



New England Fishery Management Council

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John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

MEMORANDUM

**DATE:** November 1, 2010  
**TO:** Council  
**FROM:** Paul J. Howard, Executive Director  
**SUBJECT:** DRAFT Summary of November 1, 2010 meeting

The Executive Committee met on Monday, November 1, 2010 in Wakefield, MA. Messrs. Pappalardo, Cunningham, Odlin and Stockwell and Ms. McGee and Ms. Kurkul participated in the meeting. Mr. Grout also attended the meeting as well as Messrs. Howard, Kellogg, Ms. Roy and Ms. Steele from the Council staff. The committee discussed the following agenda items.

*1. Discuss Herring Amendment implementation issues:* Ms. Steele reported that the Herring Cte is struggling with several issues. The committee is trying to complete the alternatives for the draft EIS by the January 2011 Council meeting. Discussion focused on NMFS administration and implementation of proposed catch monitoring elements. Funding alternatives were examined and need to be fully developed. Administrative costs may be significant.

Mr. Howard stated that the MAFMC is developing monitoring options for their mackerel amendment. We have considerable committee overlap with each Council's membership on both herring and mackerel committees to ensure close coordination. Mr. Howard recommended that we not delay our Amendment and go forward with our monitoring options. If the MAFMC's monitoring is less or more stringent, changes can be made to our Herring FMP via a framework. With regard to funding, Mr. Howard suggested that our plans go forward with exactly what we want and specify what will happen in the event that government funding is not available.

*2. Discuss timelines and management actions:* Mr. Howard updated the committee on the timelines for scallops, multispecies, herring, small mesh species, habitat, monkfish, skates, and red crab.

*3. Discuss SSC membership for 2011-2013 term:* The committee received the CVs of both the existing SSC members and newly nominated candidates. Two of the current SSC members have communicated they would not be able to serve another term. The Committee will receive input from the Council at the November meeting before it makes its decision. The committee also discussed the recent report authored by Steve Cadrin and Dan Georgianna. It was understood that the SSC was planning to discuss this at their next meeting. The Executive Cte asked the Executive Director to draft a new policy about SSC member activities outside the Council process. Mr. Pappalardo suggested he and Mr. Howard meet with Dr. Cadrin and Dr. Georgianna to discuss the report and its impact on the Council's process.

*4. Discuss 2011-2013 Advisors:* The committee reviewed the advisory panel applications for the Enforcement, Groundfish, Habitat, Herring, Recreational Fishing, Red Crab and Scallop panels. A second solicitation will be made seeking industry members to the Enforcement Advisory Panel and a second solicitation will be made seeking a representative from SNE to the Groundfish Advisory Panel. The committee will review the Monkfish and Skate Advisory panel applications at a later date.

*5. Discuss 2011 priorities for Council:* The priorities for 2011 were reviewed. Mr. Stockwell mentioned that the haddock catch cap may have to be addressed under the Groundfish priority. Ms. McGee asked about the groundfish items left off from Amendment 16 to Amendment 17. It was agreed that those groundfish items be included under the groundfish “below the line” section.

The committee discussed having a second Catch Share Workshop. Mr. Odlin stated that “to develop goals and objectives...” under Interspecies was already accomplished by a Council motion and that it should be removed. It was agreed to reflect the Interspecies Cte motion under the FMP consolidation item. Mr. Odlin suggested the Council make a formal request to sectors to send a representative to the Council at the June 2011 Council meeting to answer questions. The committee agreed to add this item to the priorities list under Groundfish.

Mr. Stockwell inquired about the letter from Jeff Pike. It was agreed that Mr. Pike’s request for a 2-year pilot consolidation program in the scallops fishery would have to be included in a new action and could not be added to Amendment 15 before it was submitted.

*6. Discuss the Enforcement Committee’s tasking for gear marking requirements:* Mr. Howard stated that the Enforcement Cte will be making recommendations to the Council at its November meeting. The Draft list of priorities does not include any action to standardize gear markings because the severity of the problem is not clear and the issue may be better addressed by ASMFC if it includes lobster gear markings in the EEZ.

*7. Discuss adding an additional Council meeting or extending meetings to 3.5 days:* Mr. Howard stated that several Council meetings have run very long and there had been discussion about adding another Council meeting to the schedule or extending meetings from 3 to 3.5 days. It was agreed that on a case-by-case basis, if agendas are full, that the Council meeting begin at noon Monday, rather than increasing the number of meetings from 5 to 6 per year.

*8. Discuss Council strategies when government funding for administration and implementation is not available or may be available in the future:* Mr. Howard suggested that FMPs should include exactly what the Council believes is needed and also specify what will happen or be the back-up option in the event that government funding is not available.

*9. Discuss changing Executive Committee election process to pick top 3 in one vote:* Mr. Howard recommended that the voting policy be changed for Executive Committee elections. Mr. Howard will draft a new policy and present it at the next Executive Committee meeting.

10. *Discuss how FMPs might be adjusted more quickly based on the most recent data, for example if recent data indicate that estimates in setting ACLs, TALs or ACTs are incorrect including RA notice action:* Mr. Howard stated that because new data and new assessments often become available between planned actions, some form of dynamic management needs to be incorporated into our FMPs. Ms. Kurkul stated that the Council needs to find a way to build in a trigger to change specifications if conditions in a fishery change. Staff will work with PDTs and committees to explore including such trigger mechanisms in Council actions.

11. *Discuss Greg Duckworth's letters:* Mr. Howard recommended, in response to correspondence from Mr. Duckworth, that copies of a recent Congressional letter which requests that past violations be reviewed be sent to Mr. Duckworth.

12. *Discuss directing the Groundfish Cte holding a 1-day workshop/meeting with sectors and a 1-day meeting/workshop with all permit banks:* It was agreed that this be added to priorities for Council consideration.

13. *Discuss winter flounder issue "to ask the SSC to examine any recent fisheries independent and fisheries dependent data collected since GARM 3 for GOM winter flounder and to evaluate whether this new information would affect their current ABC recommendation for GOM winter flounder":* In September the Council asked the SSC, based on new information and if warranted, to adjust the ABC for GOM winter flounder for 2010 and 2011. The committee stated that a Council action could not be implemented before the end of the 2010 fishing year. The committee agreed that they would wait to see what information comes out of the November 2 -3 SSC meeting.

14. *Discuss SBRM process delays:* Mr. Howard stated that the Council needs fishery bycatch results, not fleet results, in order to better set ACLs. Staff will continue to work with NMFS on this issue.

15. *Discuss workshop for "Reconciling Spatial Scales of Fishery Science and Management":* Mr. Howard reviewed the letter from the Northeast Consortium referring to the above-mentioned workshop. There is general support for the workshop. The Council can assist with this workshop as a co-sponsor. Mr. Howard will obtain more information on the workshop and speak with workshop organizers. Recommendations will be made and discussed at the next Executive Committee.