

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
Sheraton Harborside Hotel, Portsmouth, NH
January 29-31, 2013
MOTIONS

Tuesday, January 29, 2013

MONKFISH

1. Mr. Dempsey moved on behalf of the committee:
that the Council send a letter to the Regional Administrator regarding NERO's ability to provide in a timely manner the data necessary for the purpose of developing a sector management or ITQ program for monkfish.

- 1a. Dr. Pierce moved to amend and Mr. Preble seconded:
to insert after the wording "Amendment 6" (7th line): "In addition, we also need to know the Agency's ability, and time required, to notify permit holders of their specific monkfish allocations or PSE shares, by management area, for each of the sector or ITQ-like options."

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

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

HERRING

2. Mr. Grout moved and Mr. T. Alexander:
to adopt Alternative 2 under Section 2.1.1 of Framework Adjustment 2 to allow seasonal (by month) splitting of any management area sub-ACL.

The motion **carried** on a show of hands with one recusal, Ms. Tooley (16/0/0/1).

3. Mr. Grout moved and Mr. Stockwell seconded:
to adopt Alternative 2, Option 1 under Section 2.1.2 of Framework Adjustment 2 to allow up to 10% of un-utilized sub-ACL in a management area to be carried over from one fishing year to the corresponding sub-ACL for the following fishing year, but the stock-wide ACL would remain unchanged.

The motion **carried** on a show of hands with one recusal, Ms. Tooley (16/0/0/1).

4. Mr. Grout moved and Mr. Dempsey seconded:
to submit Framework Adjustment 2 to NMFS for approval.

The motion **carried** on a show of hands with one recusal, Ms. Tooley (15/0/1/1).

SPECIFICATIONS PACKAGE MOTIONS

5. Mr. Grout moved and Mr. McKenzie seconded:
to adopt a research set aside of up to 3% for each management area under Section 2.2.3.

- 5a. Dr. Pierce moved to amend and Mr. Stockwell seconded:
to adopt a research set aside of up to 3% for each management area under Section 2.2.3 and that the highest priority for cooperative research be river herring bycatch avoidance and portside sampling.

The motion to amend **carried** on a show of hands with one recusal, Ms. Tooley (16/0/0/1).

The main motion, as amended, **carried** on a show of hands with one recusal, Ms. Tooley (16/0/0/1).

6. Mr. Grout moved and Mr. Stockwell seconded:
to adopt a fixed gear set-aside of 295 mt for fixed gear fishermen fishing in Area 1A west of Cutler, Maine for 2013 -2015.

The motion **carried** on a show of hands with one recusal, Ms. Tooley (15/0/0/1).

7. Mr. Grout moved and Mr. Preble seconded:
to adopt the following hybrid option developed by the advisory panel for sub-ACLs among the four herring management areas for 2013-2015:

	2010-2012	2013-2015
OFL (mt)	145,000/134,000/127,000	169,000/136,000/114,000
ABC (mt)	106,000	114,000
ACL (mt)	91,200	107,800
Sub-ACL Area 1A	26,546 (29%)	31,200
Sub-ACL Area 1B	4,362 (5%)	4,600
Sub-ACL Area 2	22,146 (24%)	30,000
Sub-ACL Area 3	38,146 (42%)	42,000
3% Research Set-Asides (RSAs)		107,800
Area 1A Fixed Gear Set-Aside – 295 mt		

- 7a. Mr. Stockwell moved to amend and Mr. Balzano seconded:
to adopt the following hybrid option developed by the advisory panel for sub-ACLs among the four herring management areas for 2013-2015:

	2010-2012	2013-2015
OFL (mt)	145,000/134,000/127,000	169,000/136,000/114,000
ABC (mt)	106,000	114,000
ACL (mt)	91,200	107,800
Sub-ACL Area 1A	26,546 (29%)	32,000
Sub-ACL Area 1B	4,362 (5%)	5,800
Sub-ACL Area 2	22,146 (24%)	30,000
Sub-ACL Area 3	38,146 (42%)	40,000
3% Research Set-Asides (RSAs) Area 1A Fixed Gear Set-Aside – 295 mt		107,800

The motion to amend **failed** on a show of hands with one recusal, Ms. Tooley (5/11/0/1).

The main motion **carried** on a show of hands with one recusal, Ms. Tooley (15/0/1/1).

8. Mr. Grout moved and Mr. Stockwell seconded:
to adopt the following seasonal sub-ACL splits for 2014-2015:
- Area 1A: 0% January-May; 100% June-December; and
 - Area 1B: 0% January-April; 100% May-December

- 8a. Dr. Pierce moved to amend and Mr. McKenzie seconded:
to adopt the following seasonal sub-ACL splits for 2014-2015:
- Area 1A: 0% January-May; 100% June-December; and
 - Area 1B: 0% January-April; 100% May-October and 0% November-December

The motion to amend **failed** on a show of hands with one recusal, Ms. Tooley (4/11/1/1).

The main motion **carried** on a show of hands with one recusal, Ms. Tooley (14/1/1/1).

9. Mr. Grout moved and Mr. McKenzie seconded:
to adopt the following specifications for 2013-2015 under Section 2.2.6:
- domestic annual harvest (DAH) = 107,800 mt
 - domestic annual processing (DAP) = 103,800 mt
 - border transfer (BT) = 4,000 mt
 - U.S. at-sea processing (USAP) = 0 mt

The motion **carried** on a show of hands with one recusal, Ms. Tooley (16/0/0/1).

10. Mr. Grout moved and Mr. Dempsey seconded:
to adopt Alternative 2 with Option A under Section 2.2.7 that would:
- reduce the trigger for closing the directed herring fishery in a management area to when 92% of the sub-ACL is projected to be reached (not including RSAs);
 - implement a trigger for closing the directed herring fishery in all management areas when 95% of the stock-wide ACL is projected to be reached;
 - implement an AM to require ACL/sub-ACL overage deductions based on in-season catch estimates.

This would apply to both sub-ACLs and the stock-wide ACL and require a direct deduction of an overage from the ACL/sub-ACL in the following fishing year.

- 10a. The motion was perfected to read:
to adopt Alternative 2 with Option A under Section 2.2.7 that would:
- reduce the trigger for closing the directed herring fishery in a management area to when 92% of the sub-ACL is projected to be reached (not including RSAs);
 - implement a trigger for closing the directed herring fishery in all management areas when 95% of the stock-wide ACL is projected to be reached;
 - status quo for overage deduction AM (one year lag).

The motion, as perfected, **carried** on a show of hands with one recusal, Ms. Tooley (10/4/0/1).

11. Mr. Grout moved and Mr. T. Alexander seconded:
to submit 2013-2015 specifications package to NMFS for approval.

The motion **carried** on a show of hands with one recusal, Ms. Tooley (14/0/1/1).

Wednesday, January 30, 2013

GROUND FISH

1. Mr. Stockwell moved on behalf of the committee:
that the Council direct the SSC and ask the NEFSC to evaluate, by the June Council meeting, whether reference points should be changed in light of current predator/prey relationships and changes in environmental conditions for the following stocks: Georges Bank cod, Georges Bank yellowtail flounder, Gulf of Maine haddock and Southern New England/Mid-Atlantic winter flounder. If changes in reference points are needed, those calculations should be made immediately.

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

2. Mr. Stockwell moved on behalf of the committee:
that the Council request NEFSC complete calculations, by the June Council meeting, for the appropriate reference points for the M_{ramp} GOM cod model using an F_{msy} proxy based on an MSP for $F_{40\%}$ and $M=0.4$ assumed moving forward.

- 2a. Dr. Pierce moved to substitute and Mr. Stockwell seconded:
request the NEFSC provide advice on the appropriate Gulf of Maine cod reference points for when natural mortality equals 0.40 and task the PDT to provide the ABC that would result with F40% MSP and M=0.40.

The motion to substitute **carried** on a show of hands (10/7/0).

The substitute motion **carried** on a show of hands (11/6/0).

3. Mr. Stockwell moved on behalf of the committee:
that the Council adopt an alternative rebuilding strategy through Framework Adjustment 50 that is to rebuild SNE/MA winter flounder by 2023 with a median probability of success. Short-term catch advice during the rebuilding period may be reduced below the projected rebuilding catch in order to account for uncertainty in stock projections.

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

4. Mr. Stockwell moved on behalf of the committee:
that the Council adopt an ABC for GOM cod for FY 2013 of 1,550 mt.

- 4a. Mr. T. Alexander moved to substitute and Mr. McKenzie seconded:
to adopt a catch strategy for 2013-2015 of 1,550 mt

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

Yes – M.Alexander, T.Alexander, Balzano, Blount, Bullard, Dempsey, Gibson, McKenzie, Preble, Stockwell, Tooley

No – Goethel, Grout, Kendall, Pierce, Quinn, Ramsden

Abstention(s) –

- 4b. Mr. Goethel moved to amend the substitute motion and Mr. Kendall seconded:
to close down the Gulf of Maine for 2013-2015 for directed groundfish [this applies to all gear capable of catching groundfish].

- 4c. Ms. Ramsden moved and Mr. Dempsey seconded:
to move the question.

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

The motion to amend the substitute **failed** on a show of hands (0/16/1).

- 4d. Mr. Grout moved to amend the substitute motion and Mr. Goethel seconded:
to adopt a catch strategy for 2013-2015 of 1,249 mt.

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

Yes – McKenzie, Grout

No - Tooley, Stockwell, Ramsden, Quinn, Preble, Pierce, Kendall, Goethel, Gibson, Dempsey, Bullard, Blount, Balzano, T. Alexander, M. Alexander

Abstention(s) –

- 4e. The substitute motion was voted:
to adopt a catch strategy for 2013-2015 of 1,550 mt.

The substitute motion **carried** on a roll call vote (13/4/0).

Yes – M. Alexander, T. Alexander, Balzano, Blount, Bullard, Dempsey, Gibson, Grout, Kendall, McKenzie, Preble, Stockwell, Tooley
No – Goethel, Pierce, Quinn, Ramsden

5. Mr. Stockwell moved on behalf of the committee:
that the Council increase the range for GOM cod ABCs from a low of 825 to a high of 4,330 mt.

The motion was **withdrawn** without objection.

6. Mr. Stockwell moved on behalf of the committee:
that the Council adopt an ABC of 2,506 mt for Georges Bank cod for FY 2013.

- 6a. Ms. Tooley moved to amend and Mr. Stockwell seconded:
that the Council adopt an ABC of 2,506 mt for Georges Bank cod for FY 2013-2015.

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

- 6b. Mr. Goethel moved to amend but it did not receive a second:
that the Council adopt an ABC of 1,550 mt for Georges Bank cod for FY 2013.

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

7. Mr. Stockwell moved on behalf of the committee:
that the Council adopt an ABC for SNE/MA winter flounder of 1,676 mt for FY 2013.

- 7a. Mr. Stockwell moved to amend and Mr. Grout seconded:
that the Council adopt an ABC for SNE/MA winter flounder of 1,676 mt for FY 2013-2015.

The motion to amend **carried** on a show of hands (15/1/0).

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

8. Mr. Stockwell moved on behalf of the committee:
that the Council adopt Option 2, Section 4.2.1.2, landing of SNE/MA winter flounder is permitted.

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

9. Mr. Stockwell moved on behalf of the committee:
that the Council adopt Section 4.2.2.2, AMs for SNE/MA winter flounder.

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

10. Mr. Stockwell moved and Mr. T. Alexander seconded:
to submit Framework Adjustment 50 to NMFS for approval.

The motion **carried** on a show of hands (12/4/1).

11. Mr. Stockwell moved and Mr. Dempsey seconded:
to submit the 2013-2015 groundfish specifications package to NMFS for approval.

The motion **carried** on a show of hands (12/4/1).

Thursday, January 31, 2013

OTHER BUSINESS

1. Mr. Grout moved and Mr. Preble seconded:
to initiate development of a framework adjustment for a river herring catch cap for the herring fishery.

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

2. Mr. T. Alexander moved and Ms. Ramsden seconded:
that the Council send a letter to the Regional Administrator requesting that the final Georges Bank PSP protocol rule allow the clam fishery to fish in any area where any bottom-tending mobile gear is allowed to fish.

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

Without objection, the Council agreed that nothing else be added to the Habitat Omnibus Amendment.

**Recusal Statement: As the herring vessels that I work with harvest an amount greater than the conflict of interest threshold I will be recusing myself on these final decisions on this action. – MaryBeth Tooley*