

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**Sheraton Harborside, Portsmouth, NH**  
**January 26-28, 2016**  
**MOTIONS**

**Tuesday, January 26, 2016**

**REPORTS ON RECENT ACTIVITIES**

Consensus Statement:

The Council agreed by consensus the approval of the Janice Plante Award provisions.

**HERRING COMMITTEE REPORT**

**AMENDMENT 8 – ABC CONTROL RULE**

1. Mr. Kendall moved on behalf of the committee:  
that the Council supports using a Management Strategy Evaluation to support developing measures in Amendment 8 for the Acceptable Biological Catch control rule for Atlantic herring.

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

2. Dr. McKenzie moved and Mr. Pappalardo seconded:  
that the Council adopts the following statement to help the PDT develop Herring Amendment 8:  
"localized depletion is a reduction of population size, independent of the overall status of the stock, over a relatively small spatial area as a result of intensive fishing.

- 2a. Mr. Grout moved to amend Ms. Goethel seconded:  
that the Council refer this definition and problem statement to the Herring Committee for consideration and development.  
"Localized depletion is a reduction of population size, independent of the overall status of the stock, over a relatively small spatial area as a result of intensive fishing. Scoping comments for Amendment 8 identified concerns with concentrated, intense commercial fishing of Atlantic herring in specific areas and at certain times that has caused detrimental socioeconomic impacts on other user groups (commercial, recreational, ecotourism), who depend upon adequate local availability of Atlantic herring to support business and recreational interests both at sea and on shore. Measures to prevent localized depletion were implemented in Herring Management Area 1A to prevent the negative biological and ecological effects that occur spatially on Atlantic herring, their predators, habitat, and other components of the marine ecosystem, and this approach should be expanded to prevent localized depletion of this important keystone species in other areas/seasons."

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

Main motion as amended:

that the Council refer this definition and problem statement to the herring committee for consideration and development.

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

3. Mr. Pappalardo moved and Dr. Mckenzie seconded:  
to ask the Herring Committee to discuss a range of alternatives in Amendment 8 that includes proposals identified at scoping and at the January 13, 2016 Herring Committee meeting. Specific examples from scoping include the following alternatives:
- analysis of a year round inshore buffer area in herring management area 1A
  - analysis of a 12 mile inshore buffer year round south of herring management Area 1A year
  - analysis of a 35 mile inshore buffer year round south of herring management Area 1A
  - analysis of a year round PS/FG only area with a 50 mile inshore buffer south of 1A
  - analysis of the proposal to close 30 min squares 99, 100, 114, 115, 123 year round

The motion ***carried*** on a show of hands (8/7/1).

#### GEORGES BANK HADDOCK CATCH CAP ACCOUNTABILITY MEASURE

4. Mr. Terry Alexander moved and Ms. Etrie seconded:  
that the Council ask the Herring/Groundfish committees to review giving the herring midwater trawl fishery on Georges Bank (GB) a 50% buffer on their 1% cap of GB haddock, while still retaining the 1% cap.

The motion ***carried*** on a show of hands (12/4/1).

#### RIVER HERRING/SHAD CATCH CAPS

5. Mr. Kendall moved on behalf of the committee:  
that the Council supports the motion postponed from the September 2015 Council meeting regarding use of portside data to monitor river herring/shad catch caps, with the inclusion of using portside data to monitor the haddock catch caps.  
Postponed motion from September 2015:  
“that because river herring/shad bycatch in the sea herring fishery is monitored by NMFS solely from observer data, the Council requests NMFS include state portside monitoring of river herring/shad catch to determine that catch relative to the bycatch caps.”

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

**Wednesday, January 27, 2016**

#### **OVERVIEW OF NOAA FISHERIES FISHERY DEPENDENT DATA PROJECT**

1. Mr. John Bullard moved and Mr. Grout seconded:  
that the Council initiate an omnibus amendment to address the regulatory changes needed to fully implement the agency’s Fishery-Dependent Data Visioning Project.

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

#### **OBSERVER COMMITTEE REPORT**

#### OMNIBUS INDUSTRY-FUNDED MONITORING AMENDMENT

2. Mr. Stockwell moves on behalf of the committee:

that the Council adopts the following guiding principles for Industry Funded Monitoring (IFM) programs implemented by GARFO.

Data collection programs for the estimation of fishery catch should:

- Be fit for purpose-the reason, or clear need, for data collection should be identified to ensure objective design criteria.
- Be affordable- the cost of data collection programs should not diminish net benefits to the nation, nor threaten the continued existence of our fisheries. However, essential data collection is needed to assure conservation and sustainability, and is reason to seek less data intensive ways to assess and manage fisheries on the economic margins.
- Should apply modern technology-data collection should prioritize the utilization of modern technology to the extent possible to meet our data collections needs, while recognizing an affordable robust program is likely to need a mix of data collection by people and technology.
- Incentivize reliable self-reporting.

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

3. Mr. Stockwell moves on behalf of the committee:  
that the Council recommends the removal of the IFM service provider requirement to not deploy the same observer on the same vessel for more than two consecutive multi-day trips or for more than twice in a given month.

The motion *carried* on a show of hands (12/2/3).

4. Mr. Stockwell moves on behalf of the committee:  
that the Council select Alternative 2 (Standardized cost responsibilities and standardized administrative requirements for industry-funded monitoring service providers) as the preliminary preferred alternative for the IFM amendment.

The motion *carried* on a show of hands (10/5/2).

5. Mr. Stockwell moves on behalf of the committee:  
that the Council select Alternative 2.6 (allow FMPs to establish a monitoring set aside via a framework) as the preliminary preferred alternative for the Industry-Funded Monitoring Amendment.

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

6. Mr. Grout moved and Ms. Goethel seconded:  
that the prioritization process in the IFM Amendment could be modified via a Framework Adjustment.

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

7. Mr. Grout moved and Mr. Kendall seconded: that the Council select Alternative 2.2 (Council-led Prioritization Process) as the preliminary preferred alternative for the IFM Amendment.

The motion *carried* on a show of hands (14/1/2).

## **GROUND FISH COMMITTEE REPORT**

### **FRAMEWORK 55 WITCH FLOUNDER**

8. Mr. Terry Alexander moved and Mr. Kendall seconded:  
to recommend the ABC at 500mt for witch flounder for FY 2016-FY 2018.

8a. Mr. Grout moved to amend and Dr. Sissenwine seconded:  
to set the ABC to 460mt for witch flounder for FY 2016-FY 2018.

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

The main motion:  
to set the ABC to 460mt for witch flounder for FY 2016-FY 2018.

The main motion as amended *carried* on a show of hands (14/3/0).

9. Mr. Blount moved and Ms. Tooley seconded:  
to submit Framework 55 to the Northeast Multispecies (Groundfish) FMP as modified today to the National Marine Fisheries Service.

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

#### AT-SEA-MONITORING

10. Mr. Blount moved on behalf of the Groundfish committee:  
Problem statement:  
When Industry-Funded ASM requirements were established in Amendment 16, the expectation was that increased catch limits – as a result of rebuilding – would enable the industry to afford these costs. A series of circumstances since the implementation of Amendment 16 now warrant analysis of the ASM program– and potential management action. Therefore, the Council requests analysis of the following by the PDT prior to the April Council meeting.  
To assess whether:

1. ASM is achieving goals and objectives as identified & prioritized in Framework 55;
2. Goals and objectives require further revision;
3. ASM provides the maximum flexibility for all segments of the sector fishery to meet goals and objectives;
4. The CV requirements and methodologies to achieve these requirements are the most appropriate for the sector system.

Further, reducing the cost of ASM should minimize significant economic impacts (i.e., economic losses) to the groundfish fishery and minimize negative social impacts (i.e., those that reduce resiliency and increase vulnerabilities of fishing communities).

10a. Ms. Etrie moved to substitute and Mr. Terry Alexander seconded:  
Problem statement:  
When Industry-Funded ASM requirements were established in Amendment 16, the expectation was that increased catch limits – as a result of rebuilding – would enable the industry to afford the cost of monitoring. Since 2010, ACLs for many stocks have declined sharply, along with groundfish revenues, and the size of the fleet. The affordability of the ASM program for groundfish sectors is in question. The current configuration of the ASM program may lead to significant economic impacts (i.e., economic losses) to the groundfish fishery and negative social impacts (i.e., those that reduce resiliency and increase vulnerabilities of fishing communities). Therefore, the Council requests analysis of the following by the PDT prior to the April Council meeting to assess whether:

- (1) the CV requirements and methodologies are the most appropriate to verify area fished, catch and discards by species and gear type for the sector system, and;
- (2) ASM provides the sector fishery, recognizing heterogeneity within the fleet (e.g., trip length, homeport, etc.), the maximum flexibility to meet ASM goals and objectives.

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

The main motion as substituted:

Problem statement:

When Industry-Funded ASM requirements were established in Amendment 16, the expectation was that increased catch limits – as a result of rebuilding – would enable the industry to afford the cost of monitoring. Since 2010, ACLs for many stocks have declined sharply, along with groundfish revenues, and the size of the fleet. The affordability of the ASM program for groundfish sectors is in question. The current configuration of the ASM program may lead to significant economic impacts (i.e., economic losses) to the groundfish fishery and negative social impacts (i.e., those that reduce resiliency and increase vulnerabilities of fishing communities). Therefore, the Council requests analysis of the following by the PDT prior to the April Council meeting to assess whether:

- (1) the CV requirements and methodologies are the most appropriate to verify area fished, catch and discards by species and gear type for the sector system, and;
- (2) ASM provides the sector fishery, recognizing heterogeneity within the fleet (e.g., trip length, homeport, etc.), the maximum flexibility to meet ASM goals and objectives.

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

11. Mr. Blount moved on behalf of the Groundfish committee:  
That the Council states that the ASM action and completing the analyses in the ASM problem statement motion be of the highest priority for the 2016 groundfish priorities.

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

## **REVIEW NOAA's DRAFT GUIDANCE FOR CONDUCTING CATCH SHARE PROGRAM REVIEWS**

Consensus Statement:

The Council agreed by consensus to send the approved letter to NOAA regarding the Draft Guidance for Conducting Catch Share Program Reviews.

**January 28, 2016**

## **WHITING COMMITTEE REPORT**

AMENDMENT 22

1. Mr. Gibson moved on behalf of the committee:  
That for the purposes of developing Amendment 22, that the control date of November 28, 2012 remain in effect.

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

2. Mr. Gibson moved on behalf of the committee:

to develop Amendment 22 to address potential for unconstrained entry into the whiting fishery with alternatives that include no action and limited access alternatives to include equal qualification criteria (north and south), differential qualification criteria (north and south), tiered and not tiered with different qualifying periods using the existing control date.

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

3. Mr. Gibson moved on behalf of the committee:  
to include in Amendment 22 potential revisions to the existing whiting exemption programs.

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

### **OTHER BUSINESS**

#### **HERRING PDT PRIORITIES DISCUSSION**

##### **Consensus Statement:**

The Council agreed by consensus that the Herring Committee and PDT will focus on Amendment 8 and the herring and mackerel alternatives in the Industry-Funded Monitoring Omnibus Amendment through the April Council meeting; work on the haddock catch cap accountability measures would occur subsequently.