

**MID-ATLANTIC FISHERY MANAGEMENT COUNCIL
MEETING AGENDA**

August 13-16, 2012

Courtyard Philadelphia Downtown, 21 N. Juniper St., Philadelphia, PA 19107

Telephone: (215) 496-3200

Monday, August 13

9:00 - 5:00 p.m. Visioning and Strategic Planning Working Group (Tab 1)

Robins, Anderson, Batsavage, Beal, Berg, Darcy, Elliott, Hemilright, Himchak, King, Linhard, Luisi, McMurray, O'Reilly, Nolan, Pate (Clark)
(Facilitated by Adam R. Saslow, Senior Facilitator at RESOLVE)

- Discuss desired outcomes and timelines from Strategic Planning Working Group
- Review themes and recommendations from stakeholder input ("Visioning") report
- Identify core values and develop a draft Vision Statement
- Discuss alignment of the Council's core values and Vision with the requirements of the MSA
- Analyze and document internal strengths and weaknesses as well as external opportunities and obstacles to the Council's efforts

Tuesday, August 14

9:00 - 11:00 a.m. Ecosystems and Ocean Planning Committee (Tab 2)

Elliott, McMurray, Beal, Berg, Linhard, Luisi, Miko, O'Reilly, Zeman (Dancy)

- Discuss initiation of Deep Sea Corals Amendment and Memorandum of Understanding with the New England and South Atlantic Councils.

11:00 - noon Executive Committee (Tab 3)

Robins, Anderson, Berg, Darcy, King, Linhard, McMurray, Pate (Moore)

- Status update on Ecosystem-Based Fishery Management (EBFM)

12:00 - 1:00 p.m. Lunch

1:00 Council convenes

1:00 - 1:15 p.m. Swearing in of New / Reappointed Council Members and Election of Council Officers

1:15 - 3:00 p.m. Special Management Zone (SMZ) Consideration for Delaware Reefs (Tab 4)

- Review report of SMZ Monitoring Team and develop recommendations

3:00 - 5:00 p.m. Scup Allocation report (Tab 5)

- Presentation on project to evaluate scup allocation
 - Brad Gentner - Gentner Consulting Group

- 5:00 - 6:00 p.m. Public Listening Session**
- Presentation: MAFMC Strategic Planning - Objectives, Process, and Possible Outcomes
 - Meet the Regional Administrator, John Bullard

Wednesday, August 15

- 9:00 - 10:30 a.m. Finalize Summer Flounder Management Measures in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Tab 6)**
- Review SSC, Summer Flounder Monitoring Committee, and Advisory Panel recommendations for 2013-2015
 - Adopt recommendations for 2013-2015 commercial and recreational harvest levels and commercial management measures
- 10:30 - noon Finalize Scup Management Measures in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Tab 7)**
- Review SSC, Scup Monitoring Committee, and Advisory Panel recommendations for 2013-2015
 - Adopt recommendations for 2013-2015 commercial and recreational harvest levels and commercial management measures
- 12:00 - 1:00 p.m. Lunch**
- 1:00 - 3:00 p.m. Finalize Black Sea Bass Management Measures in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Tab 8)**
- Review SSC, Black Sea Bass Monitoring Committee, and Advisory Panel recommendations for 2013-2015
 - Adopt recommendations for 2013-2015 commercial and recreational harvest levels and commercial management measures
- 3:00- 4:00 p.m. Black Sea Bass Amendment 17 (Tab 9)**
- Review and approve Public Hearing Draft
- 4:00 - 5:00 p.m. Finalize Bluefish Management Measure in conjunction with the Atlantic States Marine Fisheries Commission's Bluefish Board (Tab 10)**
- Review SSC Bluefish Monitoring Committee, and Advisory Panel recommendations regarding 2013-2015 harvest levels and associated management measures
 - Adopt recommendations for 2013-2015 harvest levels and associated management measures

Thursday, August 16

- 8:00 - 9:30 a.m. Research Set-Aside (RSA) Proposals and 2014 priorities (Tab 11)**
- Review and adopt proposed changes to RSA Program
 - Finalize RSA Research and Information Priorities list for 2013 RFP

9:30 - 10:00 a.m. National Standard 1 Guidelines - NMFS Representative (Tab 12)

- Discuss NMFS proposal to review/revise

10:00 - 10:30 a.m. Amendment 3 to Spiny Dogfish (Tab 13)

- Review and approve Public Hearing Draft

10:30 - 11:00 a.m. Northeast Fishery Science Center Strategic Planning Presentation (Tab 14)

- Dr. Russell Brown - NEFSC

11:00 - 1:00 p.m. Business Session

- Approve April 2012 and June 2012 minutes
- Address any outstanding actions from June 2012 meeting

Surfclam/Ocean Quahog

Move to accept the staff recommendation for specifications and to suspend the minimum size limit.

Anderson/Nolan (14/0/1)

Motion carries

MSB Specifications

Move to accept the 4 regulatory changes discussed on page 2 of the staff memo.

Nolan/Berg

Approved by consent

Move to recommend 1b for mackerel:

ABC = 80,000 mt

Canada Catch = 36,219 mt

US ABC = 43,781 mt

ACL = 43,781 mt

Recreational = 2,714 mt

Commercial = 41,067 mt

ACT Buffer Recreational: 10%

ACT = 2,443 mt

Commercial ACT = 34,907; Commercial discards = 3.11%

DAH = 33,821 mt; DAP = 33,821 mt

JVP = 0, TALFF = 0

Nolan/Berg (16/0/1)

Motion carries

Move to recommend option A in the staff memo, with consideration of rollover of unused bycatch cap quota later in the year to the directed fishery to be evaluated as soon as possible.

Nolan/Himchak (17/0/1)

Motion carries

Move to reaffirm the 2012 Butterfish Specifications and forward to NMFS.

Nolan/Berg

Approved by consent

Move to set the above (mackerel specifications) as a 3-year package subject to annual SSC review.

Nolan/Berg (12/0/0)

Motion carries

Move to increase post-closure trip limit to 500 pounds, to start Jan 1 with no trip limit, closing at:

January/February = 58%

March/April = 64%

May/June = 71%

July/August 78%

September/October = 85%

November/December = 91%

With the Service having the discretion of examining the results of this management scheme and adjusting the post-closure trip limit between 250 and 750 pounds.

Nolan/Berg (14/1/1)

Motion carries

Move to accept the preliminary trigger schedule as follows, that would trigger a 5,000 pound trip limit:

January/February (58%-18%) = 40%

March/April (64%-17%) = 47%

May/June (71%-16%) = 55%

July/August (78%-15%) = 63%

September/October (85%-14%) = 71%

November/December (91%-13%) = 78%

Nolan/Berg (14/1/2)

Motion carries

Move to set a trip limit of 2,500 pounds for effective codend mesh less than 3" and require 3" or great mesh for trips over 2,500 pounds.

Nolan/Berg (13/2/1)

Motion carries

Move to keep the incidental trip limit at the status quo of 600 pounds.

Nolan/deFur (15/0/2)

Motion carries

Move to place a cap of 75% of the annual butterfish cap on the Longfin squid fishery when Trimester II would close and add this item to the upcoming MSB FMP framework action.

Nolan/Berg (15/0/2)

Motion carries

MSB Amendment 14

Move that options 1c, 1d48, 1e Mack, 1e Long, 1f Mack, 1f long, and 1g Mack, be put forward as the preferred alternatives in Amendment 14.

Nolan/Berg (17/0/1)

Motion carries

Move to recommend to NMFS the preferred options be 2d, 2f, and 2g in Amendment 14.

Himchak/Nolan

(16/0/1)

Motion carries

Move to recommend 3b, 3c, and 3d as the preferred alternatives in Amendment 14.

Nolan/Berg (16/01/)

Motion carries

Move to recommend 3j, 3L to NMFS modified that the only slippages that count against 3l are non-emergency events, i.e., the exceptions 1, 2 and 3 in 3j would not count against the slippage cap nor would operational discards that are observed (codend) with visual access prior to discarding.

Schafer/Zeman (13/3/1)

Motion carries

Move to include "observe prior to operational discarding, i.e., requiring visual access to the codend by the observer."

Howard/Luisi (13/3/1)

Motion passes

Move that operational discards would also not count against cap.

Heins/deFur (13/3/1)

Motion passes

Move that both MWT and SMBT would get 10 slippage events.

Nolan/no second

Move that Council indicate that the exemptions can be modified through annual specifications.

Zeman/Anderson (16/1/1)

Motion carries

Move to recommend 3n and 3o with the same exceptions as would apply to mackerel (safety, mechanical, dogfish-caused slippages would not count against cap).

From Committee (1/15/1)
Motion fails

Move that the Council intends to allow for modification of at-sea observation measures through the specifications process, particularly those alternatives described in alternative set 3 of Amendment 14.
Zeman/McMurray (14/0/1)
Motion carries

Move 4f as the preferred alternative in Amendment 14.
Nolan/Berg (16/0/1)
Motion carries

Move to recommend to NMFS 5b4, i.e., 100% coverage for MWT mackerel trips as the preferred alternative in Amendment 14.
McMurray/Anderson (14/3/1)
Motion carries

Move to amend to recommend to NMFS that 100% observer coverage is set for the MWT mackerel fishery and that this level of coverage is necessary for the conservation and management of shad, to accurately assess all catch, and to implement measures to minimize bycatch and/or incidental catch of river herring and shad and other managed species.
Zeman/no second

Move to recommend to NMFS 5c4, 100% coverage for SMBT mackerel trips as the preferred alternative in Amendment 14.
From Committee

Move to recommend to NMFS that 25% coverage would be applied for Tier 3 and 50% coverage for Tier 2 and 100% coverage in Tier 1 for the SMWT fishery for vessels to land over 20,000 pounds.
Nolan/deFur (16/0/1)
Motion carries

Move to recommend to NMFS revaluation of coverage rates after age 2 years.
deFur/O'Reilly
Motion withdrawn

Move to recommend 5h as a preferred alternative
Committee motion (16/0/1)
Motion carries

Move to recommend to NMFS a preferred alternative of \$325 per day contribution of any vessel participating in the mackerel fishery that would fund the previously specified observer goals in proportion to required coverage levels for each Tier. The amounts would be modifiable in specifications.

Nolan/Pate (12/0/2)
Motion carries
Move to recommend to NMFS alternatives 6b, 6c, and 6f as preferred.
From Committee (10/3/1)
Motion carries

Move to substitute to recommend 6f to implement a cap through a future framework action when better information is available.
Himchak/Nolan (5/9)
Motion fails

Move to recommend to NMFS Alternative 7a (no action) for Alternative Set 7.
Nolan/Berg (15/0/1)
Motion carries

Move for Alternative Set 8, to recommend to NMFS Alternative 8b (frameworkability for hotspots).
From Committee (6/8/1)
Motion fails

Move to substitute to recommend 8cMack as modified such that 100% observer coverage would be required in the protection areas, modifiable via specifications and also frameworkable to create or modify such area (8b), to NMFS as preferred.
Zeman/McMurray (8/6/1)
Motion carries

Substitute motion becomes main motion.
(6/8/1)
Motion fails

Move to recommend option 8b, making hotspots (per NEFMC Amd 5) frameworkable.
deFur/Himchak (14/0/1)
Motion carries

Move to recommend to NMFS 9b, 9c, 9d, 9e as the preferred alternatives in Amendment 14. The Council will begin Amendment 15 to add RH/S as stocks in the fishery (with EFH, ACLs/AMs, etc.)
From Committee

Move to substitute: recommend 9a (no action) for Amendment 14 and the Council will begin Amendment 15 to add RH/S as stocks in the fishery (with EFH, ACLs/AMs, etc.)
Himchak/Anderson (12/4/1)
Motion carries

Substitute motion becomes main motion.
(15/1/1)
Motion carries

Move to submit Amendment 14 to the Secretary including the preferred alternatives identified by the Council for approval.
Schafer/Pate (14/0/1)
Motion carries

BOEM

Move to submit written comments opposing the BOEM seismic testing on the US east coast due to our grave concerns of the enormous Level A and Level B marine mammal takes and the unexamined but suspected deleterious effects on other marine species that our Council manages.
Berg/deFur (10/0/1)
Motion carries

Liaison Reports (Tab 15)

- New England Council
- South Atlantic Council

Organizational Reports (Tab 16)

- NMFS Regional Administrator
 - Discuss development of sub-ACL's for windowpane flounder
- NMFS NEFSC Director
- NOAA Office of General Counsel
- Federal Enforcement (NMFS and U.S. Coast Guard)
- ASMFC Director

Executive Director's Report - Chris Moore (Tab 17)

Science Report - Rich Seagraves

Committee Reports

- Visioning and Strategic Planning Committee
- Ecosystem and Ocean Planning Committee
- Executive Committee

Continuing and New Business

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.