



OCTOBER 2018 MEETING AGENDA

October 1-4, 2018

Congress Hall
200 Congress Place
Cape May, NJ 08204
Telephone 609-884-8421

Monday, October 1st

2:00 p.m. – 5:00 p.m.

Executive Committee Meeting (Tab 1)

- Review 2018 and proposed 2019 implementation plans
- Develop recommendations for 2019 priorities

Tuesday, October 2nd

9:00 a.m.

Council Convenes

9:00 a.m. – 11:00 a.m.

Spiny Dogfish Specifications (Tab 2)

- Develop and approve 2019-2021 specifications

11:00 a.m. – 12:00 p.m.

Annual Update on GARFO/NEFSC Fishery Dependent Data Initiative Project (FDDI) (Tab 3)

David Gouveia and Barry Clifford, GARFO

- FDDI overview and update
- Potential expansion and enhancement of electronic vessel trip reporting

12:00 p.m. – 1:00 p.m.

Lunch

1:00 p.m. – 3:00 p.m.

Ecosystem Approach to Fisheries Management Risk Assessment (Tab 4)

- Review of Ecosystems and Ocean Planning Committee (EOP) meeting and recommendations
- Identify high risk priorities and determine next steps
- Overview of EOP Committee comments on draft Northeast Regional Ecosystems-Based Fishery Management Implementation Plan

3:00 p.m. – 4:00 p.m.

Risk Policy Framework (Tab 5)

- Update on summer flounder economic Risk Policy analysis (D. Lipton, NEFSC)
- Discuss next steps on Risk Policy Framework

4:00 p.m. – 5:00 p.m.

2020-2024 Strategic Plan (Tab 6)

- Discuss timeline and approach

Wednesday, October 3rd

9:00 a.m.

Council Convenes

9:00 a.m. – 10:30 a.m.

Squids and Butterfish Specifications (Tab 7)

- Review 2019-2020 specifications and adopt modifications if needed.

10:30 a.m. – 12:00 p.m.

Industry-Funded Monitoring Amendment (Tab 8)

- Review history, pilot electronic monitoring results, and New England actions
- Discuss next steps

12:00 p.m. – 1:00 p.m.

Lunch

1:00 p.m. -2:00 p.m.

***Illex* Amendment (Tab 9)**

- Review and approve scoping document

2:00 p.m. – 5:00 p.m.

Chub Mackerel Amendment (Tab 10)

- Review Fishery Management Action Team, Advisory Panel, and Committee recommendations for range of alternatives
- Review and approve public hearing document

Thursday, October 4th

9:00 a.m.

Council Convenes

9:00 a.m. – 9:30 a.m.

South East Regional Office (SERO) Party/Charter Reporting Requirement (Tab 11)

Rich Malinowski, SERO

- Presentation on pending electronic reporting requirements for vessels with for-hire South Atlantic federal permits

9:30 a.m. – 10:30 a.m.

HMS Permits and Law Enforcement Issues (Tab 12)

Greg DiDomenico, Garden State Seafood Association

- Discuss how permits are issued with respect to USCG safety regulations and law enforcement responsibilities of the USCG and NOAA

10:30 a.m. – 1:00 p.m.

Business Session

Committee Reports (Tab 13)

- Scientific and Statistical Committee Report

Executive Director's Report (Tab 14)

Chris Moore

- Summer Flounder, Scup, and Black Sea Bass Framework and addendum on conservation equivalency, Block Island Sound

transit, and slot limits - Review and approve modification to alternatives

Organization Reports (Tab 15)

- NMFS Greater Atlantic Regional Office
- NMFS Northeast Fisheries Science Center
- NOAA Office of General Counsel
- NOAA Office of Law Enforcement
- US Coast Guard
- Atlantic States Marine Fisheries Commission

Liaison Reports (Tab 16)

- New England Council
- South Atlantic Council

Continuing and New Business

August 2018 Council Motions

Illex

Move to reaffirm the Aug 2, 2013 control date.

Hughes/deFur

Motion carries without opposition and one abstention.

Move to ask NMFS to look at an in-season adjustment of up to 2,000 MT for the 2018 *Illex* fishery.

Hughes/Mann (13/4/1)

Motion carries

Based on new catch and survey information, move to remand the *Illex* ABC back to the SSC to consider an increase in ABC for 2019 and 2020.

Hughes/Heins (18/0/0)

Motion carries

Move to substitute to remand the SSC to evaluate a potential change in the *Illex* ABC for 2019-2020.

Shiels/no second

Mackerel

Move that the Council adopt for 2019-2021 Alternative 1 C with Canada 2 and include the FMAT recommended ABC Cap of 33,474 MT for 2021.

Hughes on behalf of Committee (14/3/1)

Motion carries

Move to substitute option 1B with Canada 1 for 2019 and Canada 2 for 2020 and 2021.

deFur/Pentony (6/12/0)

Motion fails

Proposed All numbers are in thousands of pounds			
Specification	Mackerel Canada1	Canada2	Canada2
Overfishing Limit (OFL) (only available for 2019)	31,764	na	na
Total Acceptable Biological Catch (ABC) from	19,025	26,183	33,001
Canadian Deduction (1/2 of ABC or ABC-10,000)	9,513	10,000	10,000
U.S. ABC = ACL (Canadian catch deducted)	9,513	16,183	23,001
Recreational Allocation	1,209	1,209	1,209
Commercial Allocation (rest of ACL)	8,304	14,974	21,792
Management Uncertainty Buffer = 3%	249	449	654
Commercial ACT (97% of ACL)	8,054	14,525	21,138
DAH (0.37% discards)	8,025	14,471	21,060

Move that the Council select option 2e, but with a 7,500-pound trip limit for the 1st closure for the open access/incidental fishery.

Heins/Batsavage (no vote – see substitute motion below)

Move to substitute to select option 2e as in the briefing book (5,000-pound trip limit for incidental permit after 1st closure).

Hughes/Mann (10/8)

Motion carries

Main motion:

Move to select option 2e as in the briefing book (5,000-pound trip limit for incidental permit after 1st closure).

(14/3/1)

Motion carries

I move to facilitate adaptive management, if in November and December of each year NMFS determines that keeping the mackerel fishery open longer than the set percentage triggers (in any phase of the fishery) is unlikely to cause a DAH overage, then NMFS shall have the discretion, based on a projection to not close (or not further close) the fishery so that optimum yield can be harvested.

Heins/Davidson carries by unanimous consent with 1 abstention

Move to recommend the staff recommendation of 3b in combination with 3d.

Winslow on behalf of Committee (12/6/0)

Motion carries

Move to adopt the framework and submit to NMFS.

Hughes/Heins (15/1/1)

Motion carries

Black Sea Bass Non-Compliance Issues

Move that non-compliance issues be removed from further development from draft Addendum XXXII for recreational black sea bass and be considered with joint federal measures.

Motion made by Mr. Nowalsky and seconded by Mr. O'Reilly.

Board vote: 10/1/0/0

Motion carries

Summer Flounder, Scup, Black Sea Bass Framework and Addendum on Conservation Equivalency, Block Island Sound Transit, and Slot Limits

On behalf of Board, approve addendum XXXI for public comment as modified today and authorize the Board and Council chairs to make editorial changes.

Borden/Clark 11/0/0/0

Motion passes

Black Sea Bass 2019 Specifications

Move that for the 2019 black sea bass fishery, the recreational ACL = ACT = 3.99 mil lb. and RHL = 3.08 mil lb. The commercial ACL = ACT = 3.98 mil lb. and commercial quota = 2.95 mil lb.

Council: Heins/deFur

Board: Clark/Batsavage

Move to substitute to adopt, as an interim measure, the staff recommendation for 2019 specifications from January 2017 (recreational ACL = ACT = 4.10 mil lb. and RHL = 3.27 mil lb. The commercial ACL = ACT = 3.88 mil lb. and commercial quota = 3.14 mil lb.).

Board: Meserve/Hasbrouck 11/0/0

Council: DiLernia/Nolan 17/1/0

Motion passes

Substitute motion becomes main motion:

Move to adopt, as an interim measure, the staff recommendation for 2019 specifications from January 2017 (recreational ACL = ACT = 4.10 mil lb. and RHL = 3.27 mil lb. The commercial ACL = ACT = 3.88 mil lb. and commercial quota = 3.14 mil lb.).

Council: 18/0/0

Board: 10/1/0/0

Motion passes

Black Sea Bass Wave 1

Move to approve a recreational wave 1 black sea bass fishery through specifications in 2019 as implemented in 2018 (February 1-28, 15 fish possession limit and 12.5-inch minimum size and 100,000-pound allocation divided to the states based on historical wave 1 catch).

Council: Nowalsky/O'Reilly (11/6/1)

Board: Nowalsky/O'Reilly (9/2/0/0)

Motion carries

Move to continue development of a LOA program for 2021, and beyond, with the assumption that an allocation to the wave 1 fishery will

be taken off the top of the annual RHL.
 Council: Heins/Hemilright (15/3/0)
 Board: O'Reilly/Hasbrouck (5/6/0/0)
 Motion fails

Summer Flounder 2019 Specifications

Move for 2019, the recreational ACL = ACT = 6.22 mil lb. and commercial ACL = ACT = 9.18 mil lb. This results in a recreational harvest limit of 5.15 mil lb. and commercial quota of 7.72 mil lb.

Council: O'Reilly/Heins (17/0/0)
 Board: Borden/Clark (11/0/0/0)
 Motion carries

Scup 2019 Specifications

Move to increase the scup incidental possession limit to 2,000 lb. during April 15 – June 15, to be revisited after 1 year.

Board: Meserve/Davis 10/0/0/0
 Council: Nowalsky/Hughes Motion carries by consent
 Motion carries

Bluefish 2019 Specifications

Move to adopt the 2019 catch and landings limits specified in Table 1 of the Monitoring Committee Report. Use the terminal year estimate for recreational landings projections and discards (i.e., 2017), and allow the National Marine Fisheries Service to transfer the maximum amount allowable from the recreational fishery to the commercial fishery (in 2019) without exceeding the RHLs.

Council: O'Reilly/deFur
 Board: O'Reilly/Clark

Move to amend to change to “and allow the National Marine Fisheries Service to transfer up to 3 million pounds from the recreational fishery to the commercial fishery (in 2019) without exceeding the RHLs.”

Council: Batsavage/Hemilright 6/11/1
 Board: Batsavage/McMurray
 Motion fails

Move to amend to change the term “maximum amount allowable” to up to 4 million pounds.

Council: DiLernia/Nowalsky 12/5/1
 Board: Fote/Batsavage 7/1/1/2
 Motion carries

Move to adopt the 2019 catch and landings limits specified in Table 1 of the Monitoring Committee Report. Use the terminal year estimate for recreational landings projections and discards (i.e., 2017), and allow the National Marine Fisheries Service to transfer up to 4 million pounds from the recreational fishery to the commercial fishery (in 2019) without exceeding the RHLs.

Council: 18/0/0
 Board: 10/0/0/1
 Motion carries

Management Measure	2019		Basis
	mt	M lb.	
ABC	9,895	21.81	Derived by SSC; Council P* policy
ACL	9,895	21.81	Defined in FMP as equal to ABC
Management Uncertainty	0	0	Derived by Monitoring Committee
Commercial ACT	1,682	3.71	(ACL – Management Uncertainty) x 17%
Recreational ACT	8,213	18.11	(ACL – Management Uncertainty) x 83%
Commercial Discards	0	0	Value used in assessment
Recreational Discards	1,129	2.49	2017 discards
Commercial TAL	1,682	3.71	Commercial ACT – commercial discards
Recreational TAL	7,083	15.62	Recreational ACT – recreational discards
TAL Combined	8,766	19.32	Commercial TAL + recreational TAL
Expected Rec Landings	4,318	9.52	2017 Recreational landings
Transfer	1,814	4.00	Recommended by the Council
Commercial quota	3,497	7.71	Commercial TAL + transfer
RHL	5,271	11.62	Recreational TAL - transfer

Bluefish FMP Review:

Move to approve the 2018 Fishery Management Plan Review for the 2017 Fishing Year for Bluefish, state compliance reports, and de minimis requests for Maine, South Carolina and Georgia.

Board: Ballou/Nowalsky

Motion carries

Move to elect Chris Batsavage as vice-chair of the bluefish management board.

Ballou/Kane

Motion carries by unanimous consent

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.