

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Sheraton Colonial, Wakefield, MA
December 20, 2012
MOTIONS

Thursday, December 20, 2012

GROUNDFISH FRAMEWORK 49

Section 4.1.1 – revised status determination criteria for GOM cod, GB cod, SNE/MA yellowtail flounder, and white hake (p. 41)

1. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Option 2, Section 4.1.1.2, revised status determination criteria consistent with recent assessments.

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

Section 4.1.2 – Southern New England/Mid-Atlantic windowpane flounder sub-ACLs (p. 43)

2. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Section 4.1.2.3, Option 3, other sub-components sub-ACL for Southern New England/Mid-Atlantic (SNE/MA) windowpane flounder.

The motion **carried** on a show of hands with one recusal, Ms. Tooley (16/0/0/1).

Section 4.1.3 – scallop fishery sub-ACL for Georges Bank yellowtail flounder (p. 45)

3. Mr. Stockwell moved on behalf of the committee:
to recommend the Council allocate 16% of the Georges Bank yellowtail flounder to the scallop fishery beginning in 2014 and continuing thereafter.
- 3a. Mr. Dempsey moved to amend and Mr. Grout seconded:
to recommend the Council allocate 16% of the Georges Bank yellowtail flounder to the scallop fishery beginning in 2014 and continuing thereafter and to clarify that the intent of the Council is to maintain maximum flexibility in transferring unused Georges Bank yellowtail flounder between the scallop and groundfish fleets through a revision to the existing transfer language.

The motion to amend **carried** on a show of hands with one recusal, Ms. Tooley (16/0/0/1).

The main motion as amended **carried** on a show of hands with one recusal, Ms. Tooley (15/1/0/1).

4. Mr. Stockwell moved on behalf of the committee:
to clarify the intent of Section 4.1.3.3 to align any accountability measure (AM) in the case of an overage of the US/CA Georges Bank yellowtail flounder TAC, to adjust the sub-ACL of the components of the fishery that caused the overage and that the sub-ACL of other components not be reduced in the following year.

The motion **carried** on a show of hands with one recusal, Ms. Tooley (15/0/0/1).

Section 4.1.4 – small-mesh fisheries sub-ACL for GB yellowtail flounder (p. 47)

5. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Section 4.1.4.2, Option 2, small-mesh fisheries sub-ACL for Georges Bank yellowtail flounder, using a fixed percentage of the median catch of this fleet from calendar years 2004-2011.

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

Section 4.1.5 – annual catch limit specifications (p. 49)

6. Mr. Stockwell moved on behalf of the committee:
to adopt a constant harvest strategy that reduces GOM cod, GOM haddock, GB cod, American plaice, witch flounder and Cape Cod/GOM yellowtail flounder ACLs by 10% from projected 2012 catches.

The Chairman ruled this motion **out of order**.

7. Mr. Stockwell moved and Mr. Preble seconded:
to split Section 4.1.5 from Framework 48 and initiate an annual catch limit (ACL) specifications package for final action at the January Council meeting.

The motion **carried** on a show of hands (15/2/0).

Section 4.2.1 – management measures for the recreational fishery (p. 63)

8. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Section 4.2.1.2, Option 2, revised AMs for the recreational fishery.

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

Section 4.1.5 – annual catch limit specifications (p. 49)

9. Mr. Stockwell moved on behalf of the committee:
that consistent with guidance provided by NMFS in its May 30, 2012 letter to the Council, recommend that the Council replace current measures for SNE/MA winter flounder with similar interim measures that include:
- setting an ACL below the OFL of 2,637 mt but no less than 1,400 mt that will prevent overfishing and mitigate the impacts of the catch reductions for other stocks in fishing year 2013;
 - anticipating an ACL in excess of 1,400 mt will eliminate the prohibition on possession and change the status of SNE WFL to an allocated stock as specified in Amendment 16 and;
 - request that the SSC provide a revised ABC estimate based on these terms of reference.

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

10. Dr. Pierce moved and Mr. Grout seconded:
that the Council request NMFS implement an interim measure for GOM cod and GOM haddock to reduce overfishing in 2013, pursuant to MSA 304(e)(6).

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

Section 4.2.2 – Groundfish Monitoring Program revisions (p. 64)

11. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Section 4.2.2.2, Option 2 (revised goals and objectives, insert “to the extent possible” in first objective after bias); Section 4.2.2.3, Option 3 sub-Option B (remove requirement for industry-funded ASM in FY 2013) and Section 4.2.2.3, Option 3 sub-Option C (1) (lower coverage rates for ELM sink gillnet gear as described), and Section 4.2.2.4, Option 4 (industry funded at-sea monitoring cost responsibility). Additionally, recommend the Council adopt Section 4.2.2.5.2, Option 2 (eliminate DSM requirement).
- 11a. Dr. Pierce moved to amend but it was not seconded:
that the amendment include sub-Option A2, CV standard met for each stock and each sector.
- 11b. Mr. Grout moved to amend and Mr. Goethel seconded:
to include Option 3, sub-Option A1, for allocated groundfish stocks caught by sectors, the CV standard must be met for each stock at the overall stock level (p. 66).

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

The main motion, as amended, **carried** on a show of hands (11/4/0).

Section 4.2.3 – Commercial Fishery Minimum Size Restrictions (p. 70)

12. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Section 4.2.3.3, Option 3, full retention (for sectors only).
- 12a. Mr. Grout moved to substitute and Mr. Goethel seconded:
to replace Option 3 with Section 4.2.3.2, Option 2 (changes to minimum size limits).

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

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

Section 4.2.4 – Georges Bank yellowtail flounder management measures (p. 73)

13. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Section 4.2.4.2, Option 2, Georges Bank yellowtail flounder revised discard strata (applicable to sector trips only).

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

Section 4.2.5 – Sector Management Provisions (p. 75)

14. Mr. Stockwell moved on behalf of the committee:
to recommend the Council adopt Section 4.2.5.2, Option 2, exemption from year-round mortality closures.
- 14a. Dr. Pierce moved to amend and Mr. McKenzie seconded:
that the WGOM closed areas be removed as an area to be exempted from year-round mortality closure.

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

- 14b. Mr. McKenzie moved to amend and Dr. Pierce seconded:
to limit closed areas accessible through Section 4.2.5.2, Option 2, exemption from year-round mortality closures to Closed Area 2 south of the southernmost boundary of the cod HAPC area, and to NLSCA.

The motion to amend **failed** on a show of hands (4/12/1).

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

Section 4.2.6 – Commercial Fishery Accountability Measures (p. 79)

Section 4.2.7 – Trawl Gear Stowage Requirements (p. 89)

15. Mr. Stockwell moved on behalf of the committee:
recommend the Council adopt Section 4.2.6.2, Option 2 (change to AM timing for stocks not allocated to sectors); Section 4.2.6.3, Option 3 (area-based AMs for Atlantic halibut, Atlantic wolffish and SNE/MA winter flounder); Section 4.2.6.4, Option 4 (modifications to the AMs for SNE/MA windowpane flounder); Section 4.2.6.5, Option 5 (revised HA and HB permit AMs) and Section 4.2.7.2, Option 2 (removal of trawl gear stowage requirements).

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

16. Mr. Dempsey moved and Mr. McKenzie seconded:
that the Council revise and reconsider the Atlantic halibut and Atlantic wolffish AM in the next appropriate groundfish action.

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

17. Mr. Stockwell moved and Mr. Dempsey seconded:
the Council specifically reject the specification options selected this date in Framework 48 alternatives that were considered but not selected.

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

18. Mr. Stockwell moved and Mr. Dempsey seconded:
to submit to NMFS Framework 48 for approval .

The motion **carried** on a show of hands (14/0/1).

19. Mr. Stockwell moved on behalf of the committee:
recommend the Council send a letter in support of the proposed redfish exemption:
1. flexibility to use two meshes on these declared trips with 100% observer coverage;
2. that vessels should not have mesh on board less than 6 inches if not on an exemption;
3. sectors can develop a subset of their membership to have industry-funded coverage.

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

20. Mr. Stockwell moved and Mr. Terry Alexander seconded:
to clarify that the Council's request for an Emergency Action, to eliminate monkfish trip limits in the Northern Fishery Management Area, allows for vessels in the Northern Fishery Management Area to land unlimited amounts of monkfish when on groundfish days-at-sea (DAS), even if not on a monkfish DAS.

The motion **carried** on a show of hands (13/2/0).

21. Mr. Alexander moved and Mr. Kendall seconded:
that the Council adopt or discuss the full retention program in the next appropriate groundfish action.

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