

**NEW ENGLAND FISHERY MANAGEMENT COUNCIL**  
**Holiday Inn by the Bay**  
**Portland, ME**  
**June 3-5, 2008**  
**MOTIONS**

**Tuesday, June 3, 2008**

**SKATES**

1. Mr. Pappalardo moved on behalf of the committee:  
that the Council change the 'B' days-at-sea (DAS) skate possession limit for all gears so that it is consistent with the trawl 'B' DAS possession limit (currently 500 lbs. live weight). This action requires a change to Amendment 16 of the Multispecies FMP.

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

2. Mr. Pappalardo moved on behalf of the committee:  
to reclassify the "gear restricted areas to reduce mortality from bycatch and incidental landings" measure as considered and rejected in Amendment 3.

The motion **carried** on a show of hands (12/3/1).

3. Mr. Pappalardo moved on behalf of the committee:  
to add an alternative in Amendment 3 that establishes a hard TAC (landings) for the bait fishery divided proportionally based on seasonal catch rates with no bait fishery possession limit.

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

4. Mr. Stockwell moved and Mr. Preble seconded:  
that both interim catch limits and accountability measures be included in Amendment 3.

The motion **carried** on a show of hands (14/1/0).

5. Mr. Stockwell moved and Dr. Pierce seconded:  
to include in draft Amendment 3 the Skate Annual Review and Specifications Process as described in document 5.

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

6. Mr. Odlin moved and Mr. Stockwell seconded:  
that the Council include possession limits for skate fisheries in the public hearing document.

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

7. Dr. Pierce moved and Mr. Odlin seconded:  
that the Council delete Alternatives 1, 2 and 3 from consideration in draft Amendment 3.

The motion was **withdrawn** by its maker.

8. Mr. Grout moved and Mr. Preble seconded:  
to move forward the draft Amendment 3 document to the Skate Committee for finalization prior to public comment and that the Council receive the document prior to the committee meeting for their review and to provide comments.

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

### Wednesday, June 4, 2008

#### GROUND FISH

1. Dr. Pierce moved and Mr. Grout seconded:  
that the Council develop a new timeline for development and implementation of Amendment 16 to:
1. use new and revised biological reference points and GARM stock status information as the basis for the amendment;
  2. provide needed time for the Council to respond and apply National Standard 1 guidelines still under development;
  3. afford adequate time for public comment on resulting amendment alternatives and impact analysis.

- 1a. The motion was perfected to read:  
that the Council develop a new timeline for development and implementation of Amendment 16 to:
1. use new and revised biological reference points and GARM stock status information as the basis for the amendment;
  2. afford adequate time for public comment on resulting amendment alternatives and impact analysis.

The motion, as perfected, **carried** on a show of hands (11/1/3).

2. Ms. McGee moved and Mr. Preble seconded:  
to direct the committee to consider inclusion of options for catch monitoring as described in the two reports submitted to the Council by Archipelago in June of 2008.

The motion **carried** on a show of hands (14/2/0).

3. Mr. Cunningham moved on behalf of the committee:  
to recommend that the Council include in Amendment 16, for GB cod, the 1996-2006 average used for setting the recreational/commercial proportions.

- 3a. Mr. Odlin moved to amend and Mr. Simpson seconded:  
to recommend that the Council include in Amendment 16, for GB cod, the 1996-2006 average used for setting the recreational/commercial proportions of harvest from federal waters and by federally permitted vessels in state waters.

- 3b. Mr. Odlin moved but it was not seconded:  
to table the amended motion indefinitely.

The Chair agreed, without objection, putting aside the issue to deal with state issues.

4. Mr. Simpson moved and Mr. Preble seconded:  
that the Council adopt a policy with state fisheries and ACLs – to deduct an allowance for state catch (removal) based on recent history from a total ACLs before calculating ACLs for the EEZ or for federally permitted vessels. The initial recommendations for an allowance for state water catches currently are developed by the committees and the PDTs.

The motion **carried** on a show of hands (11/2/1).

5. Mr. Cunningham moved on behalf of the committee:  
that sectors will be jointly liable only for the following violations of sector policy: ACE overages, discarding of legal fish, and misreporting of catch (landings or discards).

- 5a. Mr. Stockwell moved and Mr. Grout seconded:  
to table the previous motion until after the Advisory Panel and VMS/Enforcement committees have a chance to review a list of violations.

The motion to table **carried** on a show of hands (8/7/0).

6. Mr. Cunningham moved on behalf of the Committee:  
that the Council revise the Groundfish PDT membership into compliance with the Council policy limiting membership to technical personnel.

The motion **carried** on a show of hands (14/2/0).

7. Mr. Cunningham moved on behalf of the Committee:  
that the Council use March 1, 2008 as the date for determining the vessels that the Option 5 PSC allocations provides.

The motion **carried** with a show of hands (14/0/0).

8. Mr. Cunningham moved on behalf of the Committee:  
to recommend that discards by non-sector vessels are accounted for in the same manner used for sector vessels when tracking ACLs.

The motion **carried** unanimously on a show of hands.

9. Mr. Cunningham moved on behalf of the Committee:  
to recommend that sectors be prohibited from landing pout or windowpane flounder.

- 9a. Mr. Blount moved and Ms. McGee seconded:  
to table the previous motion.

The motion to table **carried** unanimously.

**Thursday, June 5, 2008**

**HABITAT**

1. Mr. Preble moved on behalf of the committee:  
that the Council initiate a joint management action with the MAFMC to protect deep sea coral. As part of this action, the Council would consider revising or removing the currently proposed HAPC designations in the canyon areas and seamounts in the Omnibus Habitat Amendment 1.
  
- 1a. Mr. Simpson moved to substitute and Mr. Preble seconded:  
that during phase 2 of the Habitat Omnibus Amendment, the Council will work with the MAFMC to develop protections for deep sea coral under the authority provided by the reauthorization of the Magnuson-Stevens Reauthorization Act.

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

**OTHER BUSINESS**

2. Mr. Salisbury moved and Mr. Leary seconded:  
that should the Secretary take interim action, request the following to be considered:
  - reauthorize the Eastern US/CA SAP
  - continue the 18" minimum size for haddock
  - remove the tax on DAS transfer
  - expand the Closed Area 1 haddock SAP as described in the Amendment 16 document

The motion **failed** on a show of hands (6/7/1).