



## FEBRUARY 2017 MEETING AGENDA

**February 14-16, 2017**

Hilton Garden Inn Kitty Hawk  
5353 N. Virginia Dare Trail, Kitty Hawk, NC 27949  
Telephone 252-261-1290

### Tuesday, February 14<sup>th</sup>

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**1:00 p.m. – 2:30 p.m.**

**River Herring/Shad Committee Meeting**

*(Winslow, Shiels, McMurray, Baum, Michels, Slacum, deFur, Hughes, Nowalsky, Batsavage, King, Nolan, O'Reilly, Bullard, Beal; NE Reps: Stockwell, Tooley)*

- Discuss criteria to assess progress in river herring/shad conservation

**2:30 p.m.**

**Council Convenes**

**2:30 p.m. – 4:00 p.m.**

**Mackerel, Squid, and Butterfish Meeting as a Committee of the Whole**

*(King, McMurray, Hughes, Heins, deFur, Nolan, Baum, Michels, Nowalsky, Mann, Shiels, Winslow, Bullard; NE Reps: Tooley, Reid)*

- Review and approve public hearing document for Squid Amendment

**4:00 p.m. – 4:30 p.m.**

**Law Enforcement Report**

**4:30 p.m. – 5:30 p.m.**

**Presentation on National Marine Sanctuary Nomination Process**

*Paul Ticco - NOAA Office of National Marine Sanctuaries*

### Wednesday, February 15<sup>th</sup>

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**9:00 a.m.**

**Meeting with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Boards**

**9:00 a.m. – 10:00 a.m.**

**62<sup>nd</sup> Northeast Regional Stock Assessment Workshop (62<sup>nd</sup> SAW)**

*Jim Weinberg, NMFS, NEFSC*

- Overview of black sea bass benchmark stock assessment findings and peer review panelist findings

**10:00 a.m. – 11:45 a.m.**

**Black Sea Bass 2017-2019 Specifications**

- Overview and staff recommendation
- SSC recommendation
- Review Monitoring Committee and Advisory Panel recommendations
- Adopt recommendations for 2017-2019

**11:45 a.m. – 12:30 p.m.**

**Black Sea Bass Research Update**

*Brad Stevens - UMES*

12:30 p.m. – 1:30 p.m.

**LUNCH**

1:30 p.m. – 3:30 p.m.

**Black Sea Bass Recreational Specifications**

- Review Monitoring Committee and Advisory Panel recommendations
- Adopt recommendations for 2017 management measures
- Review Recreational Working Group recommendations and regional/state proposals (possible Board action)

3:30 p.m. – 5:00 p.m.

**Black Sea Bass Commercial AM Framework**

- Review background, issues, and draft alternatives

5:00 p.m. – 5:30 p.m.

**Summer Flounder Amendment**

- Update on progress and timeline

**Thursday, February 16<sup>th</sup>**

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9:00 a.m.

**Council Convenes**

9:00 a.m. - 1:00 p.m.

**Business Session**

**Organization Reports**

- NMFS Greater Atlantic Regional Office
- NMFS Northeast Fisheries Science Center
- NOAA Office of General Counsel
- Atlantic States Marine Fisheries Commission

**Liaison Reports**

- New England Council
- South Atlantic Council
- Regional Planning Body

**Executive Director's Report**

*Chris Moore*

**Science Report**

*Rich Seagraves*

**Committee Reports**

**Continuing and New Business**

**December 2016 Motions**

**Squid Amendment (Committee of the Whole)**

Move to recommend to the Council to leave the current MSB goals and objectives in place during the development of the Squid Capacity Amendment.

King for Committee (21/0/0)

Motion carries

Move that the Maine longfin issue be moved to considered but rejected.

King for Committee (22/0/0)

Motion carries

Move to move forward with additional analysis on the following re-qualification alternatives for longfin squid (all of 2013 would count for landings):

- a. No action
- b. 1997-2015, 10,000-pound best year threshold
- c. 2003-2013, 25,000-pounds best year threshold
- d. 1997-2013 10,000-pound best year threshold
- e. 1997-2013 with 50,000-pound average threshold

Move to amend c to remove “all poundage threshold” and insert “25,000 pounds best year threshold”

Reid/Nolan (20/0/0)

Motion carries

As amended:

Move to move forward with additional analysis on the following re-qualification alternatives for longfin squid (all of 2013 would count for landings):

- f. No action
- g. 1997-2015, 10,000- pound best year threshold
- h. 2003-2013, 25,000-pounds best year threshold
- i. 1997-2013 10,000-pound best year threshold
- j. 1997-2013 with 50,000-pound average threshold

King for Committee (20/0/0)

Motion carries

Move that for non-requalifying longfin squid vessels, they be issued an incidental permit in the event that the incidental permits become limited access.

King for Committee (20/0/0)

Motion carries

Move to include an option that would enable an entity that is issued multiple limited access squid permits and that has qualifying squid landings as adopted by the council under this action, to swap qualifying squid permits between vessels owned by the same entity on a one-time basis.

Alexander/Hughes (20/0/0)

Motion carries

Move to use a 1997-2013 best year 2,500/5,000 pound qualifiers for a proposed limited access incidental permit, with a 250/500-pound trip limit for an open access permit.

King for Committee (19/0/0)

Motion carries

Move to move forward with additional analysis on the following re-qualification alternatives for *Illex* squid (all of 2013 would count for landings):

- a. No action
- b. 1997-2015, 10,000-pound best year threshold (Rationale: range - very low bar to re-qualify)
- c. 10,000-pound threshold (best year) 97-all of 2013.
- d. 50,000-pound threshold (best year) 97-all of 2013.
- e. 100,000-pound threshold (best year) 97-all of 2013.
- f. 200,000-pound threshold (best year) 97-all of 2013.

King for Committee (19/0/0)

Motion carries

Move to consider the following Trimester options:

- a. No action
- b. Eliminate/Reduce by half roll-over from T1 to T2 (would all go to T3)
- c. Once T2 quota reached, go to 250 or 500-pound trip limit in Federal waters
- d. A split Trimester 2 quota

King for Committee (20/0/0)

Motion carries

Move that the buffer zone and time/area closure alternatives be moved to considered but rejected.

King for Committee (12/8/0)

Motion Passes

Move to substitute:

Move to keep in two buffer zone alternatives in the Squid Capacity Amendment for full NEPA analysis

- 1.) A Trimester 2 closure for Area 1 (3 nautical miles by 10 minute squares)
- 2.) A Trimester 2 closure for Area 1 and 2 combined (12 nautical miles by 10 minute squares)

McMurray/deFur (9/11/0)

Motion fails

Move that the Council approve the recommendations of the MSB Committee of the Whole.

King/Hughes (15/4/0)

Motion Passes

Move to separate the buffer zone alternatives.

Bullard/ DiLernia (7/12/0)

Motion fails

### **IFM**

Move to select alternative 2 for the IFM Amendment and maintain 2.2 and 2.6 as preferred alternatives.

deFur/DiLernia

Move that the Council postpone action on the IFM Amendment until completion of the EM pilot project.

Nowalsky/O'Reilly (13/6/0)

Motion Carries – Previous motion postponed.

### **SMZ**

Move to table this decision until the Council can review with the Dept. of Interior possible compromise positions that could be developed.

DiLernia/

Motion withdrawn

Move that the Council move forward and designate all 13 reef sites permitted to the State of NJ in the EEZ as SMZ's as per the monitoring teams recommendation.

Baum/McMurray (11/7/1)

Motion carries

Substitute motion: Recommend that the Council ask NMFS, the State of NJ, the Dept. of Interior, and representatives of the recreational and commercial industries in NJ to meet to try to develop a compromise plan to utilize the artificial reefs in the EEZ off the coast of NJ.

DiLernia/Mann (9/10/0)

Motion fails

### **Monkfish**

Move to select Option 3 (Section 4.1.1.3) Reduce the management uncertainty buffer to 3% in the northern fishery management area (ACL=7,592; ACT=7,364 mt; TAL=6,338 mt) and Option 4 (Section 4.1.1.4) Reduce the management uncertainty buffer to 3% in the Southern Fishery Management Area (ACL=12,316 mt; ACT=11,947; TAL=9,011) as preferred alternatives.

Nolan on behalf of Committee (19/0/0)

Motion carries

Move to select Option 4 (Section 4.2.2.4) Increase the DAS allocation and trip limits in the SFMA as the preferred alternative.

Nolan on behalf of Committee (19/0/0)

Motion carries

Move to select Option 3 (Section 4.2.1.3) that would increase the incidental trip limits on a NE multispecies DAS in the NFMA to 900 and 750 lb. tail

weight per DAS for Category C and D permits, respectively, as the preferred alternative.

Nolan on behalf of Committee (20/0/0)

Motion carries

Move Option 2 (Section 4.2.1.2) Increase the DAS allocation in the Northern Fishery Management Area to considered but rejected.

Nolan on behalf of Committee (20/0/0)

Motion carries

Move Options 2 and 3 (Section 4.2.2.2) Increase the DAS allocation in the SFMA and Increase the trip limits in the SFMA to considered but rejected.

Nolan on behalf of Committee (20/0/0)

Motion carries

Move to submit Monkfish Framework 10 to GARFO  
Nolan/Heins (19/0/0)  
Motion carries

**Scup quota period framework/addendum**

Move to initiate a framework for the Council with alternative 1 (no action) and alternative 2 (move October to winter II)  
Council: Nowalsky/Nolan

Move to amend to add alternative 3 (move first half of May to winter I and October to winter II)  
Heins/Michels (15/3/0)  
Motion carries

Move to initiate a framework for the Council with alternative 1 (no action), alternative 2 (move October to winter II), and alternative 3 (move first half of May to winter I and October to winter II)  
Council: Heins/Michels (18/0/0)  
Motion carries

Move to initiate a scup addendum for the Commission with alternative 1 (no action), alternative 2 (move October to winter II), and alternative 3 (move first half of May to winter I and October to winter II)  
Board: Hasbrouck/Bush (7/2/1/0)  
Motion carries

**Summer Flounder Amendment**

Move to initiate a framework to the summer flounder FMP to look at recreational specifications setting, alternative recreational strategies, and other issues as identified by the FMAT.  
Council: Nowalsky/Baum

Move to table above motion until the February meeting.  
Council: Nolan/Hemilright (14/4/0)

**Summer Flounder Recreational Specifications**

Move that the ASMFC request the NRCC to request NMFS to conduct a summer flounder benchmark assessment in 2017 or 2018.  
Board: Hasbrouck/Reid (10/0/1/0)  
Motion carries

Move to manage the recreational summer flounder fishery under Conservation Equivalency in 2017 to achieve the 41% required reduction in landings, or the updated percentage reduction calculated when additional MRIP data become available.  
Council: Batsavage/Michels (13/5/1)  
Board: Ballou/Clark (8/3/0/0)  
Motion carries

Move that the summer flounder non-preferred coastwide measures in 2017 consist of a 19-inch TL minimum fish size, 4 fish possession limit, and an open season from June 1-September 15. In addition, the precautionary default measures would consist of a 20-inch TL minimum fish size, 2 fish possession limit, and an open season from July 1-August 31.  
Council: Nowalsky/King (14/3/1)  
Board: Nowalsky/Borden (9/2/0/0)  
Motion carries

Move to approve Addendum XXVIII for public comment, with the addition of an option based on the New York proposal as discussed today.  
Board: O'Reilly/Borden (9/1/0)  
Motion carries

**Scup Recreational Specifications**

Move that the federal recreational measures for scup for 2017 remain unchanged from 2016 measures (50 fish, 9", all year)  
Council: DiLernia/Nowalsky (16/1/0)  
Board: Fote/Reid (6/2/1/0)  
Motion carries

Move that the Commission continue the regional approach to management in state waters to achieve the needed reduction for 2017 with state measures to be finalized at the February 2017 Board meeting.  
Board: Meserve/Ballou (8/1/1/0) Motion carries

**Black Sea Bass Recreational Specifications**

Move to continue the provisions of Addendum XXVII using ad-hoc regional management for black sea bass in 2017, at least until recreational harvest limits and measures are reconsidered by the Council and Board in early 2017.

Board: Ballou/Fote (9/0/0/0)

Motion carries

**Implementation Plan**

Move that we add to the 2017 deliverables initiating an action to update Squid, Mackerel, Butterfish FMP goals and objectives with the consideration of adding ecological objectives in accordance with the Councils EAFM guidance document and to consider time and area closures. This action would move the Chubb Mackerel Amendment to possible additions to 2017.

McMurray/deFur (6/13/0)

Motion fails

Move to substitute to not modify the proposed deliverable and add the buffer areas to possible additions and to leave Chubb mackerel as a 2017 deliverable

Nolan/

Motion withdrawn

Move to insert Nantucket buffer issue as a possible addition to the 2017 Implementation Plan.

King/McMurray (10/9/0)

Motion carries

Move to initiate a framework to review black sea bass AMs for the commercial sector.

Nolan/Heins (19/0/0)

Motion carries

Move the Council add to its list of 2017 priorities to initiate a mixed clam exemption Amendment or Framework for the Surf Clam Ocean Quahog fishery to address issues of the SC/OQ mixing together due to climate change and move to the proposed 2017 deliverables.

Hughes/Mann (6/12/0)

Motion fails

Move to add as a possible addition for 2017 to initiate an omnibus action to change the permit application and renewal requirements to include documentation of a successful USCG safety examination.

Hemilright/Elliott (16/0/0)

Motion carries

Move to approve proposed 2017 deliverables.

Elliott/deFur

Motion carries by consent

**Continuing and New Business**

Move to have the Council request that GARFO consider any-and-all remediation methods available to put in place a 1-year exemption to the pending AM for southern windowpane flounder for FY 2017.

Nolan/DiLernia (16/0/1)

Motion carries

The above agenda items may not be taken in the order in which they appear and are subject to change as necessary. Other items may be added, but the Council cannot take action on such items even if the item requires emergency action without additional public notice. Non-emergency matters not contained in this agenda may come before the Council and / or its Committees for discussion, but these matters may not be the subject of formal Council or Committee action during this meeting. Council and Committee actions will be restricted to the issues specifically listed in this agenda. Any issues requiring emergency action under section 305(c) of the Magnuson-Stevens Act that arise after publication of the Federal Register Notice for this meeting may be acted upon provided that the public has been notified of the Council's intent to take final action to address the emergency. The meeting may be closed to discuss employment or other internal administrative matters.