

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**September 29 -October 2, 2020**  
**Via Webinar**

**FINAL MOTIONS**

**Tuesday, September 29, 2020**

**ELECTIONS OF OFFICERS**

Officers

Chairman: Dr. John Quinn appointed by affirmation.

Vice-Chairman: Mr. Eric Reid appointed by affirmation

Executive Committee members:

Mr. Terry Alexander, Ms. Elizabeth Etrie and Ms. Melanie Griffin appointed by affirmation.

**SKATE COMMITTEE REPORT**

Amendment 5

1. Dr. McKenzie moved on behalf of the Committee:  
that the Council recommends the following as a problem statement for Amendment 5:  
There are two modes of the skate fishery, directed and non-directed fisheries. The incidental limit has been triggered two times in the last ten years, and when it gets triggered, there are negative impacts on the directed skate fishery and on the other fisheries that incidentally harvest skate. There is a need to improve the reliability and accountability of catch reporting in the skate fishery (and other fisheries that catch skate) to ensure there is precise and accurate representation of catch (landings and discards). Accurate catch data are necessary to ensure that catch limits are set at levels that prevent overfishing and to determine when catch limits are exceeded.

Roll Call Vote:

Yes: Aarrestad, Balzano, Bellavance, Godfroy, Patterson, Ware, McKenzie, Olszewski, Pappalardo, Griffin and Sissenwine

No: Alexander, Etrie, Salerno and Reid

Abstain: Pentony and Tracy

The motion *carried* on a roll call vote (11/4/2).

- 2 Dr. McKenzie moved on behalf of the Committee:  
that the Council recommends an additional problem statement for Amendment 5:

Current and potential access to the skate resource make it difficult to achieve long term sustainable management in the skate fishery. It is more difficult to prevent overfishing and predict outcomes of management when participants in a fishery cannot be defined.

Roll Call Vote:

Yes: Aarrestad, Balzano, Bellavance, Godfroy, Patterson, McKenzie, Olszewski, Pappalardo, Griffin and Sissenwine

No: Alexander, Etrie, Salerno, Ware, Pentony and Reid

Abstain: Tracy

The motion *carried* on a roll call vote (10/6/1).

3. Dr. McKenzie moved on behalf of the Committee:  
that the Council recommends the following goals for Amendment 5:
1. Avoid tripping the skate incidental possession limit.
  2. Improve skate data, leading to improved assessments (e.g., no longer be considered data-poor) and more precise and accurate understanding of the landings and discards in different segments of the fishery.
  3. Minimize discards.
  4. Better characterize the directed and non-directed fisheries.
  5. Better understand the true potential for vessels to enter the fishery.
  6. Minimize the impact on any other fisheries that have interactions with skates.
  7. Preserve, to the extent possible, ongoing participation the fishery consistent with how past utilization has occurred.

Roll Call Vote:

Yes: Aarrestad, Balzano, Bellavance, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Pentony, Griffin, Reid and Sissenwine

No:

Abstain: Alexander, Etrie and Tracy

The motion *carried* on a roll call vote (14/0/3).

4. Dr. McKenzie moved on behalf of the Committee:  
that the Council recommends that Amendment 5 include considerations of the following types of measures to achieve the goals identified:
1. An intermediate trigger to slow the wing and/or bait fishery.
  2. Limited access for the wing and/or bait fishery, with or without tiers for different qualification criteria for permit categories.
  3. Creating different TALs for the wing fishery segments (e.g., directed and non-directed TALs).
  4. Monitoring requirements for the wing and/or bait fishery beyond NEFOP/SBRM requirements.
  5. Restrict switching between state and federal fishing for the wing and/or bait fishery.

6. Gear modifications that could reduce bycatch for the wing and/or bait fishery (e.g., 12" mesh gillnet size).
7. Make the Federal skate permit a year-round permit for the wing and/or bait fishery.
8. Additional reporting requirements for the wing and/or bait fishery (e.g., VMS declarations, daily catch reports).

4a. Ms. Etrie moved to amend and Mr. Alexander seconded:  
that the Council recommends that Amendment 5 include considerations of the following types of measures to achieve the goals identified:

1. An intermediate trigger to slow the wing and/or bait fishery.
2. Limited access for the bait fishery, with or without tiers for different qualification criteria for permit categories.
3. Creating different TALs for the wing fishery segments (e.g., directed and non-directed TALs).
4. Monitoring requirements for the wing and/or bait fishery beyond NEFOP/SBRM requirements.
5. Restrict switching between state and federal fishing for the wing and/or bait fishery.
6. Gear modifications that could reduce bycatch for the wing and/or bait fishery (e.g., 12" mesh gillnet size).
7. Make the Federal skate permit a year-round permit for the wing and/or bait fishery.
8. Additional reporting requirements for the wing and/or bait fishery (e.g., VMS declarations, daily catch reports).

Roll Call Vote:

Yes: Alexander, Etrie, Salerno, Ware and Reid

No: Aarrestad, Balzano, Bellavance, Godfroy, Patterson, McKenzie, Olszewski, Pappalardo, Griffin and Sissenwine

Abstain: Pentony and Tracy

The motion to amend *failed* on a roll call vote (5/10/2).

Main motion:

that the Council recommends that Amendment 5 include considerations of the following types of measures to achieve the goals identified:

1. An intermediate trigger to slow the wing and/or bait fishery.
2. Limited access for the wing and/or bait fishery, with or without tiers for different qualification criteria for permit categories.
3. Creating different TALs for the wing fishery segments (e.g., directed and non-directed TALs).
4. Monitoring requirements for the wing and/or bait fishery beyond NEFOP/SBRM requirements.
5. Restrict switching between state and federal fishing for the wing and/or bait fishery.
6. Gear modifications that could reduce bycatch for the wing and/or bait fishery (e.g., 12" mesh gillnet size).
7. Make the Federal skate permit a year-round permit for the wing and/or bait fishery.

8. Additional reporting requirements for the wing and/or bait fishery (e.g., VMS declarations, daily catch reports).

Roll Call Vote:

Yes: Aarrestad, Balzano, Bellavance, Godfroy, Patterson, Ware, McKenzie, Olszewski, Pappalardo, Pentony, Griffin and Sissenwine

No: Alexander, Etrie and Salerno

Abstain: Reid and Tracy

The main motion *carried* on a roll call vote (12/3/2).

## **ATLANTIC HERRING COMMITTEE REPORT**

### **Framework 8**

5. Mr. Bellavance moved on behalf of the Committee:  
that the Council select Alternative 3.1.1.2 as the preferred alternative for setting OFL/ABC in the 2021-2023 specifications (Alternative 2).

Roll Call Vote:

Yes: Gates, Alexander, Balzano, Bellavance, Godfroy, Etrie, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Pentony, Griffin, Reid, Sissenwine, Tracy

No:

Abstain:

The motion *carried* unanimously on a roll call vote (17/0/0).

6. Mr. Bellavance moved on behalf of the Committee:  
that the Council select Alternative 3.1.2.1.4 as the preferred alternative for determining management uncertainty (Option 4 = 4,669 mt), with an associated trigger of 3,012 mt for the potential rollback of 1,000 mt to the Area 1A sub-ACL (0.645 ratio of original management uncertainty buffer).

Roll Call Vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Pentony, Griffin, Reid, Sissenwine, Mr. Tracy

No:

Abstain:

The motion *carried* unanimously on a roll call vote (17/0/0).

7. Mr. Bellavance moved on behalf of the Committee:  
that the Council select Alternative 3.1.3.2, and set border transfer at 0 mt, as the preferred alternative (Alternative 2).

The Council agreed by consensus.

8. Mr. Bellavance moved on behalf of the Committee:  
that the Council select Alternative 3.1.4.2 as the preferred alternative for RSA allocations in FY2021-2023 (Alternative 2: 3% for FY2021 and 0% for 2022 and 2023).

The Council agreed by consensus.

9. Mr. Bellavance moved on behalf of the Committee:  
that the Council identify Alternative 3 as preferred for carryover of unharvested catch, up to 5% of a sub-ACL.
- 9a. Mr. Alexander moved to amend and Ms. Etrie seconded:  
that the Council identify Alternative 1 as preferred for carryover of unharvested catch, up to 10% of a sub-ACL.

Roll Call Vote:

Yes: Alexander, Balzano, Etrie, Godfroy, Griffin, Reid and Tracy

No: Gates, Bellavance, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Sissenwine and Patterson

Abstain: Pentony

The motion to amend *failed* on a roll call vote (7/9/1).

Main motion:

that the Council identify Alternative 3 as preferred for carryover of unharvested catch, up to 5% of a sub-ACL.

Roll Call Vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Pentony, Griffin, Reid, Sissenwine and Tracy

No:

Abstain:

The motion *carried* unanimously on a roll call vote (17/0/0).

10. Mr. Bellavance moved on behalf of the Committee:  
that the Council select as final preferred in Section 3.5.1, Option D (3.5.1.4) as modified – Implement a two-step herring incidental limit (40,000-lb. at 90% of the Area sub-ACL) then 2,000-lb. at 98% of the Area sub-ACL with a 2,000-lb backstop limit at 95% of the total ACL. This would apply to both Herring Management Areas 2 and 3.

Roll Call Vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Salerno, Olszewski, Pappalardo, Pentony, Griffin, Reid, Sissenwine and Tracy

No: Patterson, Ware and McKenzie

Abstain:

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

11. Mr. Bellavance moved on behalf of the Committee:  
that the Council select Alternative 3.5.2.2 as the preferred alternative for modifying the Area 1B seasonal closure (Alternative 2 – eliminate the seasonal closure).

Roll Call Vote:

Yes: Alexander, Balzano, Bellavance, Etrie, Godfroy, Olszewski, Pentony, Griffin, Reid, Sissenwine and Tracy

No: Gates, Patterson, Salerno, McKenzie and Pappalardo

Abstain: Ware

The motion *carried* on a roll call vote (11/5/1).

12. Mr. Bellavance moved and Mr. Alexander seconded:  
that the Council submit Framework Adjustment 8 to GARFO/NMFS as amended today.

Roll Call Vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Griffin, Reid, Sissenwine and Tracy

No:

Abstain: Mr. Pentony

The motion *carried* on a roll call vote (16/0/1).

13. Ms. Ware moved and Ms. Patterson seconded:  
that the Council write a letter to NOAA Fisheries confirming that Atlantic Herring Amendment 1, which prohibits midwater trawling for Atlantic herring in Area 1A from June 1 to September 30 each year, also limits the ability to midwater trawl for mackerel in Area 1A during this time.

Roll Call Vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Griffin, Reid, Sissenwine and Tracy

No:

Abstain: Pentony

The motion *carried* on a roll call vote (16/0/1).

**Wednesday, September 30, 2020**

**GROUND FISH COMMITTEE REPORT**

**Amendment 23**

**Section 4.1 Commercial Groundfish Monitoring Program Revisions**

1. Dr. McKenzie moved and Mr. Olszewski seconded:  
that the Council adopt alternative Section 4.1.1.2.4 Option 2 Sub-option 2D (100% coverage) as the preferred alternative for Amendment 23. This coverage will be required the first four fishing years following the effective date of Amendment 23 to establish a baseline of accurate and precise catch information for the fishery and thereafter until a subsequent amendment modifies coverages levels. This coverage selected is a target coverage rate, understanding that waivers may need to be granted in limited circumstances and for good cause only. The necessary coverage to support administration of the fishery has primacy. Industry funding rates are subject to available agency funding and congressional appropriation.

Funding for this coverage will be provided at the following rates of industry funding:

Year 1: 100% coverage of all trips. Industry funding for EM (equipment and review costs) @ 0% and ASM @ 0%

Year 2: 100% coverage of all trips. Industry funding for EM (equipment and review costs) @ 0% and ASM @ 0%

Year 3: 100% coverage of all trips. Industry funding for EM (review costs) @ 0%, ASM @ 25%

Year 4: 100% coverage of all trips. Industry funding EM (review costs) @ 0%, ASM @ 50%. Year 4 funding will serve as default coverage and funding until a new amendment is completed and implemented, if necessary.

Year 5: Adjusted coverage levels in follow-on action or default coverage rates.

- 1a. Mr. Reid moved to amend and Dr. McKenzie seconded:  
that the Council adopt alternative Section 4.1.1.2.4 Option 2 Sub-option 2D (100% coverage) as the preferred alternative for Amendment 23. This coverage will be required the first four fishing years following the effective date of Amendment 23 to establish a baseline of accurate and precise catch information for the fishery and thereafter until a subsequent Council action modifies coverages levels. This coverage selected is a target coverage rate, understanding that waivers may need to be granted in limited circumstances and for good cause only. The necessary coverage to support administration of the fishery has primacy. Industry funding rates are subject to available agency funding and congressional appropriation.

Funding for this coverage will be provided at the following rates of industry funding:

Year 1-4: 100% coverage of all trips. Industry funding for EM (equipment and review costs) @ 0% and ASM @ 0%

Year 4: Year 4 funding will serve as default coverage and funding until a new Council action is completed and implemented, if necessary.

Year 5: Adjusted coverage levels in follow-on action or default coverage rates.

The motion was *withdrawn* by its maker.

1b. Mr. Reid moved to amend and Mr. Alexander seconded:

That the Council adopt alternative Section 4.1.1.2.4 Option 2 Sub-option 2D (100% coverage) as the preferred alternative for Amendment 23. This coverage is a target for the first four fishing years following the effective date of Amendment 23 to establish a baseline of accurate and precise catch information for the fishery and thereafter until a subsequent Council action modifies coverages levels. This coverage selected is a target coverage rate, understanding that waivers may need to be granted in limited circumstances and for good cause only Target coverage rates are subject to available agency funding and congressional appropriation. In year 3, a review of the target coverage rate would commence.

Funding for this coverage will be provided at the following rates of industry funding:

Year 1-4: Up to 100% coverage of all trips. Federal reimbursement or other funding mechanism for 100 pct of EM and 100 pct of ASM industry cost. In the absence of federal funding sufficient to reimburse a minimum of 40 percent coverage rate. The industry will fund the additional coverage needed to achieve 40 percent (combined ASM or NEFOP).

Year 5 and beyond: The default target coverage rate of 40% (based on NMFS evaluation for FY2020) would be in place unless replaced by the result of the review as determined by the Council.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, Olszewski, Pappalardo, Pentony, Griffin, Reid and Tracy

No: McKenzie and Sissenwine

Abstain:

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

Main motion:

That the Council adopt alternative Section 4.1.1.2.4 Option 2 Sub-option 2D (100% coverage) as the preferred alternative for Amendment 23. This coverage is a target for the first four fishing years following the effective date of Amendment 23 to establish a baseline of accurate and precise catch information for the fishery and thereafter until a subsequent Council action modifies coverages levels. This coverage selected is a target coverage rate, understanding that waivers may need to be granted in limited circumstances and for good cause only Target coverage rates are subject to available



agency funding and congressional appropriation. In year 3, a review of the target coverage rate would commence.

Funding for this coverage will be provided at the following rates of industry funding:  
Year 1-4: Up to 100% coverage of all trips. Federal reimbursement or other funding mechanism for 100 pct of EM and 100 pct of ASM industry cost. In the absence of federal funding sufficient to reimburse a minimum of 40 percent coverage rate. The industry will fund the additional coverage needed to achieve 40 percent (combined ASM or NEFOP)

Year 5 and beyond: The default target coverage rate of 40% (based on NMFS evaluation for FY2020) would be in place unless replaced by the result of the review as determined by the Council.

Roll Call Vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, Olszewski, Pappalardo, Pentony, Griffin, Reid, Sissenwine and Tracy

No: McKenzie

Abstain:

The main motion as amended *carried* on a roll call vote (16/1/0).

2. Mr. Alexander moved and Mr. Bellavance seconded:  
to select in Section 4.1.2 (Sector Monitoring Tools) Option 1 (EM in place of human ASM) Option 2 (Audit Model) and Option 3 (Maximized Retention).
- 2a. John Pappalardo moved to amend Mike Pentony seconded:  
to select in Section 4.1.2 (Sector Monitoring Tools) Option 2 (Audit Model) and Option 3 (Maximized Retention).

Roll Call Vote:

Yes: Gates, Balzano, Bellavance, Godfroy, McKenzie, Olszewski, Pappalardo, Pentony, Griffin, Reid and Sissenwine

No: Alexander, Etrie, Patterson, Salerno, Ware and Tracy

The motion to amend *carried* on a roll call vote (11/6/0).

The main motion:

to select in Section 4.1.2 (Sector Monitoring Tools) Option 2 (Audit Model) and Option 3 (Maximized Retention).

The main motion as amended *carried* unanimously on a roll call vote (17/0/0).

3. Ms. Etrie moved and Mr. Gates seconded:  
to select 4.1.3.2 Option 2 knowing total monitoring coverage level at a time certain as our preferred.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Griffin, Reid, Sissenwine and Tracy

No:

Abstain: Pentony

The motion *carried* on a roll call (16/0/1).

4. Mr. Alexander moved and Mr. Salerno seconded:  
in section 4.1.4 (Review Process for Sector Monitoring coverage) select Option 2 (establish a review process for monitoring coverage rates) and revised consistent with the council motion #1 as a priority in 2021 to be used in the review process.

The Council agrees by consensus.

5. Mr. Alexander moved and Ms. Etrie seconded:  
that the Council select as preferred Section 4.1.5 (Addition to List of Framework Items) the council would add new sector monitoring tools that meet or exceed monitoring standards, for vessels specific coverage levels, adjustment to the target covered rate by framework action

The Council agreed by consensus with one abstention, Mr. Pentony.

## **Section 4.2 – DSM**

6. Mr. Alexander moved and Ms. Patterson seconded:  
that the Council select in section 4.2.1 (Dockside Monitoring Program – Sectors and Common Pool) – 4.2.1 No Action (Option 1)

Roll call vote:

Yes: Tracy, Reid, Griffin, Pentony, Pappalardo, Olszewski, Ware, Patterson, Godfroy, Etrie, Bellavance and Balzano

No: Sissenwine, McKenzie, Alexander and Gates

Abstain:

The motion *carried* on a roll call vote (12/4/0).

## **Section 4.3 – Sector Reporting**

7. Mr. Alexander moved and Mr. Bellavance seconded:  
that the Council select in Section 4.3 (Sector Reporting) – Option 2 (Grant RA the authority to streamline sector reporting requirements)

The Council agreed by consensus.

#### **Section 4.4 – Funding/Operational Provisions of Groundfish Monitoring**

8. Mr. Alexander moved and Ms. Griffin seconded:  
that the Council select in Section 4.4 (Funding/Operational Provisions of Groundfish Monitoring- sectors and common pool):
- Sub-Option 2A (Higher Monitoring Covering Levels in NMFS Fund are Available – sectors only)
  - Sub-Option 2B (Waivers from Monitoring Requirements allowed – sectors and common pool)

The Council agreed by consensus.

#### **Section 4.5 Management Uncertainty Buffers for the Commercial Groundfish Fishery**

9. Mr. Alexander moved and Mr. Tracy seconded  
that the Council select in section 4.5 (Management Uncertainty Buffers for Commercial Groundfish Fishery – sectors), Option 2 (elimination of management uncertainty buffer for sector ACLS with 100% monitoring of all sectors trips) when funding for 100% monitoring is available.

Roll call vote:

Yes: Tracy, Reid, Griffin, Pentony, Pappalardo, Olszewski, Ware, Salerno, Patterson, Godfroy, Etrie, Bellavance, Alexander and Gates

No: Sissenwine and McKenzie

Abstain:

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

#### **Section 4.6 – Removals from Monitoring Requirements**

10. Mr. Alexander moved and Mr. Reid seconded:  
that the Council select in Section 4.6 (Remove Commercial Groundfish Monitoring Requirements for Certain Vessels Fishing Under Certain Conditions) Option 3 - Remove Monitoring Program Requirements for Vessels Fishing Exclusively West 71 Degrees 30 Minutes West Longitude), both Sub-option 3A - Remove At-Sea Monitoring Coverage Requirement (Sector Only) and Sub-option 3B - Remove Dockside Monitoring Coverage Requirement (Sectors and Common Pool), and in Section 4.6.4 (Review Process for Vessels Removed from Commercial Groundfish Program Requirements) Option 2 - Implement a Review Process for Vessels Removed from Commercial Groundfish Monitoring Program Requirements.

Roll call vote:

Yes: Tracy, Sissenwine, Reid, Griffin, Olszewski, Ware, Salerno, Patterson, Godfroy, Bellavance, Balzano, Alexander and Gates

No: Pentony, Pappalardo and McKenzie  
Abstain: Etrie

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

11. Ms. Ware moved and Mr. Alexander seconded:  
that the Council add to the list of framework items all alternatives in Section 4.0 of  
Amendment 23.

The Council agreed by consensus.

12. Mr. Bellavance moved and Mr. Alexander seconded:  
that the Council submit Amendment 23 to the Northeast Multispecies FMP to NMFS as  
amended today.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Godfroy, Patterson, Ware, McKenzie,  
Olszewski, Pappalardo, Griffin, Reid, Sissenwine and Tracy

No: Ms. Etrie

Abstain: Mr. Salerno Mr. Pentony

The motion *carried* on a roll call vote (14/1/2).

#### Petition on Rulemaking for Atlantic Cod

13. Dr. Quinn moved and Mr. Alexander seconded  
to send the letter to GARFO approved as drafted regarding the CLF Petition on  
Rulemaking for Atlantic Cod.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware,  
Olszewski, Pappalardo, Griffin, Reid and Tracy

No:

Abstain: McKenzie, Pentony and Sissenwine

The motion *carried* on a roll call vote (14/0/3).

#### Framework Adjustment 61/Specifications and Management Measures

14. Mr. Alexander moved on behalf of the Committee:  
that the Council approve the TMGC's recommendations on US/CA TACs for 2021:
1. Georges Bank yellowtail flounder 125mt
  2. Eastern Georges Bank haddock 14,100 mt
  3. Eastern Georges Bank cod 635 mt

The Council agreed by consensus.

**Thursday, October 1, 2020**

## **SCALLOP COMMITTEE REPORT**

### **Northern Gulf of Maine Catch Limits**

1. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 1 – Northern Gulf of Maine Catch Limits, Alternative 2 (4.1.2), Account for the Northern Gulf of Maine as part of the ABC and ACL, as preferred.

The Council agreed by consensus.

### **Northern Gulf of Maine Allocations**

2. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 2, Northern Gulf of Maine Allocations, Alternative 2 (4.2.2) with a new modified option: Create a NGOM set-aside with a NGOM set-aside trigger of 600,000 pounds, with pounds over the trigger split 5% for the NGOM set-aside and 95% for the NGOM APL, as preferred.
- 2a. Mr. Balzano moved to amend and Ms. Patterson seconded:  
that the Council select in Action 2 – Northern Gulf of Maine Allocations, Alternative 2 Option 2 (4.2.2.2), Create a NGOM set-aside with a NGOM set-aside trigger of 600,000 pounds, as preferred. Pounds above the trigger would be split 25% to the NGOM set-aside and 75% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL.
- 2b. Dr. Sissenwine moved to further amend and Mr. Gates seconded  
that the Council select in Action 2 – Northern Gulf of Maine Allocations, Alternative 2 Option 2 (4.2.2.2), Create a NGOM set-aside with a NGOM set-aside trigger of 600,000 pounds, as preferred. Pounds above the trigger would be split 15% to the NGOM set-aside and 85% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL.

Roll call vote:

Yes: Gates, Balzano, Etrie, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Sissenwine and Tracy

No: Alexander, Bellavance, Griffin and Reid

Abstain: Pentony

The motion to amend ***carried*** on a roll call vote (12/4/1).

The motion to amend as amended:

that the Council select in Action 2 – Northern Gulf of Maine Allocations, Alternative 2 Option 2 (4.2.2.2), Create a NGOM set-aside with a NGOM set-aside trigger of 600,000 pounds, as preferred. Pounds above the trigger would be split 15% to the NGOM set-aside and 85% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL.

- 2c. Mr. Alexander moved to amend and Ms. Ware seconded that the Council select in Action 2, Northern Gulf of Maine Allocations, Alternative 2 (4.2.2) with a new modified option: Create a NGOM set-aside with a NGOM set-aside trigger of 800,000 pounds, with pounds over the trigger split 5% for the NGOM set-aside and 95% for the NGOM APL, as preferred.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Godfroy, Patterson, Salerno, Ware, Olszewski, Reid and Tracy

No: Etrie, McKenzie, Pappalardo, Griffin and Sissenwine

Abstain: Pentony

The motion to amend *carried* on a roll call vote (11/5/1).

Motion to amend as amended

That the Council select in Action 2, Northern Gulf of Maine Allocations, Alternative 2 (4.2.2) with a new modified option: Create a NGOM set-aside with a NGOM set-aside trigger of 800,000 pounds, with pounds over the trigger split 5% for the NGOM set-aside and 95% for the NGOM APL, as preferred.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Godfroy, Patterson, Salerno, Ware, Olszewski, Pappalardo, Reid, Sissenwine and Tracy

No: Etrie, McKenzie and Griffin

Abstain: Pentony

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

Main motion as amended:

That the Council select in Action 2, Northern Gulf of Maine Allocations, Alternative 2 (4.2.2) with a new modified option: Create a NGOM set-aside with a NGOM set-aside trigger of 800,000 pounds, with pounds over the trigger split 5% for the NGOM set-aside and 95% for the NGOM APL, as preferred.

Roll call vote:

Yes: Tracy, Sissenwine, Reid, Pappalardo, Olszewski, McKenzie, Ware, Salerno, Patterson, Godfroy, Bellavance, Balzano, Alexander and Gates

No: Griffin and Etrie

Abstain: Pentony

The main motion as amended *carried* on a roll call vote (14/2/1).

#### Monitoring Directed Scallop Fishing in the Northern Gulf of Maine

3. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 3 – Monitoring Directed Scallop Fishing in the Northern Gulf Of Maine (NGOM) Management Area, Alternative 2 (4.3.2), Monitor directed scallop fishing in the NGOM by expanding the Scallop Industry Funded Observer program, use a portion of the NGOM Allocation to off-set monitoring costs, as preferred.

The Council agreed by consensus.

#### Support Scallop Research using Scallops from the Northern Gulf of Maine

4. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 4 – Support Scallop Research using Scallops from the Northern Gulf of Maine, Alternative 2 Option 4 (4.4.2.4) Allocate a portion of the NGOM Allocation to increase the overall Scallop RSA and support Scallop RSA compensation fishing, allocate 25,000 pounds of NGOM Allocation to increase the overall RSA to 1.275 million pounds, as preferred.

The Council agreed by consensus.

#### Northern Gulf of Maine Fishing Season

5. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 5 – Northern Gulf of Maine Fishing Season, Alternative 1 (4.5.1) No Action, as preferred.

The Council agreed by consensus.

#### Cumulative Maximum Dredge Width

6. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 6 – Cumulative Maximum Dredge Width That Can Be Fished in The Northern Gulf of Maine Management Area, Alternative 1 (4.6.1) No Action, as preferred.

The Council agreed by consensus.

#### Increase the LAGC IFQ Possession Limit

7. Mr. Balzano moved on behalf of the Committee:

that the Committee select in Action 7 – Increase the LAGC IFQ Possession Limit, Alternative 2 Option 2 (4.7.2.2), Increase the LAGC IFQ possession limit to 800 pounds per trip for only access area trips, as preferred.

Roll call vote:

Yes: Gates, Alexander, Balzano, Godfroy, Patterson, Ware, McKenzie, Olszewski, Pappalardo, Griffin, Reid and Sissenwine

No: Bellavance, Etrie and Salerno

Abstain: Pentony and Tracy

The motion *carried* on a roll call vote (12/3/2).

#### Increase the Amount of Observer Compensation Available for LAGC IFQ vessels

8. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 8 – Increase the Amount of Observer Compensation Available for LAGC IFQ vessels, Alternative 2 (4.8.2), Prorate daily compensation rate in 12-hour increments for observed LAGC IFQ trips longer than one day (capped at 48 hours), as preferred.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Griffin, Sissenwine, Tracy

No: Etrie and Reid

Abstain: Pentony

The motion *carried* on a roll call vote (14/2/1).

#### One-way Transfer of Quota from LA with IFQ to LAGC IFQ Only

9. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 9 – One-Way Transfer of Quota from LA with IFQ to LAGC IFQ-Only, Alternative 2 Option 1 (4.9.2.1), Allow temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only with no change to LAGC IFQ quota accumulation caps (5% of APL), as preferred.

Roll call vote:

Yes: Gates, Alexander, Bellavance, Balzano, Godfroy, Patterson, Salerno Ware.

McKenzie, Olszewski, Pappalardo, Pentony, Griffin, Reid, Sissenwine, and Tracy

No: Etrie

Abstain:

The motion carried on a roll call vote (16/1/0).

#### Specifications and Framework Adjustment Process



10. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 10 – Specifications and Framework Adjustment Process, Alternative 2, Expand the list of measures that can be addressed through specifications and/or framework adjustments, as preferred. Add for consideration in a future action a change to make frameworkable the way we account for access area trips in the LAGC IFQ fishery.

The Council agreed by consensus.

11. Mr. Balzano moved and Mr. Pappalardo seconded:  
to submit Amendment 21 to the Scallop FMP to NMFS, as modified today.

Roll call vote:

Yes: Gates, Alexander, Balzano, Bellavance, Godfroy, Patterson, Salerno, Ware, McKenzie, Olszewski, Pappalardo, Griffin, Reid, Sissenwine and Tracy

No: Etrie

Abstain: Pentony

The motion *carried* on a roll call vote (15/1/1).

### Framework Adjustment 33

12. Mr. Balzano moved on behalf of the Committee:  
that the Council add “evaluate the harvest of uncaught 2019 Nantucket Light Ship (NLS)-West allocation in FY 2021 in NLS-S Access Area” as part of Framework Adjustment 33 and 2020 work priorities.

- 12a. Mr. Balzano moved to amend and Ms. Griffin seconded:  
that the Council add “evaluate the harvest of uncaught 2019 NLS-West allocation in FY 2021 to NLS-S Access Area” as part of Framework Adjustment 33.

Roll call vote:

Yes: Gates, McKenzie and Pentony

No: Alexander, Balzano, Bellavance, Etrie, Godfroy, Patterson, Salerno, Ware, Olszewski, Pappalardo, Griffin, Reid and Sissenwine

Abstain: Tracy

The motion to amend *failed* on a show of hands (3/13/1).

The main motion:

that the Council add “evaluate the harvest of uncaught 2019 Nantucket Light Ship (NLS)-West allocation in FY 2021 in NLS-S Access Area” as part of Framework Adjustment 33 and 2020 work priorities.

Roll call vote:

Yes: Pentony, McKenzie and Gates

No: Sissenwine, Reid, Griffin, Pappalardo, Olszewski, Ware. Salerno, Patterson, Godfroy, Etrie, Bellavance, Balzano and Alexander  
Abstain: Tracy

The motion *fails* on a roll call vote (3/13/1).

13. Mr. Balzano moved on behalf of the Committee:  
recommend that that Council send a letter to NMFS requesting that a bulletin be sent to all scallop permit holders (LA and LAGC IFQ) advising of fixed gear in the area of Lobster Area 4 and reminding vessels to avoid fixed gear, and including details about how fixed gear is likely to be set.

The Council agreed by consensus with two abstentions, Mr. Pentony and Mr. Reid.

### **ECOSYSTEM-BASED MANAGEMENT (EBFM) COMMITTEE REPORT**

14. Mr. Pappalardo moved on behalf of the Committee:  
That the Council adopt the current EBFM materials as a foundation for the basis for future outreach workshops.

The Council agreed by consensus.