

NEW ENGLAND FISHERY MANAGEMENT COUNCIL
September 24-27, 2018
Hotel 1620
Plymouth, MA

FINAL MOTIONS

Monday, September 24, 2018

SMALL-MESH MULTISPECIES (WHITING) COMMITTEE

1. Mr. Balzano moved on behalf of the Committee:
to approve the list of regulation review recommendations, recognizing that some actions could be addressed through NOAA fisheries action and some issues could be addressed by a Council priority, including a regulation that prohibits transiting Closed Area II with small-mesh trawl gear aboard.

- 1a. Mr. Terry Alexander moved to amend and Mr. Balzano seconded:
to remove recommendations 11 & 13.

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

The main motion as amended:

to approve the list of regulation review recommendations as amended (removing recommendations 11 and 13), recognizing that some actions could be addressed through NOAA fisheries action and some issues could be addressed by a Council priority, including a regulation that prohibits transiting Closed Area II with small-mesh trawl gear aboard.

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

Tuesday, September 25, 2018

SCALLOP COMMITTEE REPORT

1. Mr. Balzano moved and Mr. Terry Alexander seconded:
that the Council direct the Scallop Plan Development Team to add a projection run considering:
 - 7 total AA trips, with 15,000 lbs. trip limit for Full Time limited access vessels.
 - 1 trip in Closed Area I
 - 1 trip in Closed Area II
 - 3 trips in Nantucket Lightship-West
 - 2 trips in Mid-Atlantic Access Area
 - Set open area F equal to $F=0.3$

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

2. Mr. Pappalardo moved and Mr. Terry Alexander seconded:
to initiate Framework 31 and add LAGC IFQ Possession Limits to that framework.

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

HERRING COMMITTEE

AMENDMENT 8

ABC Control Rule

3. Mr. Kendall moved on behalf of the Committee:
that the Council recommend Alternative 4b as the preferred alternative for the ABC control rule in Amendment 8 (Section 2.1.1), but modify the maximum fishing mortality (maxF) parameter to be 0.8 from 0.7, and recommend Alternative 2 for Section 2.1.2 as preferred, which would set ABC for three years with annual application of the control rule.
- 3a. Mr. Keliher moved to substitute and Mr. Alexander seconded:
recommend Alternative 1, designated as Strawman A, as the preferred alternative for the ABC control rule in Amendment 8 (Section 2.1.1), and recommend Alternative 2 for Section 2.1.2 as preferred, which would set ABC for three years with annual application of the control rule.

The motion to substitute *failed* on a show of hands (3/14/0).

Main motion:

that the Council recommend Alternative 4b as the preferred alternative for the ABC control rule in Amendment 8 (Section 2.1.1), but modify the maximum fishing mortality (maxF) parameter to be 0.8 from 0.7, and recommend Alternative 2 for Section 2.1.2 as preferred, which would set ABC for three years with annual application of the control rule.

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

Localized Depletion and User Conflicts

4. Mr. Kendall moved on behalf of the Committee:
that the Council recommend Alternative 4 as the preferred alternative for Section 2.2 of Amendment 8 to address potential localized depletion and user conflicts, but modified to extend the 12-mile buffer from the baseline of the territorial sea to include Area 1A so it is a coast wide prohibition of mid-water trawl gear inside of 12-nautical miles from the baseline of the territorial sea, including seasonal sub-Option A so it is year-round, and including spatial sub-Option A to include Areas 2, 3, and 1B.
- 4a. Mr. Reid moved to amend and Dr. McKenzie seconded:
that the Council select Alternative 4 as the preferred alternative for Section 2.2 of Amendment 8 to address potential localized depletion and user conflicts, but modified to

extend the 12-mile buffer from the baseline of the territorial sea to include Area 1A so it is a coast wide prohibition of mid-water trawl gear inside of 12-nautical miles from the baseline of the territorial sea, including seasonal sub-Option A so it is year-round, and including spatial sub-Option A to include Areas 2 [East of 71°, 51' W longitude], 3, and 1B.

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

Main motion as amended:

that the Council select Alternative 4 as the preferred alternative for Section 2.2 of Amendment 8 to address potential localized depletion and user conflicts, but modified to extend the 12-mile buffer from the baseline of the territorial sea to include Area 1A so it is a coast wide prohibition of mid-water trawl gear inside of 12-nautical miles from the baseline (territorial sea), including seasonal sub-Option A so it is year-round, and including spatial sub-Option A to include Areas 2 [East of 71°, 51' W longitude], 3, and 1B.

- 4b. Mr. Pappalardo moved to substitute and Dr. McKenzie seconded:
recommend Alternative 4 as the preferred alternative for Section 2.2 of Amendment 8 to address potential localized depletion and user conflicts, but modified to extend the 12-mile buffer from the baseline (territorial sea) to include Area 1A so it is a coast wide prohibition of mid-water trawl gear inside of 12-nautical miles from the baseline (territorial sea), including seasonal sub-Option A so it is year-round, and including spatial sub-option A to include Area 2 East of 71°51' W only, Area 3, and Area 1B; and to include Alternative 7 with spatial sub-Option B that would prohibit mid-water gear within a subset of thirty minute squares within Herring Management areas 1B and 3 only (Areas 99, 114 and 123 only) and seasonal sub-Option A – Year round (12 months).
- 4c. Mr. Terry Alexander moved to amend and Dr. Pierce seconded:
recommend Alternative 4 as the preferred alternative for Section 2.2 of Amendment 8 to address potential localized depletion and user conflicts, but modified to extend the 12-mile buffer from the baseline (territorial sea) to include Area 1A so it is a coast wide prohibition of mid-water trawl gear inside of 12-nautical miles from the baseline (territorial sea), including seasonal sub-Option A so it is year-round, and including spatial sub-option A to include Area 2 East of 71°51' W only, Area 3, and Area 1B; and to include Alternative 7 with spatial sub-Option B that would prohibit mid-water gear within a subset of thirty minute squares within Herring Management areas 1B and 3 only (but only Areas 99 and 114 only) and seasonal sub-Option A – Year round (12 months).

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

Main motion:

Recommend Alternative 4 as the preferred alternative for Section 2.2 of Amendment 8 to address potential localized depletion and user conflicts, but modified to extend the 12-mile buffer from the baseline (territorial sea) to include Area 1A so it is a coast wide prohibition of mid-water trawl gear inside of 12-nautical miles from the baseline (territorial sea), including seasonal sub-Option A so it is year-round, and including spatial sub-option A to include Area 2 East of 71°51' W only, Area 3, and Area 1B; and to include Alternative 7 with spatial sub-Option B that would prohibit mid-water gear within a subset of thirty

minute squares within Herring Management areas 1B and 3 only (but only Areas 99 and 114 only) and seasonal sub-Option A – Year round (12 months).

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

5. Mr. Pappalardo moved and Dr. McKenzie seconded:
to submit Amendment 8 as amended today to NMFS.

The motion *carried* on a show of hands (13/2/1).

2019 and Specification

6. Dr. Pierce moved and Mr. Grout seconded:
that the Council request NOAA fisheries develop an in-season action that would set 2019 catch limits with the following guidance:
- Using the most recent assessment and projections;
 - Using the ABC control rule approved by the Council in Amendment 8;
 - Proportionally reduce the fixed gear set-aside;
 - Set the border transfer to 0mt; and
 - Maintain the sub-ACLs for herring management areas based on the same proportions as the last specifications package (Area 1A=28.9%, Area 1B=4.3%, Area 2=27.8%, Area 3=39%).
- 6a. Mr. Terry Alexander moved to substitute and Mr. Keliher seconded:
recommend the Council request NOAA fisheries develop an in-season action that would set 2019 catch limits with the following guidance:
- Using the most recent assessment and projections;
 - Abide by MSA and ensure probability of overfishing is less than 50%;
 - Reduce the fixed gear set-aside to 50mt. Any unused set-aside quota would roll back into 1A on Sept 15 of that year;
 - Set the border transfer to 0 mt;
 - Distribute the sub-ACLs for herring management areas based on the proportions as described in Table 12 of the staff memo (9/24/18) with the exception of Area 1B, which would be zeroed out and split between Area 1A and Area 3. (Area 1A=38.35%, Area 1B=0%, Area 2=24.15%, Area 3=38%.8).

The motion to substitute *failed* on a show of hands (5/9/2).

Main motion:

That the Council request NOAA fisheries develop an in-season action that would set 2019 catch limits with the following guidance:

- Using the most recent assessment and projections;
- Using the ABC control rule approved the by Council in Amendment 8;
- Proportionally reduce the fixed gear set-aside;
- Set the border transfer to 0mt; and
- Maintain the sub-ACLs for herring management areas based on the same proportions as the last specifications package (Area 1A=28.9%, Area 1B=4.3%, Area 2=27.8%, Area 3=39%).

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

Wednesday, September 26, 2018

TRANSBOUNDARY MANAGEMENT GUIDANCE COMMITTEE (TMGC)

1. Mr. Stockwell moved on behalf of the Groundfish Committee:
to accept the US/CA 2019 quotas for Eastern Georges Bank cod (650mt), Eastern Georges Bank haddock (30,000mt), and Georges Bank yellowtail flounder (140mt), as carefully negotiated by the U.S. Transboundary Management Guidance Committee.

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

GROUND FISH COMMITTEE REPORT

Framework Adjustment 58/Specifications and Management Measures

2. Mr. Stockwell moved on behalf of the Committee:
To recommend discontinuing work on guidance on sector overages in Framework Adjustment 58.

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

3. Ms. Etrie moved and Mr. Alexander seconded:
That the Council recommends that in addition to the Committee recommendation that the PDT include for analysis the following under the rebuilding plan section of the framework.
 - For stock/s without projections or B_{MSY} and F_{MSY} reference points (witch flounder), attempt to provide measurable proxy values for:
 - o B_{MSY}
 - o $B_{threshold}$
 - o T_{min} and T_{max}
 - o For the purpose of establishing an upper bound exploitation rate, provide an exploitation rate that is synonymous with the exploitation rate at F_{MSY} or F_{MSY} proxy used in the most recent analytical assessment.

The motion *failed* on a show of hands (1/12/2).

4. Ms. Etrie and Mr. Alexander seconded:
to remove witch flounder from rebuilding plan options in Framework 58 and add as a priority for 2019.

The motion *failed* on a show of hands (5/11/0).

5. Mr. Alexander moved and Mr. Balzano seconded:

to add an alternative in Framework 58 to extend the temporary measure the scallop fishery has currently on the trigger for the Georges Bank yellowtail flounder accountability measure (AM) for fishing years 2019 and 2020. Such that, the scallop fishery would only have an AM if their sub-annual catch limit (ACL) and total ACL is exceeded. This would sunset after fishing year 2020.

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

6. Mr. Stockwell moved and Ms. Etrie seconded:
to approve the range of alternatives in Framework Adjustment 58, as amended today.

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

Amendment 23/Groundfish Monitoring

7. Mr. Stockwell moved on behalf of the Committee:
The Council reaffirms that improving catch accounting should be the primary goal of this action. The Council does not know at this time what level to which to improve catch accounting as a standard for this action. The Council recommends convening a joint Plan Development Team, Groundfish Advisory Panel, and Committee meeting to establish standards for improving catch accounting and monitoring.

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

Thursday, September 27, 2018

HABITAT COMMITTEE REPORT

1. Mr. Reid moved and Mr. Godfroy seconded:
to task the PDT to analyze and have the Committee include in the framework five of the areas proposed by the clam industry. (Rose and Crown, McBlair, Zone A, Zone B and Zone D) for year-round exemption and four of the areas to be seasonally exempt from March 1 to Aug 31 and close for 6 months for protection of spawning codfish (East Door, Old South, Zone C and Zone E).

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

2. Mr. Grout moved on behalf of the Committee:
to recommend that the area fishable under a mussel EFP be limited to any exemption areas approved for the surfclam fishery.

The motion *carried* on a show of hands (11/4/2).

3. Mr. Reid moved and Mr. Stockwell seconded:
to include mussel dredge exemption alternative in this action within the areas identified for potential surfclam exemption.

The motion *carried* on a show of hands (8/7/2).

RESEARCH STEERING COMMITTEE

Updating Research Priorities

RSC Consensus Statement: Annual updates to the Council’s five-year research priorities come through the species PDT/Committees with Council approval. However, the process should not be onerous. This would be better than the current five-year cycle in informing proposal reviews and ensuring projects have management relevance.

The Council agreed by consensus to adopt this statement.

4. Dr. McKenzie moved and Mr. Kendall seconded:
that the Council requests its Executive Committee to bring a recommendation to the December Council meeting on whether the RSC should continue, and if so, on its purpose and functions.

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

OTHER BUSINESS RELATED TO SPINY DOGFISH

5. Mr. Kendall moved and Mr. Alexander seconded:
that the Council would recommend to the MAFMC in the 2018 Dogfish specifications package to increase the trip limit up to 8000 lbs.

The motion *carried* on a show of hands (11/2/3).

6. Mr. Kendall moved and Mr. Bellavance seconded:
that an action be considered regarding trip limits that includes removing the federal dogfish trip limit.

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

ECOSYSTEM-BASED FISHERY MANAGEMENT

The Council agreed by consensus.

To approve the draft Council letter commenting on the “Northeast Regional Implementation Plan of NOAA Fisheries Ecosystem-Based Fisheries Management Roadmap”.