

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Holiday Inn by the Bay, Portland, ME
June 21-23, 2011
Motions

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Tuesday, June 21, 2011

PRESS ISSUES PAPER

1. Dr. Pierce moved and Mr. Cunningham seconded:
that the Council adopt the written approval process and content guidelines dated 6/21/11.

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

NATIONAL STANDARD 10

2. Dr. Pierce moved and Mr. Goethel seconded:
that the Council support adding the following additional mitigation measures to National Standard 10 guidelines: (1) allow vessel replacement in a fleet so that older vessels can be replaced with newer and safer vessels; (2) eliminate or replace penalties for cutting fishing trips short due to weather or other conditions; (3) extend fishing seasons to allow for quotas to be reached; (4) allow increased opportunity for allocations associated with catch-share programs (e.g., ACE and groundfish sector management) to be taken in areas and at times where and when fishing is prohibited (e.g., multispecies plan rolling closure prohibitions); (5) allow increased carryovers of unused allocations at the end of fishing years (e.g., groundfish ACEs) and (6) avoid requirements that fishermen pay for catch monitoring costs (at-sea and in port) diverting funds away from maintenance of fishing gear and vessels for safety of captains and crew. The Council also supports Enforcement Committee recommendations regarding changes in existing mitigation measures.
 - 2a. Mr. Cunningham moved to substitute and Mr. Preble seconded:
that the Council support the Enforcement Committee recommendations of June 15, 2011 concerning National Standard 10 comments.
 - 2b. The substitute motion was perfected to read:
that the Council support the Enforcement Committee recommendations of June 15, 2011 concerning National Standard 10 comments and that when evaluating risk, consider the economic health of fisheries as an indicator that promotes safety.

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

The substitute motion **carried** on a show of hands (15/0/1).

COOPERATIVE RESEARCH

3. Mr. Goethel moved and Mr. Preble seconded:
recommend a letter of acknowledgement for all scientific research activity conducted in the EEZ.

The motion was **tabled**, without objection, until Thursday, June 23.

Wednesday, June 22, 2011

GROUND FISH – Amendment 17

1. Mr. Cunningham moved on behalf of the committee:
recommend that Alternative 2 (as amended) be the preferred alternative for Amendment 17. To strike Item 8 in Alternative 2 and replace it with “if more funds become available to state permit banks, the use of those additional funds in NOAA-sponsored state-operated permit banks described in Amendment 17 shall come to the Council for approval prior to using those funds for the purpose of the permit bank outside the sector process and that state permit banks be required to report on an annual basis to the council on the performance of the state permit bank.”

1a. Mr. Stockwell moved to amend and Ms. Kurkul seconded:
to replace “shall come to the Council for approval” with “shall be reviewed by the Council for consistency with the goals/objectives of the groundfish FMP.”

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

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

2. Mr. Cunningham moved and Mr. Stockwell seconded:
to submit Amendment 17 to NMFS for approval.

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

3. Mr. Preble moved and Mr. Stockwell seconded:
to remand the Accumulation Limits Workshop summary to the Groundfish Committee for discussion and possible further development.

3a. The motion was perfected to read:
to remand the Accumulation Limits Workshop summary to the Groundfish Committee for the development of alternatives.

3b. Dr. Pierce moved to substitute and Mr. Grout seconded:
using information from the Accumulation Limits Workshop, the ad hoc Groundfish Accumulation Limit Committee should proceed with the accumulation limit amendment and development of the scoping document for that amendment.

The motion to substitute **failed** on a show of hands (3/12/1).

3c. Dr. Pierce moved to substitute and Mr. Grout seconded:
using information from the Accumulation Limits Workshop, the Groundfish Committee should proceed with the accumulation limit amendment and development of the scoping document for that amendment.

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).

4. Mr. Goethel moved and Mr. Cunningham seconded:
to use Alternative Process 1 as identified in the NEFMC gear policy discussion document with a method for approving new gear.

The **motion** carried on a show of hands (12/2/1).

Framework Adjustment 47

5. Mr. Cunningham moved on behalf of the committee:
recommend that the Council add an alternative to allocate SNE/Mid-Atlantic winter flounder to sectors and allow landing of the ACL.

- 5a. Mr. Goethel moved to amend and Mr. Preble seconded:
recommend that the Council add an alternative to allocate SNE/Mid-Atlantic winter flounder to the fishery and allow landing of the ACL.

The motion to amend **carried** on a show of hands (13/0/1).

The main motion, as amended, **carried** on a show of hands (13/0/1).

6. Mr. Cunningham moved on behalf of the committee:
recommend that the Council add an alternative to consider eliminating the 10 percent cap on yellowtail flounder caught in the Georges Bank access areas.

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

7. Dr. Pierce moved and Mr. Preble seconded:
that the Groundfish PDT work with the SSC to evaluate existing peer-reviewed research on survival of sub-legal cod in the jig and longline fisheries and recommend whether discard mortality assumptions for this gear be revised and what assumptions should be used.

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

8. Mr. Odlin moved and Ms. Tooley seconded:
that the Council charge the Groundfish Committee with input from the advisory panel to investigate the reasons as to why we are continuously falling short of achieving OY and to develop recommendations and recommend action to close the gap between the catch and OY.

The motion **carried** on a show of hands (11/2/2).

MONKFISH

9. Mr. Stockwell moved on behalf of the committee:
recommend that monkfish continue to be managed under one FMP.

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

Thursday, June 23, 2011

MANAGEMENT REVIEW PROCESS

1. Mr. Preble moved and Mr. Goethel seconded:
that it be a goal of the New England Fishery Management Council to adopt three area-based ecosystem management plans for the Gulf of Maine, Georges Bank, and Southern New England/Mid-Atlantic Bight, and to incorporate all other FMPs under whichever EMP is appropriate.

- 1a. Dr. Pierce moved and Ms. Tooley seconded:
to table the previous motion until the Council receives the staff strawman document with recommendations pertaining to a vision for management of New England fisheries.

The motion to table **failed** on a show of hands (5/11/0).

- 1b. Mr. Grout moved but it was not seconded:
to postpone consideration of motion 1a until the September Council meeting.

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

The main motion was **withdrawn** by its maker and it will be revisited in September.

SKATE

3. Mr. Goethel moved on behalf of the committee:
that the Council make no change to the 3% state landings set aside to apply to the 2012-2013 TAL specifications.

The motion **carried** on a show of hands (14/0/2).

4. Mr. Goethel moved on behalf of the committee:
that the Council send a letter to state directors asking them to promulgate state regulations that are more consistent with federal landing limits.

The motion **carried** on a show of hands (15/0/1).

Note – Gene Martin asked that NOAA General Council review the letter to ensure it follows NOAA guidelines regarding lobbying states.

5. Mr. Goethel moved on behalf of the committee:
that the Council include transfers at sea under the bait fishery monitoring.

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

6. Mr. Goethel moved on behalf of the committee:
that the specifications use a scenario 3 approach to identify possession limits that keep the wing limit in effect throughout the fishing year (i.e. to land the TAL without hitting the trigger early or triggering the incidental limit).

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

7. Mr. Goethel moved on behalf of the committee:
to change the [wing fishery] TAL trigger specification from 85 to 90 percent.

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

8. Mr. Goethel moved on behalf of the committee:
to develop a second alternative using the same parameters as scenario 3, but targeting 85% [instead of 100%] of the TAL.

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

9. Mr. Goethel moved on behalf of the committee:
to change the bait skate possession limit specification to 25,000 lbs.

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

10. Ms. Tooley moved and Mr. Odlin seconded:
that all three scenarios being analyzed for spec packages should utilize incidental catch limits as found in Table 1, Document 1c.

The motion **failed** on a show of hands (5/11/0).

11. Dr. Pierce moved and Mr. Odlin seconded:
that in the next appropriate action, to adopt the SSC recommendations that our strategy for managing skates should be reconsidered, particularly consideration of the control rule tailored to different stock conditions, status determination and development of ABCs for individual species and/or area-specific stock complexes, and development of MSY reference points or suitable proxies.

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

12. Mr. Odlin moved and Mr. Preble seconded:
request the Secretary of Commerce to initiate an emergency action in the skate fishery to increase the allowable harvest of skate as a result of the increase in the ABC recently recommended by the SSC.

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

RESEARCH ACTIVITY

13. Mr. Cunningham moved and it was seconded:
to bring back tabled motion #3 from June 21.

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

- 13a. Mr. Goethel moved and Mr. Preble seconded:
recommend a letter of acknowledgement for all scientific research activity conducted in the EEZ.

- 13b. The motion was perfected to read:
that the Council send a letter to NOAA expressing our deep concern over the lack of accountability for research activities in the EEZ.

The motion **carried** on a show of hands (13/0/1).