

#9.2

Mid-Atlantic Fishery Management Council

December 13-16, 2021

Hybrid In-Person/Webinar Meeting

MOTIONS

Monday, December 13, 2021

Offshore Wind Energy

Move to approve the revised offshore wind energy policy as discussed today.

Hughes/Wilke

Motion carries by consent

The Council requests NMFS to evaluate to what extent the process it recently announced with BOEM to address fisheries mitigation from offshore wind energy aligns with existing policies and best practices, including but not limited to the MSA National Standards and NOAA/NMFS policies related to environmental justice, social and economic impacts assessment, mitigation for trust resources, and scientific integrity.

Duval/Hughes

Motion carries by consent

The Council recommends NMFS evaluate alternative or supplemental strategies that it could implement to improve fisheries analysis for mitigation efforts that would fully involve fisheries experts and stakeholders. If resources do not support such strategies in the near term, the agencies should prioritize items in the Request for Information (RFI) on "Guidance for Mitigating Impacts to Commercial and Recreational Fisheries from Offshore Wind Energy Development" that can be appropriately addressed within the project timeline while effective, science-based approaches to the larger suite of topics can be developed.

Duval/Hughes

Motion carries by consent

Bluefish 2022-2023 Recreational Management Measures

Joint Meeting with ASMFC Bluefish Management Board

Move to maintain status quo state and federal waters recreational measures for bluefish in 2022 and 2023, including a 3-fish and 5-fish bag limit for private and for-hire anglers, respectively. This includes conservation equivalency measures for Georgia state waters, which includes a 15 fish bag limit, minimum size of 12 inches, and a closed season of March 1st through April 30th.

Board: Clark/Meserve (Motion carries by consent with no abstentions)

Council: Batsavage/Geer (19/0/0)

Motion carries

Tuesday, December 14, 2021

Joint Meeting with ASMFC Summer Flounder, Scup, Black Sea Bass Management Board

Summer Flounder 2022 Recreational Management Measures

Move to adopt conservation equivalency for 2022 summer flounder recreational management, and allow for up to a 16.5% liberalization in state or regional measures. Non-preferred coastwide measures would include an 18.5-inch minimum size, 4 fish possession limit, and open season from May 15-September 15. In addition, the precautionary default measures would include a 20-inch minimum size, 2 fish possession limit, and open season from July 1-August 31.

Council: Nowalsky/Lenox (19/0/1)

Board: Nowalsky/Clark (Motion carries by consent with two abstentions by NMFS and USFWS)

Motion carries

Scup 2022 Recreational Management Measures

Move to increase the scup recreational minimum size by one inch in state and federal waters. The one inch increase would be applied to existing 2021 state measures, which vary by state and mode. In federal waters, this results in a 10 inch total length minimum size for scup achieving an approximate 33% reduction in harvest.

Council: Nowalsky/Risi (12/7/0)

Board: Nowalsky/Borden (6/2/2/1)

Motion carries

Black Sea Bass 2022 Recreational Management Measures

Move to adopt conservation equivalency for 2022 black sea bass recreational management, with a 28% reduction in coastwide harvest compared to the 2018-2021 average. Non-preferred coastwide measures are: 14-inch minimum size, 5 fish possession limit, and open season of May 15-September 21. Precautionary default measures are: 16-inch minimum size, 3 fish possession limit, and open season of June 24-December 31.

Council: Pentony/Wilke (11/9/0)

Board: Pentony/Cimino (7/4/1/0)

Motion carries

I move to substitute to adopt conservation equivalency for 2022 black sea bass recreational management, with a 14% reduction in coastwide harvest compared to the 2018-2021 average. Non-preferred coastwide measures are: 14-inch minimum size, 5 fish possession limit, and open season of May 15-October 31. Precautionary default measures are: 16-inch minimum size, 3 fish possession limit, and open season of June 24-December 31.

Board: Meserve/Gilmore

Council: Davidson/Nowalsky (9/11/0)

Motion fails for lack of Council majority

Summer Flounder, Scup, Black Sea Bass Commercial/Recreational Allocation Amendment

I move to adopt the status quo alternatives for summer flounder (1a-4), scup (1b-1) and black sea bass (1c-4) as final preferred alternatives for the commercial/recreational re-allocation amendment.

Board: Reid/Madsen

Council: Gwin/Hemilright

Move to substitute to adopt options fluke-4, scup-4 and BSB-4 as preferred alternatives for the commercial/recreational reallocation amendment. For summer flounder, this results in a 50% allocation of catch to the commercial sector and a 50% allocation of catch to the recreational sector. For scup, this results in a 63.5% allocation of catch to the commercial sector and a 36.5% allocation of catch to the recreational sector. For black sea bass, this results in a 40.5% allocation of catch to the commercial sector and a 59.5% allocation of catch to the recreational sector.

Board: Nowalsky/Meserve (9/2/0/2)
Council: Nowalsky/Cimino (13/5/1)
Motion to substitute carries

Move to substitute the adoption of allocations for all 3 species that are based on updating the base years with new data, applying those as catch for all three species (alternatives 1a-5, 1b-2, and 1c-5). For summer flounder, this results in a 55% commercial allocation and 45% recreational allocation. For scup, this results in a 65% commercial allocation and 35% recreational allocation. For black sea bass, this results in a 45% commercial allocation and 55% recreational allocation.

Board: Madsen/Gilmore (6/4/1/2)
Council: Risi/Gwin (13/6/1)
Motion to substitute carries

Substitute motion becomes main motion:

Move to adopt allocations for all 3 species that are based on updating the base years with new data, applying those as catch for all three species (alternatives 1a-5, 1b-2, and 1c-5). For summer flounder, this results in a 55% commercial allocation and 45% recreational allocation. For scup, this results in a 65% commercial allocation and 35% recreational allocation. For black sea bass, this results in a 45% commercial allocation and 55% recreational allocation.

Council (14/5/1)
Board (9/1/1/2)
Motion carries

I move to approve the following alternatives for the commercial/recreational allocation amendment:

- No phase in for reallocation (alternative 1d-1)
- No action on transfers (alternative 2a)

Council: Batsavage/Davidson (Motion carries by consent)
Board: Batsavage/Madsen (Motion carries by consent with one abstention from USFWS)
Motion carries

Move to allow future changes to commercial/recreational allocations, transfers, and other measures included in this amendment to be made through a framework/addendum (alternative 3b).

Board: Meserve/Gilmore (11/1/0/0)
Council: Duval/Risi (15/5/0)
Motion carries

Move to recommend to the Commission to approve the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment as modified today, with an implementation date of January 1, 2023.

Board: Gilmore/Clark

Motion carries by consent with 2 abstentions from NMFS and USFWS

I move to submit this amendment, with identification of the preferred alternatives, to NOAA Fisheries.

Council: Risi/Wilke

Motion carries by consent with 1 abstention from NMFS

Wednesday, December 15, 2021

Research Priorities

Move to approve the recommended modifications to the 2020-2024 Research Priorities document as reviewed today.

Nowalsky/Hughes

Motion carries by consent

Surfclam/Ocean Quahog Species Separation Requirements

Move to initiate an Amendment that considers short term solutions to species separation including white paper option 3. Also request that the staff/NEFSC explore the feasibility of longer-term solutions for monitoring (such as electronic monitoring testing on the clam survey).

Hughes on behalf of the Committee

Motion carries by consent

Recommend that Council leadership prioritize a leadership level discussion about the Great South Channel Habitat Management Area between NEFMC and MAFMC, with both Council Executive Directors, both Council Chairs, Habitat and SCOQ Committee Chairs, respectively, to discuss the history of this area and current state of the data, management, and other related issues.

Recommended by the Council

Thursday, December 16, 2021

2022 Implementation Plan

Move to add the following item as a lower priority on the list of Possible Additions to the 2022 Implementation Plan: "Explore the use of unused ACL carryover for the Council's fisheries."

Duval/Cimino

Motion carries by consent

Move to approve the 2022 Implementation Plan with the revisions approved by the Council today.

Duval/Wilke

Motion carries by consent