

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**Hotel Viking, Newport, RI**  
**December 5-7, 2017**  
**FINAL MOTIONS**

**Tuesday, December 5, 2017**

**SKATE COMMITTEE REPORT**

1. Dr. McKenzie moved and Mr. Gibson seconded:  
that the Council select Option 2 Section 4.3.2 (Exempt vessels fishing in the NAFO Regulated Area from domestic skate regulations, except for the prohibition on possession, retaining, or landing prohibited species) as the preferred alternative.

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

2. Dr. McKenzie moved and Ms. Etrie seconded:  
that the Council submit Framework Adjustment 5 to the Northeast Skate Complex FMP to GARFO.

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

**HERRING COMMITTEE**

**Amendment 8**

3. Mr. Kendall moved on behalf of the Committee:  
the Council declines to identify a preferred alternative for the measures to address potential localized depletion and user conflicts in Amendment 8 and approves the document for public hearings with no preferred alternative.
- 3a. Dr. Pierce moved to substitute and Dr. Sissenwine seconded:  
to adopt as the Amendment 8 preferred alternatives, Alternative #4: prohibit midwater trawl gear inside of 12 nautical miles with spatial sub-Option B (Areas 1B and 3) and seasonal sub-Option B (for the months of June through September), and Alternative 9 (eliminate seasonal closure of Area 1B (Jan-April)).

The motion to substitute *failed* on a show of hands (1/15/1).

Main motion:

the Council declines to identify a preferred alternative for the measures to address potential localized depletion and user conflicts in Amendment 8 and approves the document for public hearings with no preferred alternative.

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

## **RSA Priorities**

4. Mr. Kendall moved on behalf of the Committee:  
that the Council endorses the combined PDT/AP recommendations for Herring RSA research priorities, not in priority order.
  1. Portside sampling and bycatch avoidance (e.g. river herring/shad, and haddock).
  2. Stock structure / spatial management  
In particular, continued work on distinguishing among stocks (e.g. morphometrics) and identifying stock of origin from mixed catches, identifying the relative size of stock components, movements and mixing rates, degree of homing, and potential effects of climate change. This information could help development of a spatially explicit stock assessment model and inform appropriate apportionment of sub-ACLs and management uncertainty.
  3. Research spawning dynamics  
Including life history, gear interactions, spatial patterns, etc. Information about whether gear interactions disrupt spawning and negatively affect recruitment (i.e. egg disposition and survival) success would be particularly beneficial.
  4. Localized depletion  
Studies to evaluate the influence of localized depletion of herring on their predators. For example, projects that directly measure the potential influences of depleting herring on predator distributions, such as a before-after control impact study (BACI experiment), or other related research.
  5. Evaluate the discard rates and mortality of released fish in the purse seine fishery.
- 4a. Mr. Kendall moved to amend and Mr. Bellavance seconded:  
the Council adopts the combined PDT/AP recommendations for Herring RSA research priorities, not in priority order, including the addition of an issue ASMFC raised several years ago related to researching the timing and magnitude of offshore Atlantic herring spawning events.
  1. Portside sampling and bycatch avoidance (e.g. river herring/shad, and haddock).
  2. Stock structure / spatial management  
In particular, continued work on distinguishing among stocks (e.g. morphometrics) and identifying stock of origin from mixed catches, identifying the relative size of stock components, movements and mixing rates, degree of homing, and potential effects of climate change. This information could help development of a spatially explicit stock assessment model and inform appropriate apportionment of sub-ACLs and management uncertainty.
  3. Research spawning dynamics  
Including life history, gear interactions, spatial patterns, etc. For example, research related to the timing and magnitude of herring spawning events in offshore areas of Nantucket Shoals and Georges Bank. In addition, information about whether gear interactions disrupt spawning and negatively affect recruitment success (i.e. egg disposition and survival) would be particularly beneficial.
  4. Localized depletion  
Studies to evaluate the influence of localized depletion of herring on their predators. For example, projects that directly measure the potential influences of depleting

- herring on predator distributions, such as a before-after control impact study (BACI experiment), or other related research.
5. Evaluate the discard rates and mortality of released fish in the purse seine fishery.

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

## **GROUND FISH COMMITTEE REPORT**

### **Framework Adjustment 57**

#### *Annual Catch Limits*

1. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.1.1 Annual Catch Limits: 4.1.1.2 Option 2- Revised Annual Catch Limit Specifications with the following adjustments:
  1. Gulf of Maine cod percentage value for the state sub-component of 10% for FY2018-FY2020,
  2. Atlantic halibut remains at the FY2017 percentage value for the state sub-component of 20% of U.S. ABC (e.g., at 125mt ABC is 25mt) not to exceed a value of 50mt for FY2018-FY2020, and
  3. Gulf of Maine winter flounder remains at the FY2017 percentage value for the state sub-component of 15% for FY2018-FY2020.

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

2. Mr. Stockwell moved on behalf of the Committee:  
that the Council accept the SSC's OFL and ABC recommendations once made and without objection for Atlantic halibut for FY2018-FY2020.

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

3. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.1.1 Annual Catch Limits 4.1.1.2.1 sub-Option 1- Updates to Common Pool Vessel Accountability Measures -Target (Trimester) Total Allowable Catch (TAC): 4.1.1.2.1.2 Option 2- Revised Common Pool Vessel Trimester Total Allowable Catch (TAC) Apportionments.

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

4. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.1.1 Annual Catch Limits: 4.1.1.2.2 Sub-Option 2- Atlantic Sea Scallop Fishery Sub-ACL for Southern New England/Mid-Atlantic Yellowtail Flounder.

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

5. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.2.1 Authority for Common Pool Trimester Total Allowable Catch (TAC) Apportionment Changes: 4.2.1.2 Option 2-Broaden Regional Administrator Authority to Modify Common Pool Trimester TACs and/or AM Closures.

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

6. Mr. Stockwell and Mr. Kendall seconded:  
that the Council selects as preferred in 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.2 Sub-Option 2B: Modified Gear Restricted Areas to remove the Fixed Gear AM Area 1 (on Stellwagen Bank), to exempt longline gear from the fixed gear AM areas (Fixed Gear Area 1 and 2), and to allow in Fixed Gear Area 2 (on Platts Bank) fishing by gillnets from November to February.

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

7. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.2 Sub-Option 2B-Modified Gear Restricted Areas to allow standard trawl gear from April 1 through July 31 in the area between 41 degrees 40 minutes and 42 degrees.

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

8. Mr. Stockwell and Mr. Godfroy seconded:  
That the Council selects as preferred in 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.1 Sub-Option 2A- Reactive AM of No Possession would apply to all Federal Permit Holders with the addition of exempting party/charter permits.

The motion was perfected to read:  
that the Council selects as preferred in 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.1 Sub-Option 2A- Reactive AM of No Possession would apply to all Federal Permit Holders. However, recreational vessels would still be permitted to land one legal sized Atlantic halibut per trip.

The Council agreed by consensus to table this motion until later this afternoon.

### *Windowpane Flounder Measures*

9. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.3.1.2 Southern Windowpane Flounder Accountability Measures for Large-Mesh Non-Groundfish Fisheries: 4.3.1.2.2.1 sub-Option 2A-Extension of FW 52 Provisions to Large-Mesh Non-Groundfish Trawl Fisheries, and 4.3.1.2.2.2 Sub-Option 2B-Modified Gear Restricted Areas.

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

### *Accountability Measures Policy for Scallop Fishery*

10. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.3.1.3.1 Scallop Fishery AM Implementation Policy: 4.3.1.3.1.2 Option 2- Extend the Temporary Change to the Scallop Fishery AM Implementation Policy to the SNE/MA Yellowtail Flounder Stock.

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

### *Recreational Management Measures*

11. Mr. Stockwell moved on behalf of the Committee:  
that the Council selects as preferred in 4.3.1.4 Recreational Fishery Measures: 4.3.1.4.2.2 Option 2-Temporary Administrative Measure to allow the Regional Administrator authority to adjust the Recreational Measures for Georges Bank Cod.

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

12. Mr. Stockwell moved and Mr. Terry Alexander seconded:  
the Council recommends that for Georges Bank cod to use the five-year recent calendar (2012- 2016) recreational catch (landings and discards) from the 2017 assessment as a recreational catch target for FY2018-FY2020.

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

### *Tabled original motion:*

That the Council selects as preferred in 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.1 Sub-Option 2A- Reactive AM of No Possession would apply to all Federal Permit Holders with the addition of exempting party/charter permits.

### *Perfected tabled motion:*

Mr. Stockwell moved and Mr. Godfroy seconded:  
That the Council selects as preferred in 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.1 Sub-Option 2A- Reactive AM of No Possession would apply to all Federal Permit Holders with the addition of exempting party/charter, HMS angling, and HMS charter/headboat permits.

13. Ms. Griffin moved to substitute and Ms. Mendelson seconded:  
that the Council selects as preferred 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.1 Sub-Option 2A - Reactive AM of No Possession would not apply to non-groundfish federal permit holders in the EEZ with the addition of exempting party/charter permits, HMS angling and HMS charter/headboat. No changes would be made to how the AM is applied currently to commercial groundfish federal permit holders.

The motion was withdrawn by its maker.

The main motion:

Mr. Stockwell moved and Mr. Godfroy seconded:  
that the Council selects as preferred in 4.3.1.1 Atlantic Halibut Accountability Measures for Federal Fisheries: 4.3.1.1.2.1 Sub-Option 2A- Reactive AM of No Possession would apply to all Federal Permit Holders with the addition of exempting party/charter, HMS angling, and HMS charter/headboat permits.

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

14. Mr. Stockwell moved and Mr. Terry Alexander seconded:  
to submit Framework Adjustment 57 as amended today to the National Marine Fishery Service.

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

## **OTHER BUSINESS**

Held over from the American Lobster discussion

The Council agreed by consensus to approve and send the comment letter to ASMFC regarding Draft Lobster Addendum XXVI.

**Thursday, December 7, 2017**

## **2018 COUNCIL PRIORITIES**

1. Mr. Stockwell moved and Mr. Terry Alexander seconded:  
that the Council approves the 2018 priorities as recommended by the Executive Committee.

### **Groundfish**

- 1a. Mr. Stockwell moved to amend and Mr. Godfroy seconded:  
to amend the priorities for Groundfish for 2018 to delete P/C eVTR and prioritize scoping limited entry for party/charter permits.

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

- 1b. Mr. Grout moved to amend and Dr. Sissenwine seconded:

To amend the priorities for Groundfish for 2018 by adding “the timing of recreational management measures” be a groundfish priority for 2018 and deleting recreational sub-ACL for Georges Bank cod.

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

- 1c. Ms. Etrie moved and Mr. Terry Alexander seconded:  
to amend the priorities for Groundfish for 2018 to include all regulatory requirements and Amendment 23 and by clarifying that work on Amendment 23 includes utilization of workshops/expanded PDT meetings for development of technical elements i.e. EM, DSM etc. and a working group to discuss the topic of how fishery dependent data can be used to inform stock abundance.

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

- 1d. Mr. Reid moved to amend and Mr. Bellavance seconded:  
to amend the Groundfish priorities for 2018 to add consideration of windowpane flounder as an ecosystem component species.

The motion *carried* on a show of hands (10/6/1).

- 1e. Mr. Grout moved to amend and Mr. Stockwell seconded:  
to amend the Groundfish priorities to add the windowpane ecosystem component species priority under the EBFM Committee priorities.

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

### Scallops

- 1f. Mr. Stockwell moved to amend and Mr. Terry Alexander seconded:  
to amend the Scallop priorities for 2018 by deleting NGOM management from the 2018 Scallop priority list.
- 1g. Mr. Pappalardo moved to further amend and Mr. Gibson seconded:  
to add consideration of increasing of general category trip limits.

The motion to amend *carried* on a show of hands (11/3/3).

The main motion:

to amend Scallop priorities for 2018 to delete NGOM management from the 2018 Scallop priority list and add consideration of increasing of general category trip limits.

- 1h. Dr. Sissenwine moved to split the motion and Mr. Terry Alexander seconded:  
1.) To delete NGOM management from the 2018 Scallop priority list.  
2.) Consideration of increasing of general category trip limits.

The motion to split *carried* (9/7/1).

Split motion:

1.) To delete NGOM management from the 2018 Scallop priority list.

1i. Mr. Grout moved to amend that NGOM 2018 priority from annual to multi-year.

The motion was *withdrawn* by its maker.

Split motion:

1.) To delete NGOM management from the 2018 Scallop priority list.

The motion *carried* on a show of hands (11/5/1).

Split motion:

2) Consideration of increasing of General Category trip limits.

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

### Skates

1j. Mr. Gibson moved to amend and Mr. Bullard seconded:  
to amend the Skate priorities for 2018 to include consideration of wing possession limit.

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

### Groundfish Cont'd.

1k. Mr. Grout moved to amend and Mr. Bellavance seconded:  
to amend Groundfish priorities for 2018 by adding that the Council form a Recreational Fisheries Committee to work on developing management actions to address Council priorities related to recreational fisheries managed by the Council. The Committee's work would be supported by a Plan Development Team that would, at a minimum, include persons with expertise and understanding of MRIP, the bioeconomic model currently used to guide the development of cod and haddock measures, and general knowledge and understanding of recreational fisheries managed by NEFMC. The Council's Recreational Advisory Panel would report to Recreational Fisheries Committee.

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

1l. Mr. Kendall moved and Dr. McKenzie seconded:  
to reconsider Motion 1d regarding consideration of windowpane flounder as an ecosystem component species.

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

Reconsidered Motion:

to amend the Groundfish priorities for 2018 to add consideration of windowpane flounder as an ecosystem component species.



The motion ***failed*** on a show of hands (8/9/0).

### Scallops Cont'd

- 1m. Dr. Sissenwine moved to amend and Mr. Bullard seconded:  
to amend Scallop priorities for 2018 by moving to add a multi-year priority to address management of the scallop fishery in the Northern Gulf of Maine, with the understanding that there will be minimal progress in 2018.

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

- 1n. Mr. Stockwell moved and Mr. Pappalardo seconded:  
that the Council approve the 2018 Council Priorities as recommended by the Executive Committee as amended.

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

## SCALLOPS

### Framework 29

#### *OFL and ABC*

1. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Section 4.1, Alternative 2 (4.1.2) Updated OFL and ABC for FY 2018 and FY 2019 (default) as preferred.

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

#### *Northern Gulf of Maine*

2. Mr. Balzano moved and Mr. Stockwell seconded:  
that the Council select Alternative 2, Option 2b, sub-Option 1b (4.2.2.2.1b) in Section 4.2 as preferred. This measure would:
1. Set the NGOM TAC at  $F=0.18$  (FY 2018 overall TAC of 200,000 lbs, and FY 2019 overall TAC of 135,000 lbs)
  2. Split the NGOM TAC between the LA and LAGC, with the first 70,000 lbs going to the LAGC, and remainder split 50/50 between the LA and LAGC components.
  3. The LA portion of the TAC would be available for RSA compensation fishing only.

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

3. Mr. Balzano moved on behalf of the Committee:  
the Council supports the following process for awarding NGOM RSA:
1. Successful projects indicate interest in fishing NGOM RSA
  2. Priority is given to projects doing research in NGOM
  3. NMFS only allocate NGOM RSA pounds up to the LA TAC

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

#### *Closed Area I Carryover*

4. Mr. Balzano moved on behalf of the Committee:  
the Council select in Alternative 2 (4.3.2), allocate Limited Access Closed Area I carryover pounds for FY 2018, contingent upon OAH2 approval, in Section 4.3 as preferred.

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

#### *Specifications Alternatives*

5. Mr. Balzano moved on behalf of the Committee:  
that the Council select Alternative 4, sub-Option 2 (4.4.4.2) in Section 4.4 as preferred if both CAI and NLS-West are open through passage of OHA2. (6 access area trips and open area F=0.295 with 24 DAS).  
The Council select Alternative 5, sub-Option 2 (4.4.5.2) as preferred if only NLS-West is open through passage of OHA2. (5 access area trips and open area F=0.40 with 31 DAS).  
The Council select Alternative 6 (4.4.6) as preferred if only CAI is open through passage of OHA2. (5 access area trips and open area F=0.36 with 23 DAS).  
The Council select Alternative 2, sub-Option 2 (4.4.2.2) as preferred for FW 29 specifications if there is no change through OHA2. (5 access area trips and open area F=0.4 and 26 DAS).

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

#### *LAGC IFQ Access Area Fishing*

6. Mr. Balzano moved on behalf of the Committee:  
that the Council select Alternative 2 (4.5.1.2) as preferred in Section 4.5.1, allocate to the total number of LAGC IFQ trips in access areas at 5.5% of total access area allocations. (2,855 trips for 5 trip AA option, and 3,426 trips for 6 AA option).and the Council select Alternative 2 (4.5.2.2) in as preferred Section 4.5.2, allocate access area trips proportional to allocations in each area, and allocate the equivalent of CAII trips even to Georges Bank access areas.

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

#### *FY 2019 Default Measures*

7. Mr. Balzano moved on behalf of the Committee:  
that the Council set default measures for FY 2019 at 75% of FT LA DAS from FY 2018, and one 18,000 lb access area trip in Mid-Atlantic Access Area. The LAGC IFQ quota would be set at 75% of the FY2018 LAGC IFQ allocation. The number of LAGC IFQ access area trips would be set at 5.5% of the total access area allocation for default measures.

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

#### *Additional Measures to Reduce Fishery Impacts*

8. Mr. Balzano moved on behalf of the Committee:  
that the Council select Alternative 2 (4.6.2) as preferred in Section 4.6 for measures to reduce scallop fishery impacts. (Prohibit RSA compensation fishing in CAII, and restrict RSA compensation fishing in the NGOM up to the LA TAC)

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

#### *Flatfish Accountability Measures*

9. Mr. Balzano moved on behalf of the Committee:  
the Council select the following alternatives as preferred to address flatfish accountability measures:
1. Select Alternative 3, sub-option 1 (4.7.3.1), Reactive Accountability Measures in Closed Area II and Extension (Large AM – year round GRA), in Section 4.7, as preferred for Northern Windowpane flounder.
  2. Select Alternative 3, sub-option 1 (4.8.3.1) Reactive Accountability Measures in Closed Area II and Extension (Large AM – year round GRA), in Section 4.8 as preferred for Georges Bank Yellowtail flounder.
  3. Select Alternative 2 (4.9.2), Reactive gear restricted area accountability measures for LA ad LAGC, in Section 4.9, as preferred for SNE/MA Yellowtail flounder.

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

10. Mr. Balzano moved and Mr. Pappalardo seconded:  
that the Council approve Framework Adjustment 29 for submission to the National Marine Fisheries Service.

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

### **WHITING COMMITTEE REPORT**

#### **2018-2020 Specifications**

11. Mr. Gibson moved and Mr. Balzano seconded:  
to approve the 2018-2020 Specifications Package and submit it to NMFS.

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

#### **Amendment 22**

12. Mr. Gibson moved on behalf of the Committee:  
to remove the tiered, triggered possession limit reduction alternatives (Alternatives 3 for Category II and Incidental Permits in Action 2) from the Amendment (draft at the committee meeting).

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

13. Mr. Gibson moved and Mr. Balzano seconded:  
to approve Draft Amendment 22 and DEIS for submission to NMFS for review and public comment.

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