

**Final Motions**  
**New England Fishery Management Council Meeting**  
**December 5-7, 2023**  
**Hotel Viking, Newport, RI**  
**Hybrid meeting with remote participants**

**Wednesday, December 6, 2023**

**SKATE COMMITTEE REPORT**

**Framework Adjustment 12**

*Action 1 – Specifications*

1. Mr. Olszewski moved on behalf of the Committee:  
that for Action 1 (Section 4.1.), the Council recommends Alternative 2 Updated Specifications as the preferred alternative: OFL = Unknown, ABC = ACL = 32,155 mt, Wing TAL = 10,453 mt, and Bait TAL = 5,266 mt. This would set specifications for FY 2024 and be a placeholder for FY 2025, pending updated survey information in the 2024 Skate Annual Monitoring Report.
- 1a. Mr. Olszewski moved to amend and Mr. Pappalardo seconded:  
that for Action 1 (Section 4.1.), the Council recommends Alternative 2 Updated Specifications as the preferred alternative: OFL = Unknown, ABC = ACL = 32,155 mt, Wing TAL = 10,453 mt, and Bait TAL = 5,266 mt.

Roll Call Vote:

Yes: Mr. Aarrestad, Mr. Alexander, Mr. Bellavance, Ms. Brawn, Ms. Odell, Mr. Pentony, Ms. Griffin, Mr. Smith and Mr. Whelan

No: Mr. Salerno, and Mr. Tracy

Abstain:

The motion to amend *carried* on a roll call (15/2/0).

Main Motion:

that for Action 1 (Section 4.1.), the Council recommends Alternative 2 Updated Specifications as the preferred alternative: OFL = Unknown, ABC = ACL = 32,155 mt, Wing TAL = 10,453 mt, and Bait TAL = 5,266 mt.

The main motion as amended motion *carried* by consensus.

*Action 2 – Possession Limits*

2. Mr. Olszewski moved on behalf of the Committee:  
that for Action 2 – Skate Fishery Possession Limit Alternatives (Section 4.2.1.), the Council recommends two preferred alternatives: Alternative 2 Option B to increase the

wing possession limits for trips fishing on a DAS to 4,000 lbs for Season 1 and 6,000 lbs for Season 2, and Alternative 3 to increase wing possession limits by 25% on trips not on a DAS (to 625 lbs) and on a Northeast multispecies B-DAS (to 220 lbs).

The motion *carried* by consensus.

3. Mr. Olszewski moved on behalf of the Committee:  
that for Action 2 – Barndoor Skate Alternatives (Section 4.2.2.), the Council recommends Alternative 2 as the preferred alternative: Remove Barndoor Skate Possession Restriction.
- 3a. Mr. Pentony moved to amend and Mr. Smith seconded:  
that for Action 2 – Barndoor Skate Alternatives (Section 4.2.2.), the Council recommends Alternative 2 as the preferred alternative: Remove Barndoor Skate Possession Restriction but retain the prohibition of barndoor skate in the bait fishery.

Roll Call Vote:

Yes: Mr. Pentony and Mr. Smith

No: Mr. Aarrestad, Mr. Alexander, Mr. Bellavance, Ms. Brawn, Ms. Odell, Mr. Hansen, Ms. Patterson, Mr. Salerno, Ms. Ware, Mr. Olszewski, Mr. Pappalardo, Mr. Pentony, Ms. Griffin, Mr. Tracy and Mr. Whelan

Abstain:

The motion to amend *failed* on a roll call (2/15/0).

Main Motion:

that for Action 2 – Barndoor Skate Alternatives (Section 4.2.2.), the Council recommends Alternative 2 as the preferred alternative: Remove Barndoor Skate Possession Restriction.

The main motion *carried* with one abstention, Mr. Pentony.

4. Mr. Olszewski moved on behalf of the Committee:  
that for Action 2 – Smooth Skate Alternatives (Section 4.2.3.), the Council recommends Alternative 2 as the preferred alternative: Remove Smooth Skate Possession Restriction.

The motion *carried* by consensus.

5. Mr. Olszewski moved and Mr. Pappalardo seconded:  
that the Council approves Skate Framework Adjustment 12 for submission to NOAA Fisheries.

The motion *carried* by consensus with one abstention, Mr. Pentony.

6. Mr. Bellavance moved on behalf of the Committee:  
to recommend the Council approve Alternative 2, Option 2 as a preferred alternative for the 2024-2026 specifications.

The motion *carried* by consensus.

7. Mr. Bellavance moved and Mr. Aarrestad seconded:  
to submit the 2024-2026 Specifications Document after completion to NOAA Fisheries for approval and implementation.

The motion *carried* by consensus with one abstention, Mr. Pentony.

## SCALLOP COMMITTEE REPORT

### Framework 38

#### *Action 1: Overfishing Limit and Acceptable Biological Catch*

8. Ms. Griffin moved on behalf of the Committee:  
that the Council select in Action 1 – Overfishing Limit and Acceptable Biological Catch, Alternative 2 (4.1.2), updated OFL and ABC for FY2024 and FY2025, as preferred.

The motion *carried* by consensus.

#### *Action 2.1 – Closure of Platts Bank in the Northern Gulf of Maine*

9. Ms. Griffin moved on behalf of the Committee:  
that the Council select in Action 2.1, Closure of Platts Bank to Protect Small Scallops, Alternative 2 (4.2.1.2), Closure of Platts Bank to directed scallop fishing, within the Northern Gulf of Maine Management Area (2-year closure), as preferred.

The motion *carried* by consensus.

#### *Action 2.2 – Northern Gulf of Maine Management and TAL Setting*

10. Ms. Griffin moved on behalf of the Committee:  
that the Council select in Action 2.2, Northern Gulf of Maine TAL Setting, Alternative 2, Option 2 (4.2.2.2.2), Set NGOM TAL at F=0.21 Using Stellwagen, Ipswich, and Jeffreys Ledge, as preferred.
  - The 2024 NGOM TAL would be 454,152 pounds.
  - The 2024 NGOM Set-Aside would be 420,598 pounds.
  - The 2025 default NGOM Set-Aside would be 315,449 pounds.

The motion *carried* by consensus.

*Action 3 – Fishery Specifications*

11. Ms. Griffin moved on behalf of the Committee: that the Council select in Action 3, Fishery Specifications, Alternative 3, 20 Days-At-Sea, three access area trips with 12,000-pound trip limit, as preferred. This would allocate the following access area trips and days at sea to full-time limited access permit holders:
- Two trips to Area II and one trip to New York Bight, 12,000 pound trip limit
  - 20 Days at Sea (Average Open Bottom F=0.38).

The motion *carried* by consensus.

*Action 4 – Access Area Trip Allocations to the LAGC IFQ Component*

12. Ms. Griffin moved on behalf of the Committee: that the Council select in Action 4, Alternative 2 (4.4.2), Update LAGC IFQ Access Area Trip Allocations, Distribute LAGC IFQ Access Area Allocation to Area I, Area II, and the New York Bight, as preferred. The total access area trip allocations for the LAGC IFQ for FY 2024 would be 856 trips.

The motion *carried* by consensus.

*Action 5 – Scallop Research Set-Aside Compensation Fishing*

13. Ms. Griffin moved on behalf of the Committee: that the Council select in Action 5, Alternative 2 (4.5.2), Allow RSA Compensation fishing in Area II Access Area, as preferred.

The motion *carried* by consensus.

*Action 6 - Increase VMS-Reporting Interval for All Scallop Vessels*

14. Ms. Griffin moved on behalf of the Committee: that the Council select in Action 6, Alternative 2 (4.6.2), 5-minute VMS reporting rate when a scallop vessel crosses seaward of the VMS demarcation line on a scallop declaration code (SES-%), as preferred. This would likely be implemented between April and June of 2024.

The motion *carried* by consensus.

15. Ms. Griffin moved and Mr. Pappalardo seconded: To submit Framework 38 to the Scallop FMP to NMFS, as modified and recommended by the Council today.

The motion *carried* by consensus with one abstention, Mr. Pentony.

**Thursday, December 7, 2023**

GROUND FISH COMMITTEE REPORT

Framework Adjustment 66 / Specifications and Management Measures

*Action 1 – Revised Specifications*

1. Mr. Bellavance moved on behalf of the Committee:  
that the Council select as preferred in Section 4.1 Action 1 – Revised Specifications: Section 4.1.2 Alternative 2 – Revised Specifications, including the OFL/ABC recommendations of the Scientific and Statistical Committee, and select Option A– Remove the management uncertainty buffer for sectors for certain allocated stocks if the ASM target coverage rate is set at 90% or greater, selecting both Option A1- (white hake) and Option A2 (GOM haddock).

The motion *carried* by consensus.

*Action 2 – Commercial Fishery Management Measures – Atlantic Halibut*

2. Mr. Bellavance moved on behalf of the Committee:  
that the Council identify as a preferred alternative in Section 4.2 Action 2 – Commercial Fishery Management Measures – Atlantic Halibut: Section 4.2.2 Alternative 2 – Modify the trigger for implementing Atlantic halibut accountability measures.

The motion *carried* by consensus.

*Action 3 - Commercial Fishery Management Measures – Atlantic Sea Scallop AM Implementation Policy*

3. Mr. Bellavance moved on behalf of the Committee:  
that the Council select as preferred in Section 4.3 Action 3 – Commercial Fishery Management Measures – Atlantic Sea Scallop AM Implementation Policy: Section 4.3.2 - Alternative 2 Temporary modification to the trigger for the Atlantic sea scallop AM implementation policy for Georges Bank yellowtail flounder

The motion *carried* by consensus.

4. Mr. Bellavance and Mr. Salerno seconded:  
to submit Framework Adjustment 66 to GARFO, as amended today.

The motion *carried* by consensus with one abstention, Mr. Pentony.

COUNCIL 2024 PRIORITIES

5. Mr. Bellavance moved and Ms. Ware seconded:

that the Council approve the Executive Committee recommendations for 2024 priorities including amendments if any made today.

- 5a. Mr. Pappalardo moved and Ms. Griffin seconded:  
To amend the priorities for Scallops by deleting SC8.

The Council agreed by consensus.

- 5b. Mr. Bellavance moved and Ms. Odell seconded:  
to amend the priorities for Whiting by adding Whiting Committee priority about climate resilient fishery management under IRA 3.

The Council agreed by consensus.

- 5c. Ms. Patterson moved and Mr. Whelan seconded:  
to amend the priorities for E1 for EBFM/pMSE to conduct workshops in November 2024 to include information that has been developed in consideration of EAFM.

- 5d. Mr. Smith moved to substitute and Mr. Tracy seconded:  
to amend priorities for EBFM to remove E1 from 2024.

Roll Call

Yes: Mr. Aarrestad, Mr. Alexander, Mr. Bellavance, Ms. Brawn, Ms. Odell, Mr. Hansen, Mr. Salerno, Ms. Ware, Mr. Olszewski, Mr. Pappalardo, Ms. Griffin, Mr. Smith and Mr. Tracy

No: Ms. Patterson, Mr. Pierdinock and Mr. Whelan

Abstain: Mr. Pentony

The motion to substitute *carried* on a roll call vote (13/3/1).

The main motion as substituted *carried* by consensus.

- 5e. Mr. Bellavance moved and Mr. Pappalardo seconded:  
that the Council approve the Executive Committee recommendations for 2024 priorities as amended today to include for the following plans:  
Scallops – delete SC8 (Develop measures that consider increasing the VMS ping rate for the scallop fishery to improve enforcement in the fishery).  
Whiting – add IRA3 (Evaluate potential changes in governance, permitting, and catch allocation aligned with redistribution of fishery resources).  
EBFM – delete E1 (Conduct deep-dive workshops on EBFM and pMSE results).

The motion *carried* by consensus.