

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**January 26-28, 2021**  
**Via Webinar**

**FINAL MOTIONS**

**Tuesday, January 26, 2021**

**GROUNDFISH COMMITTEE REPORT**

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

*4.4 Action 4 – Commercial Fishery Measures for Sectors*

1. Mr. Alexander moved on behalf of the Committee:
    1. that the Council adopt the following clarification: annual and monthly thresholds are intended to provide more defined performance standards, accountability, and transparency to achieve the goals and objectives of 4.4.2 Alternative 2 – Universal Sector Exemption for Redfish.
    2. that the Council include in 4.4.2 Alternative 2 – Universal Sector Exemption for Redfish: The purpose is to establish a universal exemption, rather than an annual exemption, to increase stability and certainty for current and potential participants and improve Council control and oversight of the fishery.  
The goal of the redfish universal sector exemption is to achieve optimum yield of the redfish resource.  
Objectives include:
      1. Allow use of an efficient mesh size codend to facilitate harvest of redfish.
      2. Increase the harvest of redfish while reducing to the extent practicable bycatch of other groundfish stocks.
      3. Restore flexibility lost with 2020 contraction of the redfish exemption area.
      4. Remove areas from the exemption which provide little opportunity to effectively target redfish, or little ability to achieve exemption performance thresholds.
    3. that the Council recommends that NMFS/GARFO be tasked with monitoring and enforcement of any thresholds and recommends this be clarified in the alternative. Sectors would be responsible for complying with the exemption (as with all sector provisions).
    4. that the Council include in the alternative a review to occur the next time the redfish stock is assessed. The review could include evaluation of the monthly and annual thresholds performance, vessel-level performance, bycatch of other groundfish stocks, any observed changes in selectivity, as well as purpose, goals, and objectives but is not limited to these criteria. The Groundfish PDT would prepare a report to the Groundfish Committee.
- Roll call vote:

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

No:

Abstain: Dr. McKenzie and Mr. Pentony

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

2. Mr. Alexander moved on behalf of the Committee:  
that the Council select 4.4.2 – Alternative 2 (Universal Sector Exemption for Redfish) and 4.4.2.1 Performance Standards/Accountability Measures 4.4.2.1.1 Option A (Performance Standards for Monthly Redfish Landings Threshold and Groundfish Discards) and 4.4.2.1.2 Option B (Annual Redfish Landings Threshold and Performance Standards) as modified today as the preferred alternative.

Roll call vote:

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

No: Dr. McKenzie

Abstain: Mr. Pentony

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

3. Mr. Alexander moved and Ms. Etrie seconded:  
that the Council submit Framework Adjustment 61 as amended today to GARFO.

Roll call vote:

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

No: Dr. McKenzie

Abstain: Mr. Pentony

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

4. Mr. Alexander moved on behalf of the Committee:  
that the Council recommend “status quo” measures for Fishing Year 2021, as:  
Gulf of Maine cod

- Private mode: Open Season: September 15-30 and April 1-14
- Party/Charter: Open Season: September 8-October 7 and April 1-14
- Bag Limit: 1 fish
- Minimum Size: 21 inches

Gulf of Maine haddock

- Open Season: May 1 – February 28 and April 1-30
- Bag Limit: 15 fish

- Minimum Size: 17 inches

Roll call vote:

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

No: Dr. McKenzie

Abstain: Mr. Pentony

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

### **Wednesday, January 27, 2021**

### **REPORTS ON RECENT ACTIVITIES**

#### **Chairman's Report**

The Council agreed by consensus to increase the SSC stipend to \$300 per day and remove from the Operations Handbook the definition that says eight members constitute a quorum for Scientific and Statistical Committee meetings.

### **SCALLOP COMMITTEE REPORT**

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

1. Mr. Balzano 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 FY2021 and FY2022, as preferred.

Roll call vote:

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

No:

Abstain:

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

#### **Action 2 – Northern Gulf of Maine TAC Setting**

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

that the Council select in Action 2, Northern Gulf of Maine TAC setting, Alternative 2 (4.2.2), set the NGOM TAC, with first 70,000 lbs to LAGC, then 50/50 split between LA and LAGC, as the preferred alternative. Select as preferred:

- Option 2 in Section 4.2.2.1.2 - Set NGOM TAC for 2021 at F=0.20, NGOM TAC of 175,000 pounds, LAGC share 122,500 pounds.
- Sub-Option 1 in Section 4.2.2.2.1 - Set the NGOM TAC for 2022 at F=0.20, NGOM of TAC 74,000 pounds, LAGC Share 72,000 pounds. The Stellwagen Bank closure in place for FY2021 would remain in place for FY2022.

The Council agreed by consensus.

### Action 3 – Fishery Specifications

3. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 3, Alternative 5 Option 1 (4.3.5.1), Four Access Area Trips, with 1 trip to the Mid-Atlantic Access Area, and open areas fished at F=0.3 (24 DAS). This would allocate the following:

- 1 trip to Mid-Atlantic Access Area
- 1.5 trips to Nantucket Lightship – South Access Area
- 1.5 trips to CAII-SW + CAII-Ext Access Area
- Full Time Limited Access trip limit of 18,000-lbs.

CAI would remain a rotational area designated for LAGC Access Area trips and RSA compensation fishing only. In addition to standard default measures, allocate 1 trip to the MAAA as a default measure for FY2022, with the MAAA opening on May 1, 2022.

The Council agreed by consensus.

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

4. Mr. Balzano 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 Closed Area II Access Area Allocation to CAI Only, as preferred. The access area trip allocations for the LAGC IFQ for FY 2021 would be:

- 571 in the MAAA
- 856 in the NLS-S
- 856 in CAI

The Council agreed by consensus.

### Action 5.1 – RSA Compensation Fishing

5. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 5.1, RSA compensation fishing, Alternative 2, allow RSA compensation fishing in open areas and the Mid-Atlantic Access Area, NLS-South, Closed

Area II (June 1 – August 15 only), and Closed Area I, with limited RSA compensation fishing in the NGOM Management Area, as preferred.

The Council agreed by consensus.

Action 5.2 - Seasonal Closure of Closed Area II Access Area to Reduce Impacts on Georges Bank Yellowtail Flounder and Northern Windowpane Flounder

6. Mr. Balzano moved on behalf of the Committee:  
that the Council select in Action 5.2 – Seasonal Closure of Closed Area II Access Area to Reduce Impacts on Georges Bank Yellowtail Flounder and Northern Windowpane Flounder, Alternative 2 (4.5.2.2), Extend the (Aug. 15 – Nov. 15) Seasonal Closure of Closed Area II Access Area through November 30th in FY 2021 and Include CAII-Ext in the Seasonal Closure, as preferred.

The Council agreed by consensus.

7. Mr. Balzano moved and Mr. Pappalardo seconded:  
to submit Framework 33 to the Scallop FMP to GARFO, as recommended by the Council today.

Roll call vote:

Yes: Mr. Gates, Mr. Alexander, Mr. Balzano, Mr. Bellavance, Ms. Etrie, Mr. Godfroy, Ms. Patterson, Mr. Salerno, Ms. Smith, Dr. McKenzie, Mr. Olszewski, Mr. Pappalardo, Ms. Griffin, Mr. Reid, Dr. Sissenwine and Mr. Tracy

No:

Abstain: Mr. Pentony

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

**Thursday, January 28, 2021**

**SMALL-MESH MULTISPECIES (WHITING) COMMITTEE REPORT**

Specifications

1. Mr. Bellavance moved and Mr. Godfroy seconded:  
that the Council approve Alternative 2, Option B for Action 1, Section 4.1.2 and 4.1.2.2.

The Council agreed by consensus.

2. Mr. Bellavance moved and Mr. Reid seconded:  
that the Council approve Alternative 2 (90% TAL trigger for northern red hake) for Action 2, Section 4.2.2.

The Council agreed by consensus.

3. Mr. Bellavance moved and Mr. Godfroy seconded:  
that the Council approve Alternative 3 (15,000 lbs. whiting possession limit) for Action 3,  
Section 4.3.3.

Roll call vote:

Yes: Mr. Aarrestad, Mr. Alexander, Mr. Balzano, Mr. Bellavance, Ms. Etrie, Mr. Godfroy,  
Ms. Patterson, Mr. Salerno, Dr. McKenzie, Mr. Olszewski, Mr. Pappalardo, Mr. Pentony,  
Ms. Griffin, Mr. Reid, Dr. Sissenwine and Mr. Tracy

No:

Abstain: Ms. Ware

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

4. Mr. Bellavance moved and Mr. Alexander seconded:  
that the Council approve the Fishing Years 2021-2023 Small-Mesh Fishery Specifications  
and authorize the Executive Director to submit a finished document to NOAA Fisheries for  
approval.

Roll call vote:

Yes: Mr. Aarrestad, Mr. Alexander, Mr. Balzano, Mr. Bellavance, Ms. Etrie, Mr. Godfroy,  
Ms. Patterson, Mr. Salerno, Ms. Ware, Dr. McKenzie, Mr. Olszewski, Mr. Pappalardo, Ms.  
Griffin, Mr. Reid, Dr. Sissenwine and Mr. Tracy

No:

Abstain: Mr. Pentony

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

### Whiting Priorities

5. Mr. Bellavance moved and Mr. Balzano seconded:  
that the Council change the 2021 priorities to initiate additional work on analyzing why the  
northern whiting fishery is not achieving OY and develop measures to allow greater  
resource utilization.

Roll call vote:

Yes: Mr. Balzano, Ms. Etrie and Mr. Tracy

No: Mr. Aarrestad, Mr. Alexander, Mr. Bellavance, Mr. Godfroy, Ms. Patterson, Mr.  
Salerno, Ms. Ware, Dr. McKenzie, Mr. Olszewski, Mr. Pappalardo, Ms. Griffin, Mr. Reid,  
Dr. Sissenwine

Abstain: Mr. Pentony

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

## **HABITAT COMMITTEE REPORT**

6. Mr. Reid moved and Mr. Bellavance seconded:  
that the Council send a comment letter to BOEM regarding the Draft Environmental Impact Statement for the South Fork Wind Farm.

The Council agreed by consensus with Mr. Pentony abstaining.

## **NORTH ATLANTIC RIGHT WHALES**

7. Ms. Etrie moved and Dr. Sissenwine seconded:  
that the Council direct staff to send the draft letter with edits from today to GARFO considering Council comments regarding the Atlantic Right Whale Proposed Rule.

Roll call vote:

Yes: Mr. Aarrestad, Mr. Alexander, Mr. Balzano, Mr. Bellavance, Ms. Etrie, Mr. Godfroy, Mr. Salerno, Ms. Ware Mr. Olszewski Mr. Reid Dr. Sissenwine Mr. Tracy

No: Dr. McKenzie

Abstain: Ms. Patterson Mr. Pentony Ms. Griffin

The motion *carried* on a roll call vote (12/1/3).

## **OTHER BUSINESS**

8. Mr. Bellavance moved and Mr. Alexander seconded:  
the Council send a letter to NMFS supporting current efforts to explore the potential use of closing the herring fishery when it is approaching a sub-ACL by VMS notification rather than a notice in the Federal Register.

The Council agreed by consensus with Mr. Pentony abstaining.

9. Mr. Reid moved and Ms. Griffin seconded:  
that the staff is directed to send a letter to the Department of the Interior reiterating the Council's position that the Council should remain responsible for managing fisheries (as prescribed by the Magnuson-Stevens Act) within the Northeast Canyons and Seamounts Marine National Monument.

Roll call vote:

Yes: Mr. Alexander, Mr. Balzano, Mr. Bellavance, Ms. Etrie, Mr. Godfroy, Ms. Patterson, Mr. Salerno, Ms. Ware, Ms. Griffin, Mr. Reid, Dr. Sissenwine and Mr. Tracy

No: Dr. McKenzie

Abstain: Mr. Aarrestad, Mr. Olszewski and Mr. Pentony

The motion *carried* on a roll call vote (12/1/3).