. Stockwell/Mr. Preble)

The motion **carried** on a show of hands (9-0-0).

§4.3.7.6 Category B DAS Program

Motion: The Committee recommends the Council adopt section 4.3.7.6.2, Cat B program revisions. (Mr. Stockwell/Mr. Odlin)

Ms. Murphy stated that NMFS had some enforcement concerns that if vessels are using 6-inch mesh and they catch too much of the incidental TACs, they would flip back to Category A DAS which requires a different mesh size. Committee members stated that there was no safety issue with this provision and that if an operator were to flip to A days, they would have to issue a signal that they had done so. Ms. Murphy responded that the agency has been fairly restrictive on this issue throughout the years.

The motion **carried** on a show of hands (9-0-1)

§4.3.7.7 Approval of Additional Gear

Motion: The Committee recommends the Council adopt section 4.3.7.7.2, Regional Administrator authority to approve additional gear. (Mr. Stockwell/Mr. Preble)

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

§4.3.8 Periodic Adjustment Process

Council staff clarified that “technical staff” refers to the Chairman of the GAP and one other person appointed by Executive Director who are currently able to sit on the PDT. The Council adopted a policy that the PDT will consist of technical personnel, and the language in this section would bring the groundfish plan in line with that policy.

Motion: The Committee recommends the Council adopt section 4.3.8.2, first sentence only (not including sentence on non-technical members of the PDT). (Mr. Odlin/Mr. Stockwell)

Committee members stated that they would not like the provision on non-technical personnel to become a regulation, in case flexibility was needed in the future.

The motion **carried** on a show of hands (7-1-1)

§4.3.9 Possession of Scallop/Multispecies Permit

Motion: The Committee recommends the Council adopt section 4.3.9.2, Option 2, allowing possession of a limited access scallop and multispecies permit on the same vessel. (Mr. Odlin/Mr. Preble)

One Committee member stated concern that this amendment will significantly change the groundfish industry, and he was concerned that capital in the scallop industry will absorb many of the groundfish permits.

The motion **carried** on a show of hands (5-3-2)

§4.4.4 Halibut Minimum Size

Motion: The Committee recommends the Council adopt section 4.4.4.2, increase in halibut minimum size. (Mr. Stockwell/Ms. McGee)

Some Committee members expressed the view that reducing the minimum size would essentially restrict access to the fishery for recreational vessels that do not target halibut and rarely ever catch a fish that size. Another countered that halibut of this size are caught frequently in Maine and that the 41-inch fish size was appropriate to protect the spawning stock. Ms. Murphy added that the GARM recommended this size because of the age at maturity. Another member was concerned about mortality on discards.

The motion **failed** on a show of hands.

§4.4.5 Retention of Atlantic Wolffish

Motion: The Committee recommends the Council adopt section 4.4.5.2, prohibition of wolffish. (Mr. Preble/Ms. McGee)

Ms. Murphy stated support for the motion, since there is a petition to list the species under the Endangered Species Act, and anything the Council could do to reduce catch on this stock would help to stop it from being listed. One Committee member advocated for

having a very small limit on catch, since some information was needed for biological assessments. Another cited a study that showed high survivability among released fish.

The motion **carried** on a show of hands (5-3)

§4.4.6 Implementation of Additional Sectors

Council staff noted that there was considerable discussion at the Council about how sectors would operate before they voted for the two existing sectors. That level of review has not been performed on the new sector applicants. Several sectors have requested to modify their descriptions under the “sector participants” section of the correspondence files. Some of the items in the letter are not the same exemptions the sectors originally asked for. It is also not clear, if a sector does not operate in a year, whether it will have to be reauthorized to operate again.

Comments from sector organizers included:

- Eric Brazer, Hook and Fixed Gear Sectors: You see the original list of exemptions we requested over two years ago when we had no idea what was possible and what was not. We included a revised list in the Council documents. On behalf of the sectors, the exemptions up there are outdated and not being requested. We are thinking about merging the sectors, but for now they are distinct entities.
- Maggie Raymond, Sustainable Harvest Sector: I am curious how different this is from what's listed. We will be asking for exemptions from some of the items that were on the list, such as rolling closures. I want to make that clear since this document doesn't detail that.
- Jen Litteral, Mid Coast and Port Clyde Sectors: The edition you have has a typo that gillnet block requirements was listed twice. The exemptions that we have in here are dependent completely on feedback from NFMS outside of the universal exemptions. If it's deemed they can't go in there, obviously they won't go in our final proposal.
- Vito Giacalone, Northeast Seafood Coalition Sectors: We submitted a letter on June 8th to the RA and Council to update our sectors' names to reflect membership more accurately. Our intention for these operations plans and EAs to mirror and reflect what the original submission was, but at the same time we realized that because of the way they're named we don't want them to have trouble getting membership if people want to move around. Our request is to name the sectors Northeast Fisheries Sector I-XIII. EAs would be specific to each annual year's regulation. We don't want something codified that's outdated, since the policy is totally different than what we anticipated when we submitted it 26 months ago.

Motion: For the staff to modify the decision document consistent with the letters and requests of the sector managers. (Mr. Diodati/Mr. Odlin)

Council staff stated that it would be possible to issue some pages that modified these sections of the document for Council review.

The motion **carried** on a show of hands (9-0-0).

Other Business

Committee members briefly mentioned Community Fishing Associations and the requests received to discuss such organizations at the full Council as well as the topic of an allocation freeze. Some members thought that an allocation freeze would have no effect, since a future Council could overrule it at any time.

Public comment included:

- Vito Giacalone, Northeast Seafood Coalition: We have had people burned now, and the memory will be there. It's a huge issue. It will be very tough to pull ACE from someone in May or June, but when you get close to March they will start coughing it up just like with DAS leasing. Allocations are going to be marginal even for guys that have a strong catch history. And some guys, if you tell them there is a possibility they're permanently damaging the value of their permit by leasing it, they're going to try and catch what little quota they have on that permit and that makes our jobs way more difficult. I don't know what's the harm in a Committee recognizing that you can facilitate full retention and make a vote, even if it seems shallow, but it will give people that much more assurance. I think it's important. What's the cost of making a vote to recognize that you've asked NMFS to put the catch history on pause? It's better than having nothing.