

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Holiday Inn by the Bay, Portland, ME
June 20-22, 2017
FINAL MOTIONS

Tuesday, June 20, 2017

MONKFISH COMMITTEE REPORT

1. Mr. Terry Alexander moved on behalf of the Committee:
to shelve Amendment 6 permanently and support the Advisory Panel motion.

The motion *carried* on a show of hands (9/7/0).

The Council agreed by consensus to accept the research priorities listed in the presentation.

GROUND FISH COMMITTEE REPORT

Amendment 23

2. Mr. Stockwell moved on behalf of the Committee:
that the purpose of Amendment 23 is to implement measures to improve reliability, accountability, accuracy, and precision of catch (landings and discards) information across all segments of the monitoring program toward better achieving the existing goals and objectives as stated in Framework Adjustment 55, while directly taking into account measurable costs and identified benefits to the fishery while meeting requirements in the most cost effective manner possible.

- 2a. Mr. Pappalardo moved to substitute and Mr. Kendall seconded:
PURPOSE

The purpose of Amendment 23 is to implement measures to improve reliability and accountability of catch reporting and to ensure a precise and accurate representation of catch (landings and discards).

NEED

The need of Amendment 23 is to improve the accuracy of collected catch data. Accurate catch data are necessary to ensure that catch limits are set at levels that prevent overfishing and to determine when catch limits are exceeded. A second need is to create fair and equitable catch reporting requirements for all commercial groundfish fishermen, while maximizing the value of collected catch data and minimizing costs for the fishing industry and the National Marine Fisheries Service.

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

Substitute Motion:

PURPOSE

The purpose of Amendment 23 is to implement measures to improve reliability and accountability of catch reporting and to ensure a precise and accurate representation of catch (landings and discards).

NEED

The need of Amendment 23 is to improve the accuracy of collected catch data. Accurate catch data are necessary to ensure that catch limits are set at levels that prevent overfishing and to determine when catch limits are exceeded. A second need is to create fair and equitable catch reporting requirements for all commercial groundfish fishermen, while maximizing the value of collected catch data and minimizing costs for the fishing industry and the National Marine Fisheries Service.

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

3. Mr. Stockwell moved on behalf of the Committee:
to recommend the development of a range of alternatives for electronic monitoring (EM) that achieve the purpose statement identified by the Council, such that:
- Vessels should have the option to use EM in place of at-sea monitors (ASM)
 - EM instead of ASM on selected trips, where EM is used to directly estimate discards consistent with current EM exempted fishing permits
 - Audit based approach for EM where EM runs on 100% of trips and a subset of hauls or trips is reviewed to verify VTR-reported discards
 - Maximum retention approach for EM where EM verifies that all groundfish are landed and uses dockside monitoring (DSM) to sample catch
 - Formally approve EM as a monitoring tool

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

4. Mr. Stockwell moved on behalf of the Committee:
to recommend the development, within the range of alternatives, of a dockside monitoring program.

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

5. Mr. Stockwell moved on behalf of the Committee:
to recommend the development of a range of alternatives to re-evaluate the 30% coefficient of variation (CV) precision standard and how it is applied (e.g., fishery versus stock level) to determine the total monitoring coverage rate.

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

6. Mr. Stockwell moved on behalf of the Committee:
to recommend the development of a range of alternatives to determine the total monitoring coverage rate that meets the broader purpose of Amendment 23 as adopted by the Council.

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

7. Mr. Stockwell moved on behalf of the Committee:
to develop alternatives that streamline and improve the sector weekly reporting process.

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

8. Mr. Stockwell moved on behalf of the Committee:
to include in the range of alternatives an option that would facilitate knowing the total coverage rate at a time certain to assist sectors for business planning.

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

9. Ms. Etrie moved and Mr. Terry Alexander seconded:
to develop/hold a workshop that improves managers and industry reps understanding of the distinction between accuracy and precision. Additionally, this workshop should be used to identify or develop methods for using monitoring data in stock assessments that can clearly illustrate how ASM data could have the capacity to rescale a stock biomass.

- 9a. Mr. Pappalardo moved and Mr. Grout seconded:
to recommit this motion back to the Committee.

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

10. Ms. Etrie moved and Mr. Terry Alexander seconded:
to request the PDT complete the no action alternatives in Amendment 23 first.

The motion *failed* on a show of hands (6/8/1).

11. Ms. Etrie moved and Mr. Terry Alexander seconded:
to request the PDT complete the various portions of the Monitoring White Paper and have it available after the completion of Framework 57.

The motion *failed* on a show of hands (5/10/0).

Framework Adjustment 57

12. Mr. Stockwell moved on behalf of the Committee:
to initiate Framework Adjustment 57 and include:
- To incorporate any status changes for groundfish stocks and set specifications for all groundfish stocks for FY 2018 to FY 2020.
 - To set specifications for FY 2018 for US/Canada stocks (Eastern GB cod, Eastern

GB haddock, and GB yellowtail flounder).

- To evaluate the common pool trimester total allowable catches (TACs)
- To modify Atlantic halibut management
- To revise the recreational management measures process
- To revise the Southern Windowpane Flounder AMs for large-mesh non-groundfish fisheries consistent with Framework Adjustment 52 measures for groundfish fisheries.

12a. Mr. Reid and Dr. McKenzie seconded:

to initiate Framework Adjustment 57 and include:

- To incorporate any status changes for groundfish stocks and set specifications for all groundfish stocks for FY 2018 to FY 2020.
 - To set specifications for FY 2018 for US/Canada stocks (Eastern GB cod, Eastern GB haddock, and GB yellowtail flounder).
 - To evaluate the common pool trimester total allowable catches (TACs)
 - To modify Atlantic halibut management
 - To revise the recreational management measures process
 - To revise the Southern Windowpane Flounder AMs for large-mesh non-groundfish fisheries consistent with Framework Adjustment 52 measures for groundfish fisheries.
- To include analysis of modifying existing AMs including modifying size and location of AM timing, trigger or biomass criteria.

The motion to amend *carried* on a show of hands (11/3/2).

The main motion:

to initiate Framework Adjustment 57 and include:

- To incorporate any status changes for groundfish stocks and set specifications for all groundfish stocks for FY 2018 to FY 2020.
 - To set specifications for FY 2018 for US/Canada stocks (Eastern GB cod, Eastern GB haddock, and GB yellowtail flounder).
 - To evaluate the common pool trimester total allowable catches (TACs)
 - To modify Atlantic halibut management
 - To revise the recreational management measures process
 - To revise the Southern Windowpane Flounder AMs for large-mesh non-groundfish fisheries consistent with Framework Adjustment 52 measures for groundfish fisheries.
- To include analysis of modifying existing AMs including modifying size and location of AM timing, trigger or biomass criteria.

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

13. Mr. Grout moved and Mr. Godfroy seconded:

to have the PDT develop and analyze the following options for inclusion in Framework 57 to improve the recreational management measure process:

- a) the status quo recreational management measures from A16 with the Framework 48 proactive recreational management measures removed.
- b) Option A from the June 9 PDT memo where measures would be set at the beginning of the biennial specifications cycle with specifications and remain unchanged during the biennial specifications cycle.

The Council would also like Option B (a formulaic process to adjust the AM developed in specifications) from the June 9 PDT memo developed and analyzed for Framework 57 if the PDT work load permits. For each option developed, there should be a clarification of the role of the RAP, GF Committee, Council and NMFS in the process and the PDT should be given leeway to evaluate multiple years of information when determining when an AM is triggered.

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

14. Mr. Grout moved and Mr. Reid seconded:
that the Council have the PDT limit the development of revisions to the trimester TACs in Framework 57 to those stocks that have experienced early closures in trimesters 1 or 2 since the implementation of Amendment 16.

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

15. Mr. Grout moved and Ms. Etrie seconded:
that the PDT develop a tiered AM system in Framework 57 for Atlantic halibut. For example the zero possession AM would go into effect for any overage up to 120% of the ACL and the area AMs and the zero possession AM would be in place for any overage greater than 120% of the ACL.

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

16. Mr. Grout moved and Mr. Godfroy seconded:
that the PDT develop a new AM area for Atlantic halibut in federal waters off of eastern Maine.

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

17. Mr. Pappalardo moved and Dr. McKenzie seconded:
PDT should develop option that extends halibut reactive AM possession restrictions to all Federal permit holders.

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

Wednesday, June 21, 2017

SKATE COMMITTEE REPORT

1. Dr. McKenzie moved on behalf of the Committee:

That the Council recommends the addition, and selection as preferred, of new Option 4 that would have a 25,000 lb. and 90% trigger in seasons 1 and 2, season 3 possession limit would drop to 12,000 lb. with a 80% trigger, closure would happen once 100% of the TAL was achieved, in all seasons the incidental possession limit would be 8,000 lb.

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

2. Dr. McKenzie moved on behalf of the Committee:
that the Council clarifies its intent that the in-season possession limits can be removed or modified consistent with the existing regulatory language and operation of the FY2016 bait fishery.

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

3. Dr. McKenzie moved and Mr. Terry Alexander seconded:
To submit Skate Framework 4 to GARFO.

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

4. Dr. McKenzie moved and Mr. Gibson seconded:
that the Council initiate a framework adjustment to set skate specifications for FYs 2018 & 2019, including possession limits, and to develop measures to manage and land barndoor skate.

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

SCALLOP COMMITTEE REPORT

5. Ms. Tooley moved and Mr. Bullard seconded:
that the Council accepts the Limited Access General Category Individual Fishing Quota Program review as complete and final.

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

6. Ms. Tooley moved on behalf of the Committee:
that the Council approve Scallop Research set-aside priorities for 2018/2019 as recommended by the Scallop Committee in scallop discussion document #4a.

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

7. Ms. Tooley moved on behalf of the Committee:
that the Council establish a control date, with intent of freezing the footprint on NGOM permits by not allowing any future upgrades of incidental catch permits.

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

8. Ms. Tooley move on behalf of the Committee:
that the Council endorses a request from the industry for the NMFS to use its authority to expand or remove the General Category exemption area, effective as soon as possible.
- 8a. Mr. Pappalardo moved to substitute and Mr. Terry Alexander seconded:
to request the Regional Administrator use his authority to expand the Great South Channel scallop dredge exemption area to encompass all or part of the Georges Bank regulated mesh area, not including habitat closed areas, or year round closed areas except when allowed under the Scallop Access Area Program.

The motion to substitute *carried* on a show of hands (15/01).

The main motion:

to request the Regional Administrator use his authority to expand the Great South Channel scallop dredge exemption area to encompass all or part of the Georges Bank regulated mesh area, not including habitat closed areas, or year round closed areas except when allowed under the Scallop Access Area Program.

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

Thursday, June 22, 2017

HABITAT COMMITTEE MEETING OF THE WHOLE

1. Mr. Stockwell moved and Ms. Etrie seconded:
I move to go into a Habitat Committee of the Whole to take under consideration recommendations for the Deep-Sea Coral Amendment.

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

2. Mr. Reid moved and Mr. Borden seconded:
that the Habitat Committee recommends to the Council to adopt Option 6 (boundary of 600m minimum depth) as a broad coral protection zone. The use of all bottom tending gear will be prohibited within the zone (Section 4.3., Option 1). The use of pot gear for red crab (Section 4.3., Sub-Option A) shall be exempt from these restrictions.
- 2a. Mr. Pappalardo moved to amend and Dr. McKenzie seconded:
to add: Option 7, a broad zone management area (Section 4.2.1), as revised consistent with the June 14, 2017 PDT Memorandum recommendations (pp. 4-5). This area will be closed to all mobile bottom-tending gear (Section 4.3, Option 2).

The motion to amend *carried* on a show of hands (12/7/0).

Main motion:

that the Habitat Committee recommends the Council adopt Option 6 (boundary of 600m minimum depth) as a broad coral protection zone. The use of all bottom tending gear will

be prohibited within the zone (Section 4.3, Option 1). The use of pot gear for red crab (Section 4.3, Sub-Option A) shall be exempt from these restrictions. In addition, the Council adopt Option 7, a broad zone management area (Section 4.2.1), as revised consistent with the June 14, 2017 PDT Memorandum recommendations (pp. 4-5). This area will be closed to all mobile bottom-tending gear (Section 4.3, Option 2)].

- 2b. Mr. Stockwell moved and Mr. Gibson seconded:
to recommend to commit the previous motion to the Habitat Committee for further analysis and consideration so that it can be brought back to the Council for a final decision as soon as the analyses are complete.

The motion to commit *carried* on a show of hands (16/3/1).

3. Dr. Quinn moved and Ms. Etrie seconded:
that the Council adopt Alternative 4 (Letter of Acknowledgement for Research Activities) in Section 4.4 (Special Fishery Programs for Coral Zones).

The motion *carried* on a show of hands (19/0/0).

4. Dr. Quinn moved and Dr. Sissenwine seconded:
that the Council adopt Alternatives 2, 3, and 4 in Section 4.5 (Framework Provisions for Deep-Sea Coral Zones). Alternative 2 would allow addition, revision, or removal of coral zones, Alternative 3 would allow changes to fishing restrictions in coral zones, and Alternative 4 would allow for the development of coral zone fishery access programs and/or exploratory fishing programs.

The motion *carried* on a show of hands (18/1/0).

5. Mr. Stockwell move and Mr. Kendall
that the Committee of the whole rise and report to the Council the results of our meeting.

The motion *carried* on a show of hands (18/0/0).

HABITAT COMMITTEE REPORT

6. Mr. Grout moved on behalf of the Committee:
To recommend the Council to commit the previous motion to the Habitat Committee for further analysis and consideration so that it can be brought back to the Council for a final decision as soon as the analyses are complete.
[Motion - that the Habitat Committee recommends the Council adopt Option 6 (boundary of 600m minimum depth) as a broad coral protection zone. The use of all bottom tending gear will be prohibited within the zone (Section 4.3, Option 1). The use of pot gear for red crab (Section 4.3, Sub-Option A) shall be exempt from these restrictions. In addition, the Committee recommends the Council adopt Option 7, a broad zone management area (Section 4.2.1), as revised consistent with the June 14, 2017 PDT Memorandum

recommendations (pp. 4-5). This area will be closed to all mobile bottom-tending gear (Section 4.3, Option 2).

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

7. Mr. Reid moved and Mr. Bellavance seconded:
to postpone further action on the Deep-sea Coral Amendment until such time as the issues with the Canyon Zone can be fully analyzed.

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

8. Mr. Grout moved on behalf of the Committee:
In the Inshore Gulf of Maine, that the Council designate Mount Desert Rock, boundary Option 2 (Section 4.2.2.3.1) and Outer Schoodic Ridge (Section 4.2.2.3.2) as discrete coral protection zones. The use of all mobile bottom tending gear will be prohibited within these zones (Section 4.3.1, Option 2). For the Jordan Basin and Lindenkohl Knoll areas in the offshore Gulf of Maine, that the Council take No Action (no designated coral protection zones or fishing restrictions).

- 8a. Mr. Terry Alexander moved to amend and Ms. Etrie seconded:
Additionally the Council specifies that the 114 Fathom Bump in Jordan Basin be identified as a Coral Exploration Area (Dedicated Habitat Research Area (DHRA), with no fishing restrictions at this time. This designation is meant to focus attention to an area where the Council believes additional research on corals and fishing gear impacts should be directed.

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

The main motion:

In the Inshore Gulf of Maine, that the Council designate Mount Desert Rock, boundary Option 2 (Section 4.2.2.3.1) and Outer Schoodic Ridge (Section 4.2.2.3.2) as discrete coral protection zones. The use of all mobile bottom tending gear will be prohibited within these zones (Section 4.3.1, Option 2). For the Jordan Basin and Lindenkohl Knoll areas in the offshore Gulf of Maine, that the Council take No Action (no designated coral protection zones or fishing restrictions). Additionally the Council specifies that the 114 Fathom Bump in Jordan Basin be identified as a Coral Exploration Area (DHRA), with no fishing restrictions at this time. This designation is meant to focus attention to an area where the Council believes additional research on corals and fishing gear impacts should be directed.

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

9. Mr. Grout moved on behalf of the Committee:
that the Council adopt Alternative 4 (Letter of Acknowledgement for Research Activities) in Section 4.4 (Special Fishery Programs for Coral Zones).

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

10. Mr. Grout moved on behalf of the Committee: That the Council adopt Alternatives 2, 3, and 4 in Section 4.5 (Framework Provisions for Deep-Sea Coral Zones). Alternative 2 would allow addition, revision, or removal of coral zones, Alternative 3 would allow changes to fishing restrictions in coral zones, and Alternative 4 would allow for the development of coral zone fishery access programs and/or exploratory fishing programs.

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

11. Mr. Grout moved on behalf of the Committee:
that the Council send a letter to the Department of the Interior on oil and gas exploration along the Atlantic coast, including comments about seismic testing.

The Council agreed by consensus to send the letter.

12. Mr. Grout moved on behalf of the Committee:
that the Council send a letter to the Department of the Interior and NOAA on the Northeast Canyons and Seamounts Marine National Monument, as part of DOI and NOAA's ongoing National Monument review process.

- 12a. Mr. Grout moved to amend and Mr. Reid seconded:
that the Council send a letter to the Department of the Interior and NOAA on the Northeast Canyons and Seamounts Marine National Monument, as part of DOI and NOAA's ongoing National Monument review process. In addition, the Council gives the Chair and Executive Director the authority to respond to any new information requests in this matter.

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

13. Mr. Grout moved on behalf of the Committee:
that the Council send a letter to the NOAA Office of National Marine Sanctuaries regarding the candidate National Marine Sanctuary in Hudson Canyon.

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

OTHER BUSINESS

14. Ms. Tooley moved and Mr. Kendall seconded:
that the Council request the NMFS review Addendum I to the ASMFC's Atlantic Herring FMP for consistency with the federal FMP as required by the Magnuson Stevens Act.

The motion *failed* on a show of hands (5/8/3).

CONFLICT OF INTEREST DISCUSSION

The Council agreed by consensus to send the comment letter to NOAA regarding the policy directive on Financial Disclosures and Recusal and the instruction on Procedures for Review of Fishery Management Council Financial Disclosures and Recusal Determinations.

OTHER BUSINESS – CON'TD

15. Ms. Etrie moved and Mr. Terry Alexander seconded:
that the Council provide written comments to the Agency on FW 56 requesting that the Northern Windowpane AM not be triggered for the Groundfish Fishery in FY 2017.

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

The Council agreed by consensus to send comment letter re NOAA's Marine Recreational Information Program (MRIP) Strategic Plan: 2017-2021.

The Council agreed by consensus to send the Stock Assessment Improvement Plan (SAIP) comment letter to NOAA.