

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

**October 15-18, 2012**

**Ocean Place, One Ocean Blvd., Long Branch, NJ 07740**

**Telephone: (732) 571-4000**

**Monday, October 15**

- 1:00 - 5:00 p.m.    Visioning and Strategic Planning Working Group (Tab 1)**  
*Robins, Anderson, Beal, Berg, Darcy, Elliott, Hemilright, Himchak, King, Linhard, Luisi, McMurray, Nolan, Pate (Clark)*
- Finalize Mission Statement
  - Review top themes from the Visioning Project
  - Discuss Objectives, Strategies, and Tactics for three to four strategic goals

**Tuesday, October 16**

- 9:00 - 5:00 p.m.    Visioning and Strategic Planning Working Group**  
*Robins, Anderson, Beal, Berg, Darcy, Elliott, Hemilright, Himchak, King, Linhard, Luisi, McMurray, Nolan, Pate (Clark)*
- Review outcomes from Day 1
  - Discuss Objectives, Strategies, and Tactics for three to four strategic goals (continued from Day 1)
- 5:00 - 6:00 p.m.    Listening Session (Tab 2)**
- Clean Ocean Zone presentation - Questions and Answers
  - Interactive session with leadership

**Wednesday, October 17**

- 9:00 a.m.            Council convenes**
- 9:00 - 10:00 a.m.    Management Strategy Evaluation (MSE) Summer Flounder Study (Tab 3)**
- Presentation on recreational management approaches as examined by PMAFS project investigators
- 10:00 - noon        Delaware Special Management Zone (SMZ) Request (Tab 4)**
- Review and approve options for designation of Delaware artificial reefs in the EEZ
- 12:00 - 1:00 p.m.    Lunch**
- 1:00 -2:00 p.m.    Dogfish Amendment 3 (Tab 5)**
- Approve and adopt final measures in Amendment 3 to the Spiny Dogfish FMP

- 2:00- 3:00 p.m. Spiny Dogfish Committee as a Committee of the Whole (Tab 6)**
- Review SSC and Spiny Dogfish Monitoring Committee recommendations for 2013 - 2015
  - Adopt recommendations for 2013 - 2015 management measures
- 3:00 - 4:00 p.m. Framework 7 (Meeting 2) and 8 (Meeting 1) to Mackerel, Squid, and Butterfish FMP (Tab 7)**
- (7) Consider changing butterfish catch cap for the longfin squid fishery to a butterfish discard cap
  - (8) Consider adding butterfish cap closure authority in trimester 2
  - (8) Consider procedure for transferring quota between landings and discards in the butterfish cap near the end of the year
- 4:00 - 5:00 p.m. Standardized Bycatch Reporting Methodology (SBRM) FMAT Report (Tab 8)**
- Approval of alternatives for analysis and possible inclusion in the new SBRM Amendment now under development

**Thursday, October 18**

- 9:00 - 10:00 Science Center for Marine Fisheries [SCeMFIS] (Tab 9)**
- Presentation on SCeMFIS cooperative research
- 10:00 - 1:00 p.m. Business Session**
- Approve August 2012 minutes
  - Address any outstanding actions from August 2012 meeting

**Ecosystems and Ocean Planning**

Recommend that the Council move ahead with deep sea coral protections under the Squid, Mackerel, and butterfish FMP.  
Elliott for Committee  
Moved by consent

Approve the Memorandum of Understanding regarding the management of deep sea corals that would involve a cooperative agreement among the three Councils; the New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, and the South Atlantic Fishery Management Council.  
Elliott for Committee  
Moved by consent

**SMZ**

Any objection to going back to the Demersal Committee in October, passing the Committee with developing options, then we can have a public hearing between October and December, 1 or more at the request of the Committee and Council, and try to take final action in December. As we go forward, ask General Counsel to continue with the question if additional collaboration is necessary with ASMFC. Seeing no objection we will proceed in that manner.  
No objections

**Summer Flounder Management Measures**

Move that summer flounder specifications be set for 2 years.  
Council Heins/Linhard 19/0/0  
Board: Carpenter/Augustine 11/0/0/0  
Motion carries

Move for 2013, the recreational ACL = ACT = 10.23 mil lb. and commercial ACL = ACT = 12.11 mil lb. This results in a recreational harvest limit of 7.63 mil lb. and commercial quota of 11.44 mil lb. (after reduction for RSA).  
For 2014, the recreational ACL = ACT = 10.19 mil lb. and commercial ACL = ACT = 12.05 mil lb. This results in a recreational harvest limit of 7.59 mil lb. and commercial quota of 11.39 mil lb. (after reduction for RSA).  
Council: Heins/Berg 18/0/1  
Board: Augustine/Himchak 10/0/1/0  
Motion carries

Move that up to 3% of the TAL be allocated for RSA in 2013 and 2014.

Council: Heins/Pate 14/2/1

Board: Augustine/Nowalsky 9/1/0/0

Motion carries

**Scup Management Measures for 2013 with the ASMFC Board**

Move that scup specifications be set for 3 years.

Council: Heins/Pate 18/0/0

Board: Heins/Himchak 9/1/1/0

Motion carries

Move to substitute that the measures be set for 2 years.

Pierce, motion dies for lack of second.

Move that up to 3% of the TAL be allocated for RSA in 2013, 2014, 2015.

Council: Heins/Pate 16/2/1

Board: Heins/Nowalsky 9/1/1/0

Motion carries

Move for 2013, the recreational ACL = ACT = 8.52 mil lb. and commercial ACL = ACT = 30.19 mil lb. This results in a recreational harvest limit of 7.55 mil lb. and commercial quota of 23.53 mil lb.

For 2014, the recreational ACL = ACT = 7.92 mil lb. and commercial ACL = ACT = 28.07 mil lb. This results in a recreational harvest limit of 7.03 mil lb. and commercial quota of 21.95 mil lb.

For 2015, the recreational ACL = ACT = 7.43 mil lb. and commercial ACL = ACT = 26.34 mil lb. This results in a recreational harvest limit of 6.60 mil lb. and commercial quota of 20.60 mil lb.

Council: Heins/Pate 18/0/1

Board: Heins/O'Reilly 9/0/2

Motion carries

Move to change the scup commercial size limit from 9 inches to 8 inches consistent with the monitoring committee recommendations.

Council: Berg/Himchak

Board: Himchak

Motion dies for a lack of a second

Move to initiate an Amendment to: (1) revise the scup commercial/recreational 78:22 split with an upper bound of 60:40 and (2) reallocate the scup commercial quota from the winter periods to the summer period, with up to 50 percent of the quota being allocated to the summer.

Board: Pierce/Fote 6/3/2/0

Council: Heins/King 9/8/1 (tie, chair votes affirmative)

Motion carries

**Sea Bass Management Measures for 2013 [2014, 2015] with Board**

Move that black sea bass specifications be set for 1 year.

Council: Heins/Batsavage 19/0/0

Board: Nowalsky/Belavance 11/0/0

Motion carries

Move that up to 3% of the TAL be allocated for RSA in 2013.

Council: Heins/Pate 16/2/1

Board: Heins/Nowalsky 10/1/0

Motion carries

Move for 2013, the black sea bass recreational ACL = ACT = 2.37 mil lb. and commercial ACL = ACT = 2.13 mil lb. This results in a recreational harvest limit of 1.85 mil lb. and commercial quota of 1.78 mil lb.

Council: Heins/Pate 18/0/1

Board: Heins/Luisi 10/0/1

Motion carries

Move that the public hearing draft for Amendment 17 to the Summer Flounder, Scup, and Black Sea Bass FMP be delayed and returned to staff for additional work.

Council: DiLernia/McMurray 18/1/0

Motion carries

**Bluefish Management Measures with the ASMFC Board**

Move to adopt two-year (2013 and 2014) management measures for bluefish.

Heins/Batsavage 19/0/0

Motion carries

Move to adopt for bluefish in 2013 an ACL of 27.471 million pounds equivalent to ABC, a recreational ACT of 22.802 million pounds and a commercial ACT of 4.670 million pounds corresponding to a recreational TAL of 19.190 million pounds and a commercial TAL of 4.670 million pounds, and to allow a transfer of up to 4.686 million pounds from the recreational to the commercial TAL resulting in a recreational harvest limit of 14.504 million pounds and commercial quota of 9.357 million pounds.

Heins/Batsavage 19/0/0  
Motion carries

Move to adopt for bluefish in 2014 and ACL of 27.057 million pounds equivalent to ABC, a recreational ACT of 22.458 million pounds and commercial ACT of 4.600 million pounds corresponding to a recreational TAL of 18.846 million pounds and a commercial TAL of 4.600 million pounds, and to allow a transfer to up to 4.342 million pounds from the recreational to the commercial TAL resulting in a recreational harvest limit of 14,504 million pounds and a commercial quota of 8.942 million pounds,

Heins/Batsavage 18/0/1  
Motion carries

Move to allow a research set-aside of up to 3%, 715,819 lbs., of the combined recreational and commercial TALs in 2013.

Council: Heins/Pate 18/1/1  
Board: Heins/Nowalsky 8/1/0/0  
Motion carries

Move to allow a research set-aside of up to 3%, 703,395 lbs., of the combined recreational and commercial TALs in 2014.

Council: Heins/Pate 18/1/1  
Board: Heins/Nowalsky 8/1/0/0  
Motion carries

### **Research Set-Aside Proposals**

Move to approve the Scientific Quality Issues, as stated in the MAFMC RSA Program Recommendation paper, numbers 1-5, as recommended by the RSA Committee.

Pate for Committee  
Motion carried by consent

Move to approve the Administrative and Enforcement Issues, as stated in the MAFMC RSA Program Recommendation paper, numbers 1-5, as recommended by the RSA Committee.

Pate for Committee  
Motion carried by consent

Move that the Council include a requirement that vessels be required to possess a federal permit to harvest RSA quota. In cases where RSA quota is to be harvested in state water only, a state permit would be considered as meeting this requirement.

Pate/Heins  
Motion carries by consent

Move to approve the RSA Auction provision as stated in the MAFMC RSA Program Recommendation paper, as recommended by the RSA Committee.

Pate for Committee

Move to table above motion and refer above to General Counsel for review and clarification.

Heins/Himchak  
Motion carried by consent

Move that up to 3% of mackerel TAL be allocated for RSA in 2013 and 2% of the butterfish ACT be recommended.

Nolan/Heins  
Motion carries by consent

### **2014 Research Set-Aside Priorities**

*Interactions Between Loligo Squid, Butterfish, Atlantic Mackerel, and River Herring:*

Move to delete items "Evaluate potential improvements to at-sea observer and port sampling procedures and investigate accuracy and precision of at-sea observer and port sampling based estimates of catches of butterfish and Alosine species in the Loligo fishery and Alosine species in the mackerel fishery" and "Evaluate use of videography to document Loligo catches without any or minimal butterfish bycatch". Change "Test gear modifications (in addition to mesh size) . . ." item to read "Test gear modifications (in addition to mesh size), videography and/or alternative gear types (e.g., jigging) in the Loligo squid fishery to reduce bycatch of butterfish and other species". Also, add two new recommendations to the priorities under this section: (1) "Investigate potential for industry surveys to support butterfish or squid assessments", and (2) "Investigate mesh size and/or gear technologies (grates or separators) to reduce retention of small mackerel and river herring in the mackerel fishery".

Pate/Heins  
Moved with one objection

Move to include three new recommendations under Interactions Between Loligo Squid, Butterfish, Atlantic Mackerel & River Herring section: (1) "Explore spatial distribution of stock relative to the mixing of the northern and southern 'contingents' of mackerel i.e. tagging, genetics, chemical assay, microchemistry of otoliths"; (2) "Exploration of bottom trawl characteristics for catchability of mackerel"; and, (3) "Participate with industry in investigating the contemporary overlap of survey stock area, commercial fishery, and mackerel distribution and explore historical databases for the same purpose to better understand interpretation of abundance indices (survey, cpue)".

Nolan/Berg

Moved by consent

*Summer Flounder:*

Move to change first current item under summer flounder section to read: "Evaluate the length, weight, and age compositions of landed and discarded fish in the summer flounder fisheries (recreational and commercial) by sex. Focus age sampling on summer flounder 24 inches or larger in total length, using paired hard part samples (scales, otoliths)" and add new item "Evaluate gear modifications to reduce discard mortality in the recreational fishery".

Nolan/Batsavage

Moved by consent

*Bluefish:*

Move to delete from the Bluefish section "Collect size and age composition of the fisheries by gear type and statistical area".  
Pate/

Move to amend above motion to include to keep the two current items "Evaluate the length, weight, and age compositions of discards from the commercial and recreational fisheries" and "Initiate fishery-dependent and independent sampling of offshore populations of bluefish during the winter months (consider migration, seasonal fisheries, and unique selectivity patterns resulting in a bimodal partial recruitment pattern; consider if the migratory pattern results in several recruitment events)"

Heins/Nolan

Moved by consent

*Black Sea Bass:*

Move to delete "Validate methods used to age black sea bass (scales vs. otoliths)". Keep in the Black Sea Bass section "Perform studies focused on life history and reproductive behaviors, such as changes in sex ratio as a function of age and size or the evaluation of the sizes of territories in relation to mating or reproduction". Make suggested change to "Increase sea sampling to verify information from commercial logbooks toward providing better estimates of discards" by adding "with emphasis on pot trap and hook and line gear". Also, change "Develop fishery independent indices" to read "Evaluate and, if appropriate, continue a fixed gear survey of black sea bass similar to the one used for scup".

Nolan/Heins

Moved by consent

*Scup:*

Move to delete under Scup section "Develop fishery independent indices for scup ages 2+". Make suggested change to "Estimate fishery components used to calculate scup mortality (commercial and recreational landings, and discards)" by adding "with emphasis on discards". Add a new item "Review and evaluate existing fishery independent indices for scup".

Anderson/Nolan

Moved by consent

Move forward with the current Illex and tilefish recommendations.

Nolan/Heins

Moved by consent

**Amendment 3 to Spiny Dogfish**

Move forward with Dogfish Amendment 3 for public hearings making allocations frameworkable and including a 5-year review of regional allocation.

Himchak/Berg

Motion carries by consent

**Business Session**

Move to approve the April 2012 minutes and June 2012 minutes

Moved by consent

**New Business**

Move that the MAFMC write a letter to NMFS questioning the ability of removing the line restricting the Monkfish "H" permits from fishing the full southern area through a framework action.

Nolan/Berg

Motion carries by consent

Move that the Council request by letter to NMFS to reallocate unused butterfish from the directed fishery to the cap in Trimester 3 and in addition to convene by webinar to reconsider the 2012 butterfish ABC. Also request NMFS to check to ensure any unused RSA has been released.

King/Hemilright 12/0/1

Motion carries

#### **September 2012 Webinar Council Meeting**

I move that the Council recommend an ABC/ACL of 4,200 mt of butterfish for 2012.

Berg/Deem 16/0/1

Motion carries

I move that the Council recommend an ACT of 3,780 mt of butterfish for 2012.

Berg/Pate 15/0/1

Motion carries

I move to amend the above motion to make the ACT 3,838 mt.

DiLernia/O'Reilly

Motion Withdrawn

I move that the Council recommend a cap of 2,965 mt of butterfish for 2012.

Berg/Pate 14/0/1

Motion carries

I move that the Council continue to request a transfer of 200 mt from the butterfish landings quota to the cap.

Nolan/Berg 15/0/1

Motion carries

### **Liaison Reports**

- South Atlantic Council

### **Organizational Reports**

- NMFS Regional Administrator
- 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 10)**

### **Science Report - Rich Seagraves (Tab 11)**

- Report of SSC Ecosystems Subcommittee on strategies for implementing Ecosystem Approaches to Fishery Management and development of draft OY control rule framework

### **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.