



## JUNE 2017 MEETING AGENDA

**June 6-8, 2017**

Hilton Norfolk The Main  
100 East Main St.  
Norfolk, VA 23510  
Telephone 757-763-6200

### Tuesday, June 6<sup>th</sup>

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- 9:00 a.m.** **Council Convenes**
- 9:00 a.m. – 9:30 a.m.** **SARC Presentation – Surfclam/Ocean Quahog Assessments (Tab 1)**  
*Jim Weinberg - NEFSC*
- 9:30 a.m. – 11:00 a.m.** **Surfclam/Ocean Quahog Specifications (Tab 2)**  
– Develop recommendations for 2018- 2020 specifications
- 11:00 a.m. – 12:00 p.m.** **Surfclam/Ocean Quahog Excessive Shares Amendment (Tab 3)**  
– Approve scoping document
- 12:00 p.m. – 1:00 p.m.** **Lunch**
- 1:00 p.m. – 1:30 p.m.** **Lobster Standardized Bycatch Reporting Methodology Framework (Tab 4)**  
*GARFO Staff*  
– Discuss alternatives
- 1:30 p.m. – 2:30 p.m.** **Risk Policy Framework – First Meeting (Tab 5)**  
– Review and approve options for potential revision to current MAFMC Risk Policy and ABC Control Rules
- 2:30 p.m. – 3:30 p.m.** **Climate Velocity Over the 21<sup>st</sup> Century and Its Implications for Fisheries Management in the Northeast U.S. (Tab 6)**  
*James Morley – Rutgers*  
– Review climate-velocity-driven species distribution projections for 2020 through 2100.  
– Identify potential propriety species for adaptation of fisheries management to climate change
- 3:30 p.m. – 5:00 p.m.** **Cooperative Research in the Mid-Atlantic (Tab 7)**  
– Review of NEFSC Cooperative Research and response to MAFMC request – Jon Hare - NEFSC  
– Mid-Atlantic Council approach to collaborative research

## Wednesday, June 7<sup>th</sup>

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9:00 a.m. – 11:00 a.m.

### **Mackerel, Squid, Butterfish Committee, Meeting as a Committee of the Whole - Specifications (Tab 8)**

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

- Review fishery performance and make recommendations for 2018-2020 specifications, including butterfish cap

11:00 a.m. – 12:00 p.m.

### **Shad/River Herring (RH/S) Committee, Meeting as a Committee of the Whole (Tab 9)**

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

- Review RH/S cap operation and RH/S progress update
- Make recommendations for RH/S cap amount modification if necessary

12:00 p.m. – 1:00 p.m.

### **Lunch**

1:00 p.m. – 3:30 p.m.

### **Mackerel, Squid, Butterfish Committee, Meeting as a Committee of the Whole – Squid Amendment (Tab 10)**

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

- Review alternatives, public comments, and staff recommendations
- Select preferred alternatives and adopt amendment

3:30 p.m.

### **Council Convenes**

3:30 p.m. – 4:00 p.m.

### **Law Enforcement Reports (Tab 11)**

- NOAA Office of Law Enforcement
- U.S. Coast Guard

4:00 p.m. – 5:00 p.m.

### **Data Modernization in the Northeast Region (Tab 12)**

*Barry Clifford – NMFS and Mike Cahall - ACCSP*

5:00 p.m. – 5:30 p.m.

### **Habitat Update (Tab 13)**

- EFH review progress
- Mid-Atlantic fish habitat assessment project

## Thursday, June 8<sup>th</sup>

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9:00 a.m.

### **Council Convenes**

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

### **Business Session**

#### **Committee Report (Tab 14)**

- SSC Committee
- Ecosystems & Ocean Planning Committee

#### **Executive Director's Report (Tab 15)**

*Chris Moore*

- Review and approve SOPP revision regarding paid parental leave

#### **Science Report**

*Rich Seagraves*

## Organization Reports (Tab 16)

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

## Liaison Reports (Tab 17)

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

## Continuing and New Business

### APRIL 2017 MOTIONS

#### Chub mackerel

Move that staff enhance the scoping document based on Council comments today and move forward with the scoping process.

King/DiLernia

Motion passes by consent

#### Golden Tilefish

Move to establish the golden tilefish specifications (ACTs, TALs, and Quotas) for 2018, 2019, and 2020 as specified in the tables below.

Council: Heins/deFur (17/0/0/1) - **Recusal by Laurie Nolan**

Motion carries

Resulting ACT, TAL, and quotas under current process

	2018	2019	2020	Basis (2018-2020)
OFL	2.332 m lb (1,058 mt)	2.421 m lb (1,098 mt)	2.291 m lb (1,039 mt)	Projections
ABC	1.636 m lb (742 mt)	1.636 m lb (742 mt)	1.636 m lb (742 mt)	Projections/ Council Risk Policy (recommendation, based on overfishing probability averaging)
ABC % of OFL	70%	68%	71%	
ACL	1.636 m lb (742 mt)	1.636 m lb (742 mt)	1.636 m lb (742 mt)	ABC = ACL
ACT	1.636 m lb (742 mt)	1.636 m lb (742 mt)	1.636 m lb (742 mt)	Deduction for management uncertainty = 0
Discards	0.009 (4 mt)	0.009 m lb (4 mt)	0.009 m lb (4 mt)	Avg. discard (2012-2016) mostly sm/lg mesh OT and Gillnet gear
TAL	1.626 m lb (738 mt)	1.626 m lb (738 mt)	1.626 m lb (738 mt)	ACT - discards
IFQ Quota	1,545,115 (700.85 mt)	1,545,115 (700.85 mt)	1,545,115 (700.85 mt)	95% of the TAL
Incidental Quota	81,322 (36.89 mt)	81,322 (36.89 mt)	81,322 (36.89 mt)	5% of the TAL

Resulting ACTs, TALs, and Quotas under the process described under Framework 2 (where discards are directly subtracted from the specific fishery sector generating them to derive sector specific TALs)

	2018	2019	2020	Basis (2018-2020)
<b>IFQ ACT</b>	1.554 m lb (705 mt)	1.554 m lb (705 mt)	1.554 m lb (705 mt)	IFQ 95% of ACL Incidental 5% of ACL. Deduction for management uncertainty = 0
<b>Incidental ACT</b>	0.08 m lb (37 mt)	0.08 m lb (37 mt)	0.08 m lb (37 mt)	
<b>IFQ Discards</b>	0	0	0	
<b>Incidental Discards</b>	0.009 (4 mt)	0.009 m lb (4 mt)	0.009 m lb (4 mt)	Avg. discard (2012-2016) mostly sm/lg mesh OT and Gillnet gear
<b>IFQ TAL</b>	1.554 m lb (705 mt)	1.554 m lb (705 mt)	1.554 m lb (705 mt)	IFQ ACT – IFQ discards
<b>Incidental TAL</b>	0.07 m lb (33 mt)	0.07 m lb (33 mt)	0.07 m lb (33 mt)	Incidental ACT – Incidental discards
<b>IFQ Quota</b>	1,554,038 (704.90 mt)	1,554,038 (704.90 mt)	1,554,038 (704.90 mt)	
<b>Incidental Quota</b>	72,398 lb (32.84 mt)	72,398 lb (32.84 mt)	72,398 lb (32.84 mt)	

Note: all other catch and landings limit components are identical than those under the above Table. NA = Not Applicable.

**BlueLine Tilefish**

Move that we set the ABC for 2018 at 87,031 pounds, with ACLs/ACTs/TALs per the table below: Heins/Nolan (18/0/0)  
Motion carries

Specification	Recreational	Commercial
ABC	87,031 lbs (39.48 mt)	
ACLs	63,533 lbs (28.82 mt)	23,498 lbs (10.66 mt)
ACTs	63,533 lbs (28.82 mt)	23,498 lbs (10.66 mt)
TALs	62,262 lbs (28.24 mt)	23,263 lbs (10.55 mt)

**Hudson Canyon Sanctuary Proposal**

Move the MAFMC send a letter commenting on the proposal of the Hudson Canyon to become a marine sanctuary. The letter should state that following a review of the proposal documents and a briefing by the sponsors of the proposal, the Council cannot support the proposal and recommends the proposal be denied.

DiLernia/Hughes (15/2/2)

Motion carries

Move to refer the above motion to the EOP Committee.

McMurray/deFur (4/12/3)

Motion fails

**Industry Funded Monitoring (IFM) Amendment**

Move that the Council adopt option 4 provided to the Council today, to take action on the Omnibus Part of the Amendment (consistent with New England recommendations for modifications to the preferred alternative), but require future IFM to be considered via a full separate amendment (no frameworks).

King/O'Reilly (4/15/0)

Motion fails

Move that the Council adopt option 2 provided to the Council today, to move forward with action on the omnibus and mackerel portions of the document.

Shiels/McMurray (4/15/0)

Motion fails

### **HMS – Law Enforcement**

Move that the Council recommend HMS partition the HMS Party/Charter permit into two permits: Party/Charter No Sale (pure recreational) and Party/Charter Sale (mixed recreational/commercial).

Party/Charter Sale would require operators to supply their United States Coast Guard safety inspection decal number to acquire a permit. This would allow recreational fishermen with no intention to sell HMS fish to avoid the United States Coast Guard safety inspection decal and the associated costs in passing inspection, while still more clearly identifying the universe of vessels with commercial transactions.

Moved by consent with 1 abstention

Move that the Council recommend HMS require logbook or vessel trip report (VTR) reporting for HMS Charter/Headboat and General Category permits so there is a more uniform 2-ticket system (vessel and dealer reports) for tracking HMS sales (do so in a way that avoids duplicate reporting).

Moved by consent with 1 abstention

### **JOINT MEETING WITH ASMFC SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS BOARD MAY 10, 2017 – ALEXANDRIA, VA**

#### **Main Motion**

Move to select alternative 2 from Section 3.0 for Addendum XXIX and preferred alternative 2 from Section 5 for Framework 10.

Board: Motion made by Dr. Pierce and seconded by Mr. Baum.

Council: Motion made by Mr. Baum and seconded by Ms. Nolan.

#### **Motion to Substitute**

Motion to substitute alternative 1 for alternative 2.

Board: Motion made by Mr. Reid and seconded by Mr. Alexander. Motion fails for lack of majority (4 in favor, 5 opposed, 3 abstentions).

Council: Motion by Mr. Hughes, seconded by Mr. Mann. Motion fails.

#### **Main Motion**

Move to select alternative 2 from Section 3.0 for Addendum XXIX and preferred alternative 2 from Section 5 for Framework 10.

Board: Motion made by Dr. Pierce and seconded by Mr. Baum. Motion carries (9 in favor, 1 opposed, 2 abstentions)

Council: Motion made by Mr. Baum and seconded by Ms. Nolan. Motion carries (20 in favor).

Move to approve Addendum XXIX as modified today.

Board: Motion made by Mr. Hasbrouck and seconded by Mr. Baum. Motion carries (Roll Call Vote: In Favor – MA, RI, NY, NJ, DE, MD, VA, NC, NMFS, USFWS; Opposed – CT; Abstentions – PRFC).

Move to submit Framework 10 to NMFS for approval.

Council: Motion made by Mr. Heins and seconded by Mr. deFur. Motion carries (19 in favor, 1 abstention).

#### **Main Motion**

Motion to accept the staff recommendations to provide direction to move forward with the draft amendment.

Council: Motion made by Mr. DiLernia and seconded by Mr. King. Motion amended.

Board: Motion made by Mr. Hasbrouck and seconded by Mr. Reid. Motion amended.

#### **Motion to Amend**

Motion to amend to drop landings flexibility (Alternative 4B) from the staff recommendations.

Board: Motion made by Mr. Bush and seconded by Mr. O'Reilly. Motion carries (8 in favor, 2 opposed, 2 abstentions).

Council: Motion made by Mr. Batsavage and seconded by Mr. Hughes. Motion fails due to lack of majority (9 in favor, 9 opposed, 2 abstentions).

Motion to accept the staff recommendations to provide direction to move forward with the draft amendment.

Council: Motion by Mr. DiLernia and seconded by Mr. King. Motion carries (16 in favor, 3 opposed).

Board: Motion by Mr. Hasbrouck and seconded by Mr. Reid. Motion carries (8 in favor, 3 opposed, 1 abstention).

Task the TC to review the recreational black sea bass MRIP harvest estimates over time (5 years? 10 years?) to identify highly variable state/wave/mode (other?) combinations that contribute to harvest volatility. Generate a methodology to "smooth" problematic harvest estimates along with criteria that determine when smoothing is appropriate to avoid an ad-hoc approach. The TC should consider some or all of the following: high and low estimates, PSES, preliminary vs. final estimates and regulatory changes.

Board: Motion made by Mr. Gilmore and seconded by Mr. Clark. Motion carries unanimously.

#### **Main Motion**

For 2017, move to close the recreational black sea bass fishery in wave 6 (November 1-December 31) in state waters for the states of Massachusetts through New Jersey and maintain all other management measures from 2016.

Board: Motion made by Dr. Pierce and seconded by Mr. Bullard. Motion substituted.

#### **Motion to Substitute**

Move to substitute: For 2017, impose a 5-fish possession limit for recreational black sea bass in wave 6 in state waters for RI through NJ and maintain all other management measures for 2017.

Board: Motion made by Mr. Ballou and seconded by Mr. Alexander. Motion carries (9 in favor, 2 opposed, 1 abstention).

#### **Main Motion as Substituted**

For 2017, impose a 5-fish possession limit for recreational black sea bass in wave 6 in state waters for RI through NJ and maintain all other management measures for 2017.

Motion made by Mr. Ballou and seconded by Mr. Alexander. Motion carries (Roll Call Vote: In Favor – MA, RI, CT, DE, MD, PRFC, VA, NC, NMFS; Opposed – NY, NJ; Abstentions – NH, USFWS).

Move to initiate an addendum for 2018 recreational black sea bass management with options as recommended by the Working Group and Plan Development Team. Options for regional allocations shall include approaches with uniform regulations (e.g., number of days) and other alternatives to the current North/South regional delineation (MA-NJ/DE-NC) such as those applied for summer flounder, i.e., one-state regions.  
Board: Motion made by Dr. Pierce and seconded by Mr. Clark. Motion carries (12 in favor, 1 opposed).

*Tabled Motion from February 2017*

Move to allow an experimental 2018 January/February (wave one), recreational, federally permitted for-hire fishery for black sea bass with a 15 fish per person possession limit, a suspended minimum size limit, and a zero-discard policy to allow for barotrauma, and a mandatory trip reporting requirement.  
Board: Motion made by Mr. Heins and seconded by Mr. Reid. Motion substituted.  
Council: Motion made by Mr. DiLernia and seconded by Mr. King. Motion substituted.

**Motion to Substitute**

Move to substitute initiate a framework/addendum to allow a 2018, and beyond, Jan/Feb black sea bass recreational fishery with the vessel participating being require to obtain a letter of authorization from GARFO. Also, a 15 per person possession limit, no min size, zero discard policy, and require a call in and call out process and mandatory trip reporting. The fishery closes when the quota is met.  
Board: Motion made by Mr. Gilmore and seconded by Mr. O'Reilly. Motion carries. (10 in favor, 3 opposed).  
Council: Motion made by Mr. DiLernia and seconded by Mr. Nowalsky. Motion carries (13 in favor, 2 opposed).

**Main Motion as Substituted**

Move to initiate a framework/addendum to allow a 2018, and beyond, Jan/Feb black sea bass recreational fishery with the vessel participating being require to obtain a letter of authorization from GARFO. Also, a 15 per person possession limit, no min size, zero discard policy, and require a call in and call out process and mandatory trip reporting. The fishery closes when the quota is met.  
Board: Motion carries (11 in favor, 2 opposed).  
Council: Motion carries (13 in favor, 2 opposed).

**Main Motion**

Move the Summer Flounder, Scup, and Black Sea Bass Board recommend to the ISFMP Policy Board that the state of New Jersey be found out of compliance for not fully and effectively implementing and enforcing Addendum XXVIII to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan if the State does not implement the following measures by May 21, 2017:

- Shore mode for Island Beach State Park only: 17-inch minimum size limit; 2-fish possession limit and 128-day open season.
- Delaware Bay only (west of the colregs line): 18-inch minimum size limit; 3-fish possession limit and 128-day open season.
- All other marine waters (east of the colregs line): 19-inch minimum size limit; 3-fish possession limit and 128-day open season

The implementation of these regulations is necessary to achieve the conservation goals and objectives of the FMP to end overfishing of the summer flounder stock. In order to come back into compliance, the state of New Jersey must implement all of the measures listed above as contained in Addendum XXVIII to the Summer Flounder FMP.

Board: Motion made by Dr. Pierce and seconded by Mr. Ballou. Motion carries (9 in favor, 1 opposed, 2 abstentions).

Move to approve today the following measures for 2017 NJ summer flounder recreational fishery based on conservation equivalency:

- Shore mode for Island Beach State Park only: 16-inch minimum size limit; 2-fish possession limit and 104-day open season (May 25-Sept 5)
- Delaware Bay only (west of the colregs line): 17-inch minimum size limit; 3-fish possession limit and 104-day open season (May 25-Sept 5)
- All other marine waters: 18-inch minimum size limit; 3-fish possession limit and 104-day open season (May 25-Sept 5)

Board: Motion made by Mr. Baum and seconded by Mr. O'Reilly. Motion fails (Roll Call Vote: In Favor – NJ, DE, PRFC, VA; Opposed – MA, RI, CT, NY, MD, NC, USFWS; Abstentions – NMFS).

Move to approve the following measures for 2017 NJ summer flounder recreational fishery based on conservation equivalency:

- Shore mode for Island Beach State Park only: 16-inch minimum size limit; 2-fish possession limit and 104-day open season (May 25-Sept 5)
- Delaware Bay only (west of the colregs line): 17-inch minimum size limit; 3-fish possession limit and 104-day open season (May 25-Sept 5)
- All other marine waters: 18-inch minimum size limit; 3-fish possession limit and 104-day open season (May 25-Sept 5)

This is subject to the review and approval of the Technical Committee and subsequent Board consideration and approval.

Motion made by Mr. Borden and seconded by Mr. Clark. Motion carries (11 in favor, 1 opposed).

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.