

**MID-ATLANTIC FISHERY MANAGEMENT COUNCIL
MEETING AGENDA
August 4-6, 2008
Embassy Suites Alexandria
1900 Diagonal Road
Alexandria, VA 22314
703-684-5900**

Tuesday, August 4

CONCURRENT SESSIONS

- 8:00 - 9:30 a.m. Protected Resources Committee with Advisors (Tab 1)**
Munden, King, Augustine, Berg, Deem, Gilmore, Himchak, Miko, LCDR Brown [Seagraves]
Advisors: DiDomenico, Durham, Firestone, Locke, McLellan, P. Moore, Read
- Develop comments for Council consideration and action regarding NMFS' Sea Turtle Strategy
- 8:00 - 9:30 a.m. Research Set-Aside Committee (Tab 2)**
Spitsbergen, Speir, Berg, Cole, Gilmore, Himchak, King, Kray Miko, Nolan, O'Shea [Heaton]
- Finalize Council's research priorities for 2011 RSA grant program
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- 9:30 - 11:30 a.m. Ecosystems and Ocean Planning Committee (Tab 3)**
Kray, Spitsbergen, Anderson, Augustine, Deem, Goldman, McMurray, Miko, Munden, Speir, Travelstead, LCDR Brown [Hoff]
- Review and address MPA designations published in the April 23rd Federal Register
 - Consider adding or deleting MPA designations per NMFS guidance
- 11:30 - 12:30 p.m. Lunch**
- 12:30 - 1:30 p.m. Bycatch and LAPP Committee (Tab 4)**
Deem, Simms, Anderson, Augustine, Goldman, King, Kray, McMurray, Miko, Speir, Spitsbergen, Travelstead, LCDR Brown, O'Shea [Armstrong/Didden]
- Receive update on Catch Shares Task Force activities
 - Receive report on bycatch reduction activities in BSB pot fishery
- 1:30 - 2:30 Squid, Mackerel, Butterfish Committee (Tab 5)**
Nolan, Himchak, Anderson, Berg, Gilmore, King, McMurray, Spitsbergen, Wheatly [Seagraves]
- Address bycatch of river herring in mackerel fishery for possible future amendment
 - Address update of *loligo* control date for possible future catch share program
- 2:30 Council Convenes**
- 2:30 - 3:15 p.m. Report by Dr. Weinberg (NMFS NEFSC) on the 48th Stock Assessment Review Committee (Tab 6)**
- Ocean Quahog, Tilefish, and Weakfish
- 3:15 - 5:15 p.m. Finalize Scup Management Measures for 2010 in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Tab 7)**
- Review SSC and Scup Monitoring Committee's recommendations for 2010
 - Adopt recommendations for 2010 commercial and recreational harvest levels and commercial management measures

Wednesday, August 5

- 8:30 - 9:00 a.m.** **Executive Committee (Tab 8)**
Robins, Anderson, Augustine, Deem, Goldman, Kray, Kurkul, Munden, Nolan, Simms, Spitsbergen, Travelstead [Furlong]
 - Review Ricks E Savage Award criteria and nomination process
 - Review allocation of FY 09 funds for ACL / AM activities

- 9:00 a.m.** **Council Convenes**

- 9:00 - 12:00 p.m.** **Finalize Summer Flounder Management Measures for 2010 in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Tab 9)**
 - Review SSC and Summer Flounder Monitoring Committee's recommendations for 2010
 - Adopt recommendations for 2010 commercial and recreational harvest levels and commercial management measures

- 12:00 - 12:30 p.m.** **Update on USCG Activities in the 5th District by its new Commander [Rear Admiral Wayne Justice] and a presentation on vessel stability by Lieutenant Commander Brown**

- 12:30 - 1:30 p.m.** **Lunch**

- 1:30 - 3:30 p.m.** **Finalize Black Sea Bass Management Measures for 2010 in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, scup, and Black Sea Bass Board (Tab 10)**
 - Review SSC and Black Sea Bass Monitoring Committee's recommendations for 2010
 - Adopt recommendations for 2010 commercial and recreational harvest levels and commercial management measures

- 3:30 - 5:30 p.m.** **Finalize Bluefish Management Measures for 2010 in conjunction with the Atlantic States Marine Fisheries Commission's Bluefish Board (Tab 11)**
 - Review SSC and Bluefish Monitoring Committee's recommendations regarding harvest levels and associated management measures
 - Adopt recommendations for harvest levels and associated management measures

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FAREWELL TO LAURIE NOLAN, DENNIS SPITSBERGEN, JEFF DEEM, ED GOLDMAN

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Thursday, August 6

- 8:00 a.m.** **Council Convenes**

- 8:00 - 9:00 a.m.** **Presentation by NMFS Officials regarding proposed rule for Amendment 3 to the Consolidated Atlantic Highly Migratory Species Fishery Management Plan (Tab 12)**

- 9:00 - 12:00 p.m.** **Omnibus Amendment on ACL / AM (Tab 13)**
 - Receive and discuss SSC's Report on Scientific Uncertainty and Risk
 - Review and select management alternatives to establish ABCs, ACLs and AMs for continued Amendment development regarding each of the Council's FMPs species
 - Discuss risk policy development regarding setting of ABCs and ACLs

12:00 - 1:00 p.m.

Lunch

1:00 - 4:00 p.m.

Business Session

- Approve June 2009 Minutes
- Address any outstanding actions from June 2009 meeting

Business Session

Move to approve April 2008 minutes
Augustine/Kray
Motion carried by consensus

Squid, Mackerel, Butterfish Specifications

Move that the following be specified for the 2010 Loligo specifications:

1. Max OY = 32,000 mt; ABC = IOY = DAH = DAP = 19,000 mt;

AND

2. The annual quota (19,000 mt) be allocated as follows: Trimester 1 - 43% (8,170 mt) Trimester 2 - 17% (3,230 mt), and Trimester 3 - 40% (7,600 mt);

AND

3. For Trimesters 1 and 2, the directed fishery will be closed when 90% of each Trimester allocation is taken; vessels will be restricted to a 2,500 pound trip limit for the remainder of the period. Vessels which possess Loligo incidental catch permits may land up to 2,500 pounds per trip at all times;

AND

4. When 95% of the total annual quota has been taken (i.e., 18,050 mt), a 2,500 pound trip limit will be implemented for the rest of the fishing year. Vessels which possess Loligo incidental catch permits may land up to 2,500 pounds per trip at all times;

AND

5. Up to 3% of the ABC, IOY, DAH and DAP for Loligo may be set aside for scientific research;

AND

6. ½ of Trimester 1 underages would be transferred to Trimester 2 and ½ would be transferred to Trimester 3. Overages in Trimester 1 would continue to be deducted from Trimester 3. Underages or overages in Trimester 2 would be applied to Trimester 3. Only triggered if Trimester 1 underage is greater than 25%.

and

7. Increase the codend cover requirement to 5 inches or greater inside stretch measurement.

Nolan for Committee

Approved by consent with 1 abstention

Move that the following be specified for the 2010 Atlantic mackerel fishery:

1. ABC = 156,000 mt; IOY, DAH = 115,000 mt; DAP = 100,000; JVP and TALFF = 0;

AND

2. Directed mackerel fishery to be closed at 90% of OY. If 90% of OY is reached prior to June 1 a 20,000 pound trip limit results. If 90% of OY is reached on or after June 1 a 50,000 trip limit results;

AND

3. OY may be increased during the year through an in-season adjustment but not to exceed ABC;

AND

4. Up to 3% of the IOY and DAH for Atlantic mackerel may be set aside for scientific research.

Nolan for Committee

Motion approved by consent with 1 abstention

Move that the following be specified for the 2010 Butterfish specifications:

1. Max OY = 12,175 mt; ABC = 1,500 mt; IOY, DAH, DAP = 500 mt;

AND

2. If mackerel TALFF is not specified then bycatch TALFF equals zero, otherwise a bycatch TALFF equal to 0.08% of the mackerel TALFF is to be specified based on the current FMP;

AND

3. Maintain the trip limit of 5,000 pounds for moratorium butterfish permits. Maintain the threshold for butterfish minimum mesh requirement (3.0 inches) at 1,000 pounds;

AND

4. Maintain the threshold level for directed butterfish fishery closure at 80% of DAH. If 80% of DAH is reached prior to Oct 1, a 250 pound daily trip limit results. If 80% of DAH is reached on/after Oct 1, a 600 pound daily trip limit results;

AND

5. Incidental limits: 600 pounds, reduced to 250 pounds if directed fishery closes before Oct 1;

AND

6. Up to 3% of the ABC, IOY, DAH and DAP for butterfish may be set aside for scientific research.

Nolan for Committee

Motion approved by consent with 1 abstention

Move that the following be specified for the 2010 Illex specifications:

1. Max OY = ABC = IOY = DAH = DAP = 24,000 mt;

AND

2. The directed fishery for Illex closes when 95% of ABC is taken (22,800 mt), and a 10,000 pound trip limit implemented for the remainder of the fishing year. Vessels which possess Illex incidental catch permits may land up to 10,000 pounds per trip at all times;

AND

3. Up to 3% of the ABC, IOY, DAH and DAP for Illex may be set aside for scientific research.

Nolan for Committee

Motion approved with 1 abstention

Squid, Mackerel, Butterfish Amendment 11

Move to forward to Council a recommendation on preferred alternative for At-Sea Processor Cap of Alternative 7A (No Action).

Nolan for Committee

Motion carried by consensus

Move to write a letter to the Dept of Commerce requesting increased observer coverage to monitor river herring bycatch in small mesh fisheries. Refer river herring issue to Squid, Mackerel, and Butterfish Committee along with *Loligo* control date issue for development in possible future Amendment. Also include other LAPP (e.g. catch shares) options for other Squid, Mackerel, and Butterfish species in said Amendment.

Nolan/Anderson (15/0)

Motion carries

Move to add 1J to the document.

Tier 1 - 1 million, 1997-2007

Tier 2 - 100,000, 3/1/1994-2007

Tier 3 - 25,000, 3/1/1994-2007

Nolan/Spitsbergen (12/0/1)

Motion carries

Move to make 4D the preferred alternative.

Anderson/Deem

Approved by Consent

Move to submit Amendment 11 forward to NMFS for final review and proceed with Public Hearing.

Spitsbergen/Nolan

Approved by Consent.

Surfclam/Ocean Quahog

Move that the following be set as Surfclam/Ocean Quahog specifications in 2010:

Surfclams - 3.4 million bushels

Ocean Quahogs - 5.333 million bushels

Maine Ocean Quahogs - 100,000 bushels

Furthermore, the minimum size limit for surfclams be suspended.

Anderson for Committee

Motion approved with 1 abstention

Research Set-Aside

Move the Council initiate a Framework to increase the percentage for Research Set-Aside species by 1-1/2% for two years in order to develop a fund for Research Set-Aside projects. How to "bank" the funds will need to be addressed by the RSA Committee.

Kray/Augustine

Move to table above motion until August 2009.

Kray/Berg (16/0/0)

Motion carried

Monkfish Amendment 5

Move to accept the Monkfish Oversight Committee's recommendations for Amendment 5 to Monkfish.

Nolan/Berg

Approved by Consent

Executive Committee

Move the Council adopt staff recommendation on writing a letter to William Chappell regarding member training.

Augustine/Anderson

Approved by Consent

Move that the Mid-Atlantic Fishery Management Council send a copy of the following resolution to each of the five governors who are signatories to the Mid-Atlantic Governors' Agreement on Ocean Conservation:

Whereas, healthy and resilient ocean ecosystems are essential to the welfare of the region's living marine resources for fisheries production, recreation and ecological function; and,

Whereas, the signatory states are essential participants in the Mid-Atlantic Fishery Management Council's management of living marine resources and habitats as provided for under the Magnuson-Stevens Fishery Conservation and management act; and,

Whereas, the Mid-Atlantic Fisheries Management Council has a longstanding history of developing complementary and collaborative fisheries management measures jointly with the member states and the Atlantic States Marine Fisheries Commission, consistent with our mutual interests and public trust responsibilities; and,

Whereas, the Mid-Atlantic Governor's Agreement on Ocean Conservation represents a highly significant and historic step to improve regional collaboration on coastal ecosystem protection, water quality, renewable energy development, climate change and related ocean governance issues; now,

Therefore, the Mid-Atlantic Fishery Management Council commends the governors for their commitment to the Mid-Atlantic Governor's Agreement on Ocean Conservation and looks forward to constructive engagement with the regional consortium to address ecosystem management issues as we work together with the states to conserve and sustainably manage living marine resources for the benefit of current and future generations.

Robins for Committee

Approved by Consent

Liaison Reports (Tab 14)

- **New England Council**
- **South Atlantic Council**

Organizational Reports (Tab 15)

- NMFS Regional Administrator
- NMFS Northeast Fisheries Science Center (NEFSC) Director
- National Oceanic and Atmospheric Administration (NOAA) Office of General Counsel
- Federal Enforcement (NMFS and U.S. Coast Guard)
- Atlantic States Marine Fisheries Commission (ASMFC)

Executive Director's Report - Daniel T. Furlong (Tab 16)

Status of Mid-Atlantic Fishery Management Council's (MAFMC) Fishery Management Plans (FMP) - Rich Seagraves (Tab 17)

Committee Reports (Tab 18)

- Highly Migratory Species
- Scientific and Statistical
- Monkfish [Update on Amendments]
- Protected Resources [Sea Turtle Strategy position]
- Research Set-Aside [2011 Research Priorities]
- Ecosystem and Ocean Planning [Review MPA actions]
- Bycatch/LAPP [Update on Bycatch Practices and status of Catch Share initiative]
- Squid, Mackerel, Butterfish Committee [River herring and *loligo* control date]
- Executive Committee [Awards and funding]

Continuing and New Business (Tab 19)

- Approve Council comments regarding NMFS' Proposed Rule on its Sea Turtle Strategy
- Address update of Council's multi-year research priorities (2010-2014)

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.