

**NEFMC Groundfish Committee Meeting
Portland, Maine
September 17-18, 2014**

#13

DRAFT Motions

DAY 1- September 17

Emergency Action

1. Motion - Dempsey/McKenzie

Move to recommend the Council request the Secretary of Commerce take emergency action in FY 2014 in response to update GOM cod stock assessment, including:

- 1) Close the following blocks to all commercial and recreational fishing vessels:
 - November-January: 124-125
 - March-April: 124, 125, 132, 133
 - And prohibit recreational fishing in the Western Gulf of Maine Closure Area.
- 2) Reconsider all existing Sector Exemptions in the GOM to determine whether they remain appropriate in light of new GOM cod stock information;
- 3) Prohibit commercial groundfish vessels without observers from fishing in other broad stock areas on trips that fish in the GOM; and
- 4) Request the NEFSC review and summarize all existing information on the patterns, extent and mortality associated with cod bycatch in the lobster fishery in the GOM (state and federal waters), and estimate current cod removals to inform potential management measures upcoming actions.

1a. Motion to amend – T. Alexander/King

Move to recommend the Council request the Secretary of Commerce take emergency action in FY 2014 in response to update GOM cod stock assessment, including:

- 1) Close the following blocks to all commercial and recreational fishing vessels:
 - November-January: 124-125
 - March-April: 124, 125, 132, 133
 - And prohibit recreational fishing in the Western Gulf of Maine Closure Area.
- 2) Reconsider all existing Sector Exemptions in the GOM to determine whether they remain appropriate in light of new GOM cod stock information;
- 3) Prohibit commercial groundfish vessels without observers from fishing in other broad stock areas on trips that fish in the GOM west of 70°; and
- 4) Request the NEFSC review and summarize all existing information on the patterns, extent and mortality associated with cod bycatch in the lobster fishery in the GOM (state and federal waters), and estimate current cod removals to inform potential management measures upcoming actions.

Motion to amend carries 6/3/2.

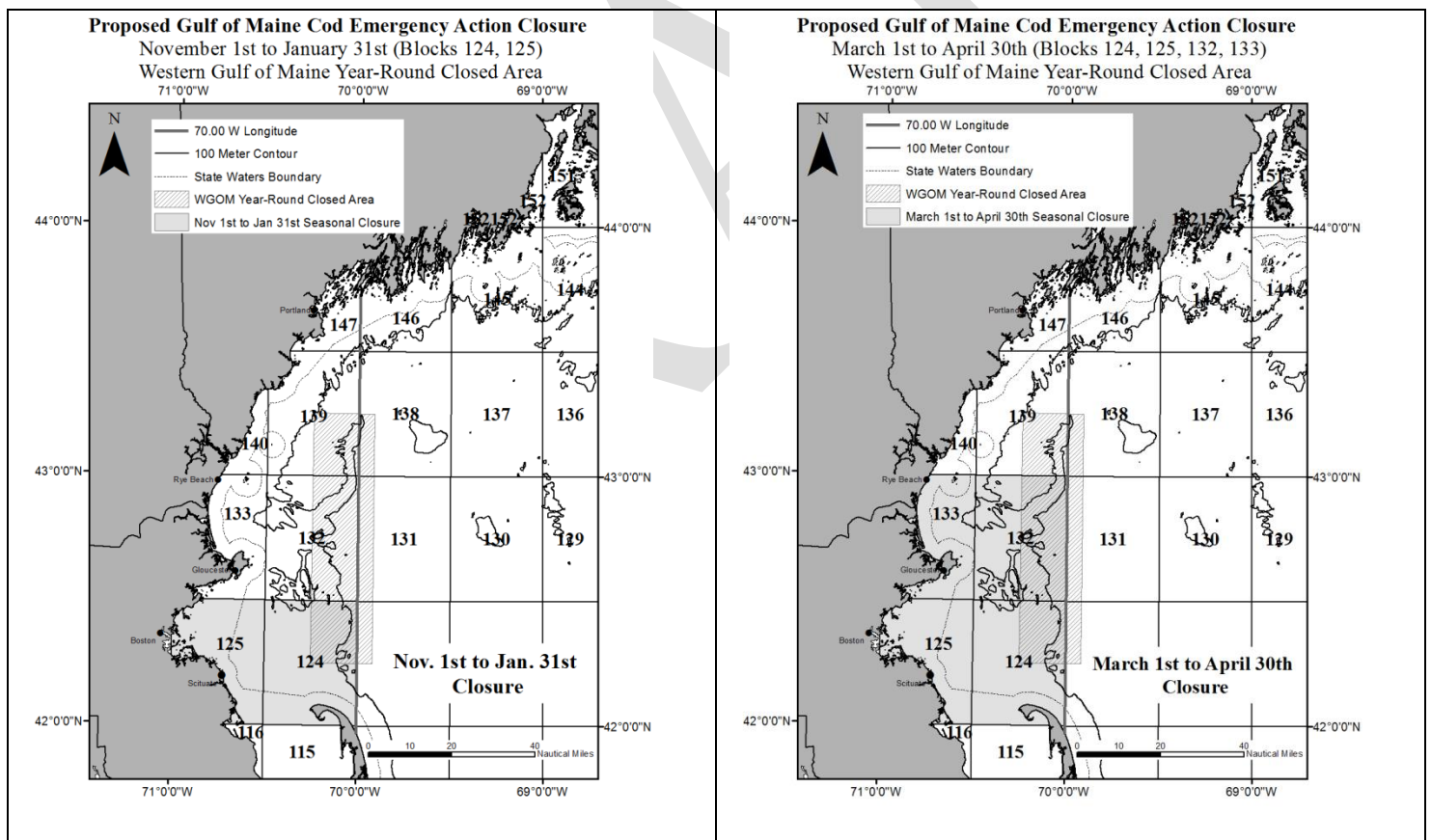
1b. Main motion as amended

Move to recommend the Council request the Secretary of Commerce take emergency action in FY 2014 in response to update GOM cod stock assessment, including:

- 1) Close the following blocks to all commercial and recreational fishing vessels:
 - November-January: 124-125
 - March-April: 124, 125, 132, 133
 - And prohibit recreational fishing in the Western Gulf of Maine Closure Area.
- 2) Reconsider all existing Sector Exemptions in the GOM to determine whether they remain appropriate in light of new GOM cod stock information;
- 3) Prohibit commercial groundfish vessels without observers from fishing in other broad stock areas on trips that fish in the GOM west of 70°; and
- 4) Request the NEFSC review and summarize all existing information on the patterns, extent and mortality associated with cod bycatch in the lobster fishery in the GOM (state and federal waters), and estimate current cod removals to inform potential management measures upcoming actions.

The motion carries 8/2/1.

[See maps below.]



Framework 53

2. Motion – T. Alexander/Dempsey

That the Committee recommends to the Council to include an alternative in FW 53 that the current year's specifications be rolled-over, provided that it does not exceed the projected ABC on a stock by stock basis.

The motion carried 7/0/4.

3. Motion – Dempsey/T. Alexander

Motion to reconsider the prior motion.

The motion carried 10/0/1.

4. Motion – Dempsey/T. Alexander

That the Committee recommends to the Council to include an alternative in FW 53 in which 80% of the ABCs and ACLs of the current year's specifications be rolled over, and would remain in place until new specifications are implemented.

The motion carried 9/0/2.

Consensus Statement

The Committee allows the PDT to examine other percentage options for rollover, up to 80%.

5. Motion – T. Alexander/Dempsey

The Committee recommends to the Council to include an alternative in FW 53 for a Northern windowpane flounder (NWP) "bycatch limit" for each sector based on the following formulas: 1) the percent of the GB winter flounder ACLs; and 2) the percent of the three winter flounder ACLs (GB, GOM and SNE stocks) to a sector. A percent NWP bycatch limit would be assigned to any sector without winter flounder ACL. The NWP bycatch limit would be tradeable between sectors. If/when a sector exceeds its NWP bycatch limit, the gear restricted AM would apply to that sector.

The motion carries 8/0/3.

6. Motion – Nolan/King

That the Committee recommends to the Council to include an alternative in FW 53 in which the southern windowpane flounder ACL would be divided based on historical catch (FY2001-2010) into two time periods: May 1 – Oct. 31 and Nov. 1 – Apr. 30.

7. Motion to table – Dempsey/T. Alexander

To table Motion 6 until the next Council meeting.

Motion carries 11/0/0.

8. Motion – Dempsey/T. Alexander

That the Committee recommend to the Council to include an alternative in FW 53 that would split the existing groundfish sub-ACLs for the northern and southern windowpane stocks, creating separate groundfish sub-ACLs for the sector and common pool for each of these stocks.

The motion carries 8/0/3.

9. Motion – Dempsey/T. Alexander

To direct the PDT to look a broader range of sub-allocation options for the scallop sub-ACL for the Northern windowpane flounder stock, including options similar to those analyzed in FW48 for Georges Bank yellowtail flounder (mean, median, and 90th percentile of scallop catches) and include alternatives in FW 53 for these.

Motion carries 10/0/1.

10. Motion – Murphy/T. Alexander

That the OSC recommend to the Council to include an alternative in FW 53 that caps the maximum available unused sector ACE carried over from the previous fishing year (e.g., FY 2014) not to exceed the ABC level minus the ACL for the fishing year in which the carryover will be landed (e.g., FY 2015). In addition, this alternative includes the previously used accountability measure criteria developed for the June 2014 emergency action. Under this, sectors will be required to pay back carried over catch used only when both the sector sub-ACL and total stock ACL are exceeded.

Motion carried 10/0/1.

11. Motion – Pierce/McKenzie

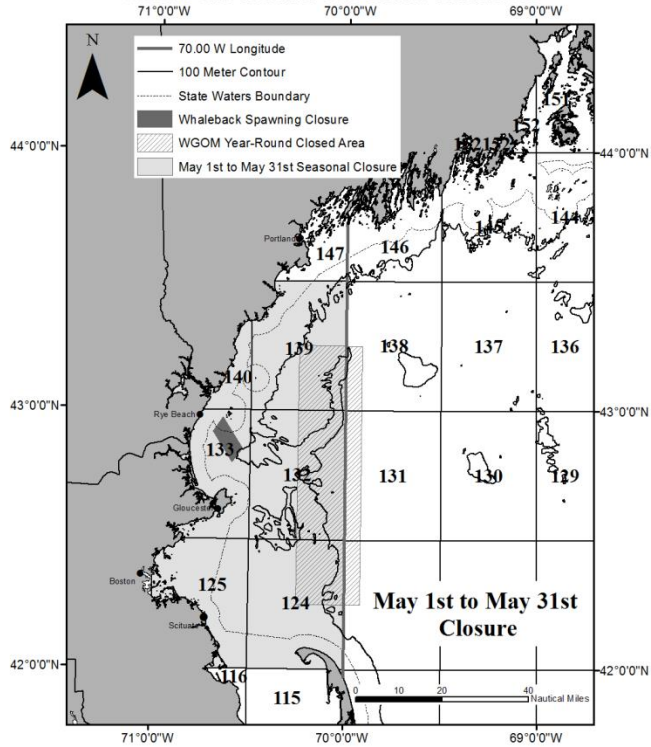
That the Committee recommend to the Council to include as an alternative in FW53 that the following blocks would be closed to all commercial and recreational fishing vessels:

- May: 124, 125, 132, 133, 139, 140
- June: 132, 133, 139, 140, 147
- November-January: 124-125
- March-April: 124, 125, 132, 133
- And prohibit recreational fishing in the Western Gulf of Maine Closure Area.

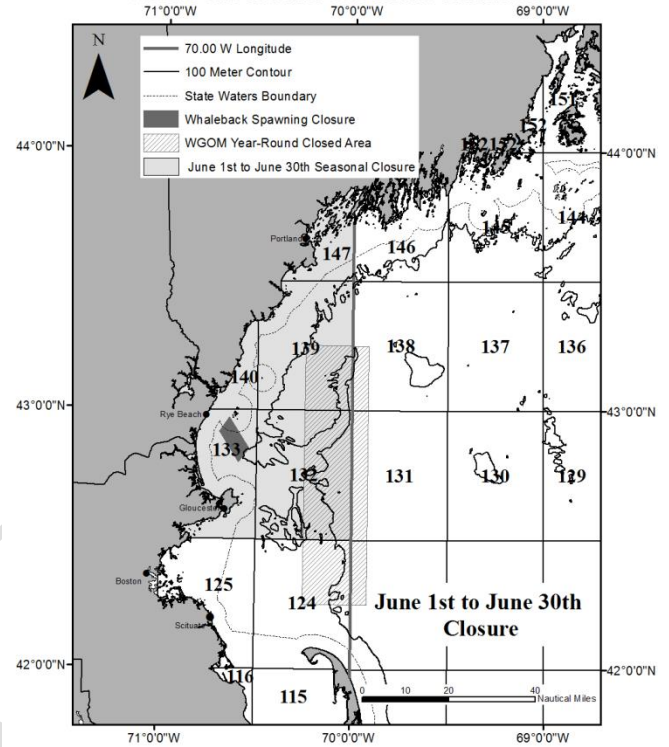
The motion carries 7/1/3.

[See maps on pp. 6 of this document.]

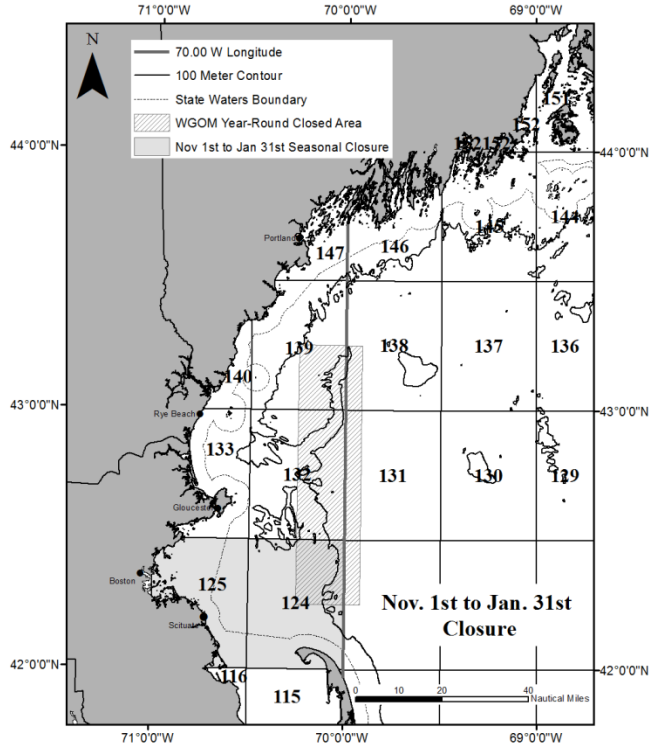
Option 2: Proposed Gulf of Maine Cod Spawning Closure Area
 May 1st to May 31st (Blocks 124, 125, 132, 133, 139, 140)
 Western Gulf of Maine Year-Round Closed Area



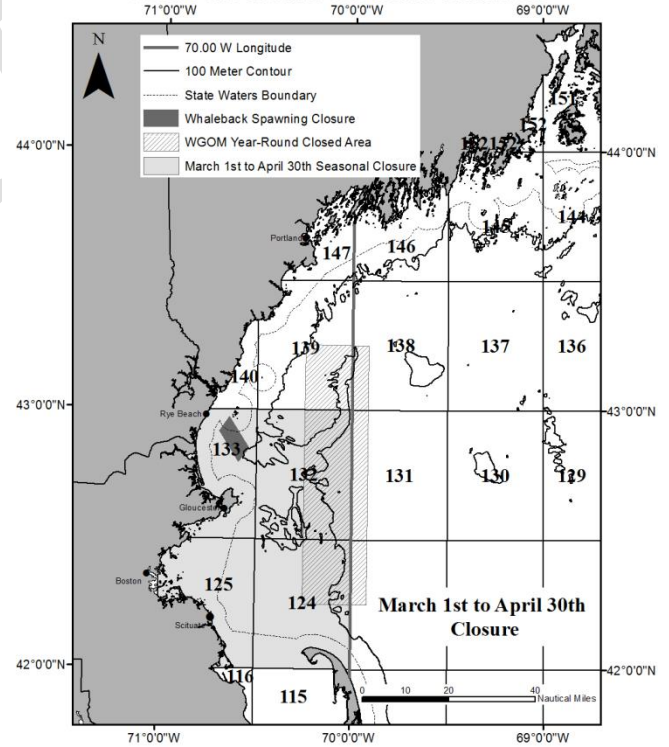
Option 2: Proposed Gulf of Maine Cod Spawning Closure Area
 June 1st to June 30th (Blocks 132, 133, 139, 140, 147)
 Western Gulf of Maine Year-Round Closed Area



Option 2: Proposed Gulf of Maine Cod Spawning Closure Area
 November 1st to January 31st (Blocks 124, 125)
 Western Gulf of Maine Year-Round Closed Area



Option 2: Proposed Gulf of Maine Cod Spawning Closure Area
 March 1st to April 30th (Blocks 124, 125, 132, 133)
 Western Gulf of Maine Year-Round Closed Area



12. Motion – T. Alexander/Goethel

The Committee recommends to the Council that a rebuilding plan review be initiated based upon new scientific information made available by the Northeast Fisheries Science Center on GOM cod, with the intent of reviewing the biological and fishery considerations and possibly extending the rebuilding time period.

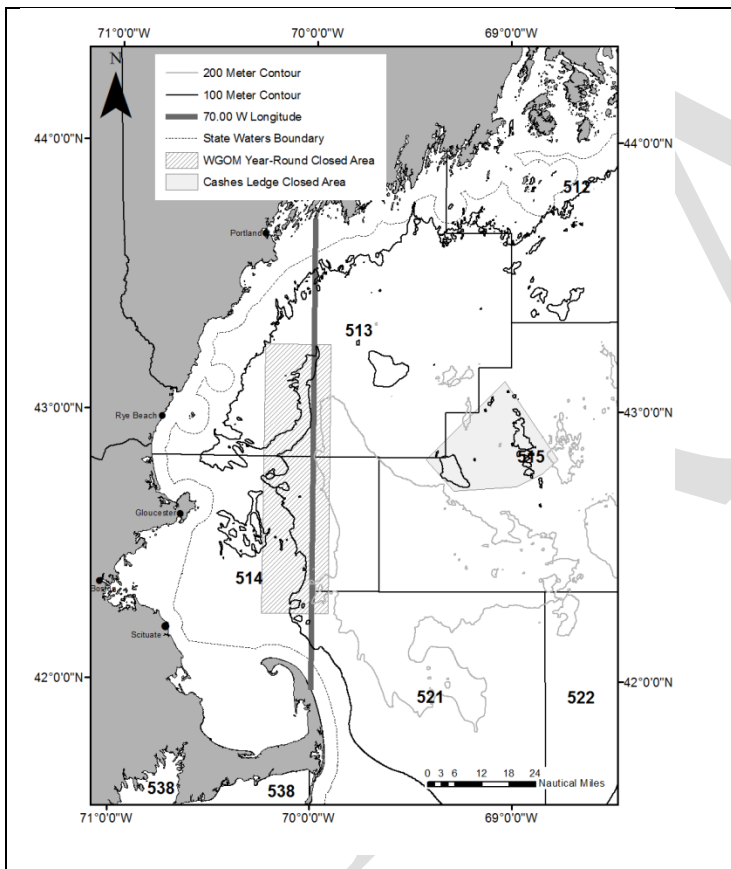
The motion fails 3/6/1.

13. Motion – Dempsey/Kendall

The Committee recommends to the Council to include an alternative in FW53 that would prohibit commercial groundfish vessels without observers from fishing in other broad stock areas on trips that fish in the GOM west of 70° line.

The motion carries 10/0/0.

[See map below.]



14. Motion – Goethel/Kendall

The Committee recommends that the Council reject the process of the recent operational assessment for GOM cod, based on the rationale it did not adhere to National Standard 2 Guidelines.

Motion fails 2/7/2.

DAY 2 - September 18

Amendment 18

U.S./CA Trading

1. Motion: (Dempsey/Kendall)

To recommend to the Council that Section 4.2 Trading U.S./Canada TACs (p. 40-42) be moved to Considered but Rejected.

The motion carried (9/0/2).

Accumulation Limits

2. Motion: (Goethel/McKenzie)

To recommend to the Council that for Section 4.1.3.1. Option B (Grandfather current holdings as of the control date; p. 35), add clarifying language that the grandfathered status of an individual or entity is not transferrable and is not attached to the holdings itself.

The motion carried (8/0/3).

3. Motion: (Dempsey/T. Alexander)

To recommend to the Council that for Section 4.1 (Accumulation limits; p. 30-39), allow accumulation limits to be modified in a future framework due to a federal permit buyout or buyback.

The motion carried (10/0/1).

Redfish Exemption Area

4. Motion: (T. Alexander/ Balzano):

To recommend to the Council adding an alternative in Amendment 18 that would allow vessels to use a 5.5 inch codend within the Redfish Exemption Area (defined by the coordinates below).

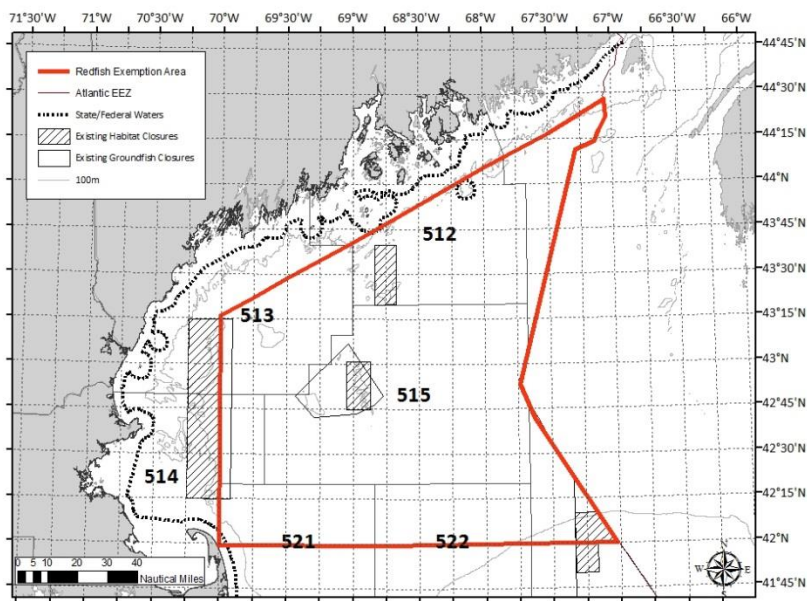
Stipulations:

- 1) Prior to leaving the dock, vessel operators would be required to declare their intent to fish in the Redfish Exemption area through the VMS by checking the box next to "Redfish Trip";
- 2) In the first part of the trip, vessel operators would fish with conventional groundfish codends (6.5 inch) in the GOM and GB regulated mesh areas, except when towing a separator trawl on GB where the codend may be 6 inch;
- 3) Vessel operators would be allowed to switch to 5.5 inch codends at the end of the trip after submitting VMS notification;
- 4) Vessel operators would report catch from the entire trip through the VMS prior to returning to port; and
- 5) Vessel operators would submit a separate VTR to report catch on each codend.

Point	N. Lat.	W. Long.
A	44°27.25'	67°02.75'
B	44°16.25'	67°30.00'
C	44°04.50'	68°00.00'
D	43°52.25'	68°30.00'
E	43°40.25'	69°00.00'
F	43°28.25'	69°30.00'
G	43°16.00'	70°00.00'
H	42°00.00'	70°00.00'
I	42°00.00'	67°00.63' ^a

Note: This area is currently the Redfish 6 inch exempted area.

^aThe intersection of 42°00' N. latitude and the U.S.-Canada Maritime Boundary. Longitude is approximate.



4a. Motion to amend: (Dempsey/Kendall)

To recommend to the Council adding an alternative in Amendment 18 that would allow vessels to use a 5.5 inch codend within the Redfish Exemption Area (defined by the coordinates below) on trips with an observer or approved electronic monitoring technology on-board.

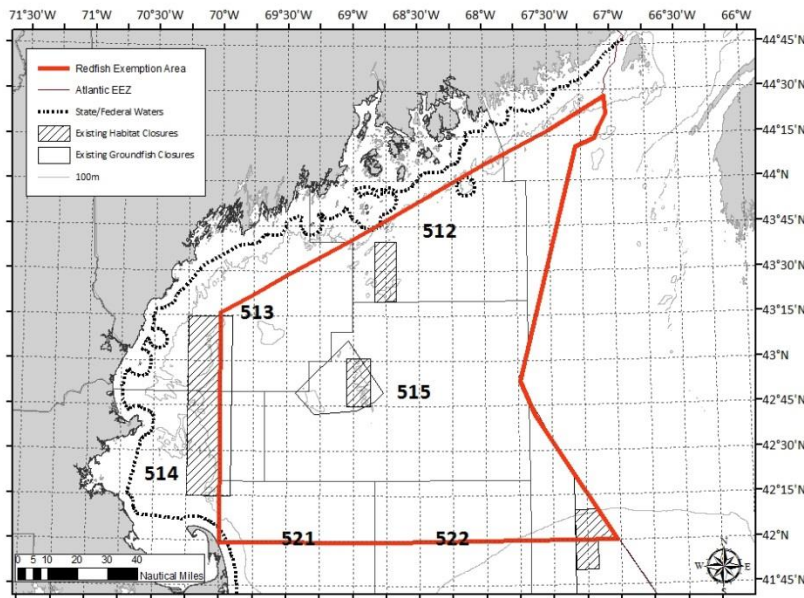
Stipulations:

- 1) Prior to leaving the dock, vessel operators would be required to declare their intent to fish in the Redfish Exemption area through the VMS by checking the box next to "Redfish Trip";
- 2) In the first part of the trip, vessel operators would fish with conventional groundfish codends (6.5 inch) in the GOM and GB regulated mesh areas, except when towing a separator trawl on GB where the codend may be 6 inch;
- 3) Vessel operators would be allowed to switch to 5.5 inch codends at the end of the trip after submitting VMS notification;
- 4) Vessel operators would report catch from the entire trip through the VMS prior to returning to port; and
- 5) Vessel operators would submit a separate VTR to report catch on each codend.

Point	N. Lat.	W. Long.
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G	43°16.00'	70°00.00'
H	42°00.00'	70°00.00'
I	42°00.00'	67°00.63' ^a

Note: This area is currently the Redfish 6 inch exempted area.

^aThe intersection of 42°00' N. latitude and the U.S.-Canada Maritime Boundary. Longitude is approximate.



The motion to amend carried (6/2/2).

The main motion as amended carried (8/1/1).

Inshore/offshore GOM

5. Motion: (Goethel/Pierce)

To recommend to the Council that in Section 4.5.1 Alternative 2 (Establish an inshore/offshore boundary; p. 50-51), add an Option C that would establish an inshore/offshore line that goes from where 42°N intersects the state water boundary of Massachusetts, runs west to 69°50'W, runs north along 69°50'W to the 12 nm territorial sea line, then runs northeast to the Hague Line along the 12 nm territorial sea line.

The motion carried (9/0/1).

6. Motion: (Goethel/Dempsey)

To recommend to the Council that in Section 4.5.1.2 Alternative 2 (Establish an inshore/offshore boundary), delete the text (on p. 50):

“This action [alternative] is based on knowledge of the seasonal distribution of juvenile and adult fish within the management area, differences between the inshore and offshore fishing grounds, and the location of known spawning grounds.” And “One of the most important reasons for distinguishing management areas is to avoid over-exploitation of individual spawning components that are included within a stock-complex.”

The motion carried (7/2/1).

7. Motion: (Goethel/ T. Alexander)

To recommend to the Council that Section 4.5.2 (Inshore/offshore GOM cod sub-ACLs; p. 52-54) be moved to Considered but Rejected.

The motion failed (3/5/1).

8. Motion: (Dempsey/McKenzie)

To recommend to the Council that any option in Section 4.5 (Inshore/offshore GOM; p. 50-58) on prohibiting fishing without an observer or electronic monitoring technology only apply to commercial vessels, and that reporting measures be established to accurately apportion catch to each sub-ACL (including for recreational vessels).

The motion carried (7/0/2).

9. Motion: (Pierce/Murphy)

To recommend to the Council that in Section 4.5.2 Alternative 2 (Establish inshore/offshore GOM cod sub-ACL), Options B and C for the control rule for setting the GOM cod sub-ACL (p. 53-54) be moved to Considered but Rejected.

The motion failed (2/6/1).

10. Motion: (Dempsey/Goethel)

To recommend to the Council that for clarity, in Section 4.5.4 Alternative 4 (Trip Declaration; p. 57-58), eliminate Options A and B and add the concept of Option B into to the catch monitoring provision of Section 4.5.2 Alternative 2 (Establish inshore/offshore GOM cod sub-ACL) as modified today.

The motion carried (9/0/0).

DRAFT