

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Hilton Hotel, Mystic, CT
April 21-23, 2015
MOTIONS

Tuesday, April 21, 2015

OBSERVER COMMITTEE REPORT

1. Mr. Stockwell moved on behalf of the committee:
to add an Alternative (under the herring/mackerel options) that would require EM/Portside monitoring to be developed consistent with the timetable in the draft action plan (fallback timeline).

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

2. Mr. Stockwell moved on behalf of the committee:
to recommend that the midwater trawl fleet would be the priority for developing the EM/Portside option.

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

MONKFISH COMMITTEE REPORT

FRAMEWORK ADJUSTMENT 9

3. Dr. John Quinn moved on behalf of the committee:
to move Alternative 1.1.1 (allow vessels to declare a Northeast Multispecies days at sea) Option 2 (all limited access Monkfish C and D permits in SFMA and NFMA) and Option 3 (Sector vessels holding limited access Monkfish C and D permits in SFMA and NFMA) to considered but rejected to further clarify to the PDT that this alternative addresses the NFMA only.

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

4. Dr. John Quinn moved on behalf of the committee:
Move that Alternative 1.1.3 (increase monkfish-only DAS based on higher groundfish common pool DAS counting) be moved to considered but rejected.

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

5. Dr. John Quinn moved on behalf of the committee:
to direct the PDT to develop, for Framework 9, Alternatives for consideration with the intent to allow vessels on monkfish only or Monkfish/NE Multispecies DAS to allow the retention of legal sized Monkfish and legal fish, including Dogfish, from less than 10" mesh in standup gillnets.

- 5a. Mr. Terry Alexander moved to amend and Mr. Grout seconded:

to direct the PDT to develop, for Framework 9, Alternatives for consideration with the intent to allow vessels on monkfish only or Monkfish/NE Multispecies DAS to allow the retention of legal sized monkfish, and dogfish, from 5 - 7" mesh in standup gillnets.

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

Main motion:

to direct the PDT to develop, for Framework 9, Alternatives for consideration with the intent to allow vessels on monkfish only or Monkfish/NE Multispecies DAS to allow the retention of legal sized monkfish, and dogfish, from 5 - 7" mesh in standup gillnets.

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

RSA Priorities

6. Dr. John Quinn moved on behalf of the committee:
to accept the RSA priorities as drafted.

1. *Research on monkfish life history focusing on: (a) age and growth, (b) longevity, (c) reproduction and (d) natural mortality;*
2. *Studies of stock structure/stock identification and implications for stock assessment and fisheries management.*
3. *Migration patterns focusing on: (a) short- and long-term movements with respect to management areas and off-shelf movements, and, (b) habitat use;*
4. *Research concerning trophic interactions of monkfish with other species;*
5. *Cooperative research surveys to supplement current survey coverage;*
6. *Research concerning bycatch and discard mortality focusing on: (a) target species (i.e., monkfish or northeast multispecies), and (b) non-target species (e.g., monkfish or skate);*
7. *Trawl and gillnet gear studies focusing on: (a) size and/or species selectivity, and, (b) bycatch reduction, including reducing bycatch of and interactions with protected species.*

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

GROUND FISH COMMITTEE REPORT

AMENDMENT 18

Section 4.1 - Accumulation Limits

7. Mr. Blount moved on behalf of the committee:
that in Section 4.1.3 (limit the holdings of the PSC), the Council selects Alternative 1 (no action) as the preferred alternative.

7a. Mr. Terry Alexander moved to substitute and Mr. Preble seconded:
that in Section 4.1.3 (limit the holdings of the PSC), the Council selects Alternative 6 (limit collective holdings of PSC to 15.5% of all the PSC for all allocated stocks) as the preferred alternative.

The motion to substitute *carried* on a show of hands (14/3/0).

7b. Mr. Grout moved to substitute:

that in Section 4.1.3 (limit the holdings of PSC), the Council selects Alternative 4A (limit the PSC holdings at 15% for the Gulf of Maine, Cape Cod, Southern New England, and Mid-Atlantic stocks, at 20% for the unit stocks, and at 30% for the Georges Bank stocks) as the preferred alternative.

This motion was ruled out of order by the chairman.

The main motion:

that in Section 4.1.3 (limit the holdings of the PSC), the Council selects Alternative 6 (limit collective holdings of PSC to 15.5% of all the PSC for all allocated stocks) as the preferred alternative.

The main motion as substituted *carried* (11/6/0).

8. Mr. Blount moved on behalf of the committee:
that in Section 4.1.4 (limit the holdings of permits), the Council selects Alternative 2 (limit the holdings of permits to no more than 5%) as the preferred alternative.

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

9. Mr. Grout moved and Ms. Goethel seconded:
that in Section 4.1.3.2, the Council selects Option A (can hold permits, but not use excess PSC. PSC would be redistributed annually to the remainder of the fleet) for both the disposition of current holdings in excess of what is allowed and the acquisition of future holdings.

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

Section 4.2 – Handgear A Permit Measures

10. Mr. Blount moved on behalf of the committee:
that in Section 4.2.1 (establish a fishery for Handgear A permits), the Council selects Alternative 1 (no action) as the preferred alternative.

- 10 a. Mr. Grout moved to substitute and Dr. Pierce seconded:
that in Section 4.2.1 (establish a fishery for Handgear A permits), the Council selects Alternative 2 as the preferred alternative, modified to make the carryover provision language consistent with that proposed for Sectors in Framework 53 and with the following options:

Discards – Option A (calculate an annual discard rate using available longline/hook gear data and subtract from sub-ACL at beginning of year)

In-season AMs – Option B (close the Handgear A fishery for a stock when 90% of sub-ACL is reached)

Reactive AMs – Option B (triggered if the HA sub-ACL and total ACL are exceeded)

The motion to substitute *carried* on a show of hands (9/8/0).

- 10b. Ms. Etrie moved to amend and Dr. McKenzie seconded:
for the Reactive AMs, the Council selects Option A (triggered if the HA sub-ACL is exceeded).

The motion to amend *carried* (16/1/0).

The main motion: that in Section 4.2.1 (establish a fishery for Handgear A permits), the Council selects Alternative 2 as the preferred alternative, modified to make the carryover provision language consistent with that proposed for Sectors in Framework 53 and with the following options:

Discards – Option A (calculate an annual discard rate using available longline/hook gear data and subtract from sub-ACL at beginning of year)

In-season AMs – Option B (close the Handgear A fishery for a stock when 90% of sub-ACL is reached)

Reactive AMs – Option A (triggered if the HA sub-ACL is exceeded)

The main motion as substituted and amended *carried* on a show of hands (11/6/0).

11. Mr. Blount moved and Ms. Goethel seconded:
that in Section 4.2.2 (removal of the March 1-20 Handgear A closure), 4.2.3 (removal of the standard fish tote requirement), and 4.2.4 (Sector exemption from VMS requirements), the Council selects Alternative 2 in these sections (remove closure and tote requirement, allow exemption) as the preferred alternative.

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

Section 4.3 - Data Confidentiality

12. Mr. Blount moved on behalf of the committee:
that in Section 4.3 (data confidentiality), the Council select Alternative 1 (no action) as the preferred alternative.

- 12a. Ms. Goethel moved to substitute and Mr. Grout seconded:
that in Section 4.3 (data confidentiality), the Council selects Alternative 2 (ACE disposition data would be non-confidential), modified to use an aggregate form of reporting.

The motion to substitute *failed* on a show of hands (5/12/0).

The main motion *carried* on a show of hands (13/4/0).

Section 4.4 - Inshore/Offshore Gulf of Maine

13. Mr. Blount moved and Mr. Preble seconded:
that in Section 4.4. (inshore/offshore GOM), the Council selects Alternative 1 (no action) as the preferred alternative in all sub-sections.

The motion *carried* on a show of hands (10/7/0).

Section 4.5 - Redfish Exemption Area

14. Mr. Blount moved and Mr. Terry Alexander seconded:
the Council recommends that, in Section 4.5 (redfish exemption area), the Council selects Alternative 2 (establish a redfish exemption area) as the preferred alternative, modified to be identical to the exemption in the FY 2015- FY 2016 Sector proposed rule .

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

Approve DEIS

15. Mr. Blount moved and Mr. Terry Alexander seconded:
to approve the Draft Environmental Impact Statement for Amendment 18 to the Northeast Multispecies FMP.

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

Other Groundfish Business

16. Mr. Blount moved on behalf of the committee:
the Council requests that the NEFSC and GARFO review the mandatory at-sea monitoring requirement for groundfish Sectors to determine if the level and nature of coverage is appropriate and economically feasible.
- 16a. Dr. Sissenwine moved to amend and Ms. Goethel seconded:
the Council directs the Observer Policy Committee in consultation with NEFSC and GARFO to review the mandatory at-sea monitoring requirement for groundfish Sectors to determine if the level and nature of coverage is appropriate and economically feasible.

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

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

Please see motion 12a (Other Business) on Thursday, April 23, 2015 which negates the above motion

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

Wednesday, April 22, 2015

EBFM COMMITTEE

1. Mr. Stockwell moved on behalf of the committee:
that the Council prepare:
1. A policy describing goals and objectives, and approaches, for taking account of ecosystem processes in fishery management, and
 2. An example of a fishery ecosystem plan that is based on fundamental properties of ecosystem (e.g., energy flow and predator/prey interactions) as well as being realistic enough and with enough specification such that it could be implemented. The example should not be unduly constrained by current perceptions about legal restrictions or policies.
 3. With respect to number 2, it is understood that the example might not be implemented, but it should make clear what a fishery ecosystem plan would actually entail and it should focus debate. To the extent practicable, these documents should be completed in about one year. In consideration of these documents, the Council will adopt a plan for implementation. The EBFM PDT will have the technical lead in developing these documents and the EBFM committee will recommend the documents for Council consideration.

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

2. Mr. Stockwell moved on behalf of the committee:
that the Council approve the draft letter of comments on climate change science strategy to submit comments to NOAA fisheries.

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

OMNIBUS ESSENTIAL FISH HABITAT AMENDMENT 2

Essential Fish Habitat

3. Mr. Preble moved on behalf of the committee:

that the Council set the southern boundary of the winter flounder EFH designation (eggs, juveniles, and larvae/adults) at 39° 22' N latitude, such that Absecon Bay New Jersey would represent the southern limit of winter flounder EFH.

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

4. Mr. Preble moved on behalf of the committee:
that the Council limit the sea scallop EFH designation to 110 meters on the maps, and have the PDT add back in the more detailed text description information inclusive of salinity, temperature and other requirements as appropriate.

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

5. Mr. Preble moved on behalf of the committee:
that the Council adjust the map for juvenile cod EFH to be consistent with the text description (i.e. eliminate the minimum depth cropping).

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

6. Mr. Preble moved on behalf of the committee:
that the Council add revised Atlantic herring egg EFH areas as recommended by the PDT.

- 6a. Dr. McKenzie moved to amend and Mr. Pappalardo seconded:
that the Council add revised Atlantic herring egg EFH areas as recommended by the PDT and add prey information referenced in Appendix B supplementary tables.

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

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

7. Mr. Preble moved and Mr. Pappalardo seconded:
that the Council adopt as final the preferred alternative EFH designations in Volume 2 of the OHA2 DEIS, including any modifications described above.

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

8. Mr. Preble moved and Dr. McKenzie seconded:
that the Council adopt as final the preferred alternative Habitat Area of Particular Concern designations in Volume 2 of the OHA2 DEIS.

- 8a. Ms. Etrie moved to table and Mr. Terry Alexander seconded until conclusion of habitat tomorrow.

The motion to table *failed* on a show of hands (6/10/0/1 recusal, Ms. Tooley).

The motion *carried* on a show of hands (13/3/0/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

9. Dr. McKenzie moved and Mr. Pappalardo seconded:
the Council adopt by reference in the DEIS prey descriptions in Appendix B for all EFH designations.

The motion *carried* on a show of hands (14/1/1/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

Eastern Gulf of Maine

10. Mr. Preble moved on behalf of the committee:
that in the Eastern Gulf of Maine, the Council select the small Eastern Maine HMA with Option 1 as their final preferred alternative.

- 10a. Dr. McKenzie moved to substitute Mr. Mark Alexander seconded:
that in the Eastern Gulf of Maine, the Council select
Alternative 2 Option 1 without the Machias area as its final preferred alternative.

Roll call vote

Yes –M. Alexander , Blount, Gibson, McKenzie, Pierce, Preble

No –T. Alexander , Balzano, Bullard , Goethel ,Grout , Kendall, Pappalardo, Quinn and Etrie

Abstention(s) -

Recusal - Tooley

The motion to substitute *failed* in a roll call vote (7/9/0/1 recusal, Ms. Tooley).

Main motion:

That in the eastern Gulf of Maine, the Council select the small eastern Maine HMA with Option 1 as its final preferred alternative.

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

Central Gulf of Maine

11. Mr. Preble moved on behalf of the committee:

that in the central Gulf of Maine, the Council select Alternative 3, Option 1, without Platts Bank (Modified Cashes Ledge, Modified Jeffreys Bank, Fippennies Ledge, Ammen rock) as its final preferred alternative.

- 11a. Mr. Grout moved to amend and Mr. Gibson seconded:
amend the Committees preferred alternative of Alternative 3 without Platts Bank HMA with Option 1 (closed to all bottom tending mobile gear) by including the Cashes Ledge (mortality) Closure Area with current gear restrictions for the CLCA outlined in Table 10 of Vol 3.

The motion to amend *carried* on a show of hands (13/3/0/1 recusal, Ms. Tooley).

- 11b. Mr. Terry Alexander moved to further amend and Ms. Etrie seconded:
to replace the Cashes Ledge Closure Area with an additional habitat management area defined by the coordinates 69° 04' W, 43° 10' N; 69° 00' W, 43° 7.5' N; 69° 14' W, 42° 44' N; 69° 20' W, 42° 50' N, with gear restrictions for the CLCA outlined in Table 10 of Vol. 3.

The motion to amend *failed* (6/10/0/1 recusal, Ms. Tooley).

The main motion as amended:

That in the central Gulf of Maine, the Council select Alternative 3, Option 1, without Platts Bank (Modified Cashes Ledge, Modified Jeffreys Bank, Fippennies Ledge, Ammen rock) plus the Cashes Ledge (mortality) Closure Area with gear restrictions for the CLCA, as outlined in Table 10 of Vol. 3.

- 11c. Dr. Pierce moved to substitute and Dr. McKenzie seconded:
to select Alternative 1 as the preferred alternative.

Roll call vote:

Yes – Pierce

No – M. Alexander, T. Alexander, Balzano, Blount, Bullard, Etrie, Gibson, Goethel, Grout, Kendall, Pappalardo, Preble, Quinn and Sissenwine

Abstention(s) –McKenzie

Recusal – Tooley

The motion to substitute *failed* on a roll call vote (1/14/1/1 recusal, Ms. Tooley).

The main motion as amended:

that in the central Gulf of Maine, the Council select Alternative 3, Option 1, without Platts Bank (Modified Cashes Ledge, Modified Jeffreys Bank, Fippennies Ledge, Ammen rock), plus the Cashes Ledge (mortality) Closure Area with gear restrictions for the CLCA, as outlined in Table 10 of Vol. 3.

The main motion as amended *carried* on a show of hands (14/1/1/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

12. Mr. Preble moved on behalf of the committee:
that in the Western Gulf of Maine, the Council select the Western Gulf of Maine habitat closure, the Western Gulf of Maine groundfish closure with the eastern boundary shifted to match the habitat closure, Alternative 7a (roller gear), and Alternative 8 (shrimp exemption) as their final preferred alternatives. All gear restrictions in the WGOM mortality closure area would remain as-is.

12a. Dr. McKenzie moved to substitute and Mr. Mark Alexander seconded:
that in the WGOM, the Council selects Alternative 1 status quo (no action).

Roll call vote:

Yes –McKenzie

No –Sissenwine, Quinn, Preble, Pierce, Pappalardo, Kendall, Grout, Goethel, Gibson, Etrie, Blount, Balzano, T. Alexander and M. Alexander.

Abstention(s) – Bullard

Recusal – Ms. Tooley

The motion **failed** on a roll call vote (1/14/1/1 recusal, Ms. Tooley).

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

13. Mr. Preble moved on behalf of the committee:
that in the Gulf of Maine, the Council select the Framework 53 spawning and cod protection measures as their final preferred alternative for spawning protection.

13a. Mr. Grout moved to table and Mr. Kendall seconded:
postpone consideration until the end of tomorrow.

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

Thursday, April 23, 2015

Dedicated Habitat Research Areas (DHRA)

1. Mr. Preble moved on behalf of the committee:
that for Dedicated Habitat Research Areas in the Gulf of Maine, the Council select Alternative 3B (Stellwagen DHRA with northern reference area) and Alternative 5 (sunset provision) as its final preferred alternatives.

1a. Mr. Terry Alexander moved to amend and Mr. Kendall seconded:
that for Dedicated Habitat Research Areas in the Gulf of Maine, the Council select Alternative 3C (Stellwagen DHRA with no reference area) and Alternative 5 (sunset provision) as its final preferred alternatives.

Roll call vote

Yes –T. Alexander, Balzano, Blount, Bullard, Etrie, Goethel, Grout, Kendall, Pappalardo, Pierce, Quinn, Sissenwine and Tooley

No – M. Alexander, Gibson, McKenzie and Preble

Abstention(s) – none

Recusal - none

The motion to amend **carried** on a show of hands (13/4/0).

The main motion as amended carried on a show of hands (15/2/0).

2. Mr. Preble moved on behalf of the committee:
that for Dedicated Habitat Research Areas on Georges Bank, the Council select Alternatives 4 (Georges Bank DHRA) and 5 (sunset provision) as their final preferred alternatives.

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

3. Mr. Preble moved on behalf of the committee:
that the Council recommends to NMFS that habitat research projects funded with government or RSA funds and conducted from commercial vessels will be allowed access into habitat management areas contingent on EFP approval.

- 3a. Dr. Sissenwine moved to amend and Ms. Tooley seconded:
that the Council recommends to NMFS that habitat research projects conducted from commercial vessels will be allowed access into habitat management areas contingent on EFP approval.

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

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

Georges Bank

4. Mr. Preble moved on behalf of the committee:
that on Georges Bank, the Council select Alternative 7, Option 1 as their final preferred alternative.

- 4a. Dr. Quinn moved to amend and Ms. Tooley seconded:
That on Georges Bank, the Council select a modified Alternative 7, that moves the Georges Shoal HMA to the northeast to more fully encompass the areas highlighted by the SASI model, expands the HMA on the southern part of the northern edge, and adds a groundfish mortality closure that encompasses the northern edge and its western boundary, as depicted in the map I have provided.

- 4b. Ms. Etrie moved to split the motion to amend and Ms. Goethel seconded:
(to split the two areas)

1) to move the Georges Shoal HMA to the northeast to more fully encompass the areas highlighted by the SASI model

2) to expand the HMA on the southern part of the northern edge, and add a groundfish mortality closure that encompasses the northern edge and its western boundary, as depicted in the map I have provided.

The motion to split failed on a show of hand (3/13/0/1 recusal, Ms. Tooley).

- 4c. Dr. Pierce moved to further amend and Mr. Terry Alexander seconded:
That on Georges Bank, the Council select a modified Alternative 7, that moves the Georges Shoal HMA to the northeast to more fully encompass the areas highlighted by the SASI model, expands the HMA on the southern part of the northern edge, and adds a groundfish mortality closure that encompasses the northern edge and its western boundary extending south to 42 ° N. latitude.

The motion to amend carried on a show of hands (11/4/1/1 recusal, Ms. Tooley).

- 4d. Dr. Quinn moved to amend and Mr. Terry Alexander seconded:
to remove language on preferred alternative and add: “adopt this as an additional Alternative that will be analyzed and brought to the June Council meeting for a final action”.

Roll call vote

Yes – M. Alexander, T. Alexander, Balzano, Blount, Gibson, Goethel, Grout, Kendall, Pappalardo, Pierce, Quinn, Etrie and Sissenwine

No – McKenzie, Preble

Abstention(s) – Bullard

Recusal – Tooley

The motion to amend the amended motion carried on a roll call vote (13/2/1/1).

The motion to amend:

That on Georges Bank, the Council select a modified Alternative 7, that moves the Georges Shoal HMA to the northeast to more fully encompass the areas highlighted by the SASI model, expands the HMA on the southern part of the northern edge, and adds a groundfish mortality closure that encompasses the northern edge and its western boundary extending south to 42 ° latitude. The Council adopts this as an additional Alternative that will be analyzed and brought to the June Council meeting for a final action.

The motion to amend carried on a show of hands (13/2/1).

- 4e. Ms. Etrie moved to amend and Ms. Goethel seconded:
to specify that the gear identified in Table 14 – Closed Area II, are the gears that would be prohibited/allowed in the mortality closure referenced in the new Georges Bank Alternative(s).

The motion to amend:

that on Georges Bank, the Council select a modified Alternative 7, that moves the Georges Shoal HMA to the northeast to more fully encompass the areas highlighted by the SASI model, expands the HMA on the southern part of the northern edge, and adds a groundfish mortality closure that encompasses the northern edge and its western boundary extending south to 42 ° latitude. The gears identified in DEIS Volume 3, Table 14 – Closed Area II, are the gears that would be prohibited/allowed in the mortality closure. The Council adopts this as an additional Alternative that will be analyzed and brought to the June Council meeting for a final action.

The motion to amend carried on a show of hands (14/1/2/1 recusal, Ms. Tooley).

The main motion as amended:

that on Georges Bank, the Council select a modified Alternative 7, that moves the Georges Shoal HMA to the northeast to more fully encompass the areas highlighted by the SASI model, expands the HMA on the southern part of the northern edge, and adds a groundfish mortality closure that encompasses the northern edge and its western boundary extending south to 42 ° latitude. The gears identified in DEIS Volume 3, Table 14 – Closed Area II, are the gears that would be prohibited/allowed in the mortality closure. The Council adopts this as an additional Alternative that will be analyzed and brought to the June Council meeting for a final action.

The main motion as amended carried on a show of hands (13/2/1/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

5. Mr. Preble moved on behalf of the committee:
to add an option to OHA2 for analysis and consideration by the Council, to include the habitat closure area “New_Northern_Edge_1” combined with the “Georges Shoal 2 MBTG” component of Alternative

The motion *failed* on a show of hands (2/13/1/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

6. Mr. Preble moved on behalf of the committee:
to add an Option to OHA2 for analysis and consideration by the Council, to include the habitat closure area “New_Northern_Edge_1”, less a four nautical mile alley along the Hague line, combined with the “Georges Shoal 2 MBTG” component of Alternative 7.

The motion *failed* on a show of hands (6/9/1/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

7. Mr. Preble moved on behalf of the committee:
that the Council support development of an agreement between the scallop fishery and the offshore lobster fishery that includes an area of Closed Area II north of 41° 30' n, which would remain closed to all MBTG between June 15 and October 31 subject to the scallop fishery having access to the area north of 41° 30' n between March 1 and June 15. This motion also recognizes and supports the existing agreement between the trawl fishery and the offshore lobster fishery for this area, which could be subject to revision per the agreement.

- 7a. Dr. Pierce moved to substitute and Mr. Grout seconded:
that the area north of 41 ° 30' n, in Closed Area II be closed to the scallop fishery between June 15 - October 31.

- 7b. Mr. Terry Alexander moved and Ms. Etrie seconded:
to table until June Council meeting.

The motion to table *carried* on a show of hands (14/1/0/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

Great South Channel/Southern New England

8. Mr. Preble moved on behalf of the committee:
that the Council select Alternative 5 (Nantucket Shoals HMA) as their final preferred alternative, with Option 1 (MBTG closure) in the northeast corner identified by the PDT, and Option 2(MBTG closure

with a hydraulic dredge exemption) for the remainder for the area, with a sunset provision from Option 2 to option 1 three years after the implementation of the amendment, if an exemption area is not identified.

- 8a. Dr. Pierce moved to substitute and Mr. Mark Alexander seconded:
that the Council select Alternative 4 (Great South Channel) as their final preferred alternative, with Option 1 (MBTG closure) in the northeast corner identified by the PDT, and Option 2 (MBTG closure with a hydraulic dredge exemption) for the remainder for the area, with a sunset provision from option 2 to Option 1 three years after the implementation of the amendment, if an exemption area is not identified.

The motion *failed* due to a lack of majority (8/8/0/1 recusal, Ms. Tooley).

- 8b. Dr. McKenzie moved to substitute and Mr. Preble seconded:
to select Alternative 4, Option 1 as its preferred alternative

The motion to substitute *failed* on a show of hands (5/10/0/1 recusal, Ms. Tooley).

- 8c. Mr. Preble moved to substitute and Dr. Pierce seconded:
that in the Great South Channel the Council adopt Alternative 4, with Option 1 (MBTG closure) in the northeast corner identified by the PDT, and Option 2 (MBTG closure with a hydraulic dredge exemption) for the remainder for the area, with a sunset provision from Option 2 to Option 1 one year after the implementation of the amendment if an exemption area is not identified.

The motion to substitute carried on a show of hands (9/7/0/1 recusal, Ms. Tooley).

- 8d. Ms. Goethel moved and Mr. Grout seconded:
to reconsider the last motion to substitute.

The motion to reconsider *carried* on a show of hands (9/7/0/1 recusal, Ms. Tooley).

- 8e. Mr. Terry Alexander moved to amend and Mr. Grout seconded:
that in the Great South Channel the Council adopt Alternative 5, with Option 1 (MBTG closure) in the northeast corner identified by the PDT, and Option 2 (MBTG closure with a hydraulic dredge exemption) for the remainder for the area, with a sunset provision from Option 2 to Option 1 one year after the implementation of the amendment if an exemption area is not implemented.

Roll call vote

Yes – Sissenwine, Etrie, Quinn, Kendall, Grout, Goethel, Gibson, Balzano and T. Alexander

No – Preble, Pierce, Pappalardo, McKenzie, Blount and M. Alexander

Abstention(s) – Bullard

Recusal – Tooley

The motion *carried* on a roll call vote (9/6/1/1 recusal Ms. Tooley).

The motion to substitute:

- 8f. that in the Great South Channel the Council adopt Alternative 4, with Option 1 (MBTG closure) in the northeast corner identified by the PDT, and option 2 (MBTG closure with a hydraulic dredge exemption) for the remainder for the area, with a sunset provision from Option 2 to Option 1 one year after the implementation of the amendment if an exemption area is not implemented.

Roll call vote

Yes – M. Alexander, Blount, Bullard, Gibson, McKenzie, Pappalardo, Pierce, Preble, and Sissenwine
No – T. Alexander, Balzano, Goethel, Grout, Kendall, Quinn and Etrie
Abstention(s) – none
Recusal – Tooley

The motion *carried* on a roll call vote (9/7/0/1 recusal Ms. Tooley).

The main motion as substituted *carried* on a show of hands (12/4/0/1 recusal Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

9. Mr. Preble moved on behalf of the committee:
that the Council create an HMA in the Cox Ledge Areas (1 and 2), with a prohibition on trawl ground cables, with bridles capped at 30 fathoms per side, and a prohibition on hydraulic clam dredges.
- 9a. Mr. Grout moved to amend and Mr. Kendall seconded:
that the Council create an HMA in the Cox Ledge Areas (1 and 2), with Option 1.

The motion to amend *failed* on a show of hands (3/11/1 recusal Ms. Tooley).

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

Framework and Monitoring

10. Mr. Preble moved on behalf of the committee:
that for framework and monitoring approaches, the Council select Alternative 2 as itsr final preferred alternative.

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

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

11. Mr. Grout moved and Mr. Preble seconded:
the Council has reached its final decision on all adopted alternatives except for the HMA and mortality alternatives for Georges Bank and all the spawning alternatives.
- 11a. Ms. Goethel moved to amend Mr. Terry Alexander
the Council has reached its final decision on all adopted alternatives except for the HMA and mortality alternatives for Georges Bank , all the spawning alternatives, and HAPC decisions.

The motion to amend *failed* on a show of hands (2/12/0/1 recusal, Ms. Tooley).

The motion *carried* on a show of hands (9/5/1/1 recusal, Ms. Tooley).

Recusal Statement: *Ms. Tooley I am employed by a company that holds an interest in a company that processes greater than 10% of the total scallop landings as well as 10% of herring harvest which constitute a possible conflict of interest under the guidelines.*

OTHER BUSINESS

12. Ms. Goethel moved and Ms. Etrie seconded:
to initiate a framework to evaluate Amendment 16 CV requirements and possible modifications to at sea monitoring.
- 12a. Dr. Sissenwine moved to substitute and Ms. Goethel seconded:
that the Council:
1. Request that NMFS prepare an estimate of the cost/revenue ratio for the at sea Sector monitoring based on the current approach (e.g., in terms of CVs and methodology) for fishing years 2015 (i.e., taking account of reduced ACLs for some species and likelihood a reduction in the number of trips);
 2. Initiate a framework to address the perception (to be confirmed or rejected based on number 1) that the fishery will not be viable under the current approach for at sea monitoring.

This motion replaces the directive by the Council on Tuesday to the Observer Committee.

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

The main motion *carried* (16/0/0).