

New England Fishery Management Council Groundfish Advisory Panel

Meeting Summary
May 29, 2007

The Groundfish Advisory Panel (AP) met in Mansfield, MA to discuss Amendment 16 development. The panel discussed changes to the days at sea (DAS) system, including a proposal called the DAS performance plan, the U.S./Canada area, and sector proposals received by the Council. Members present were Paul Parker (Chair), Maggie Raymond, Dave Marciano, Jim Lovgren, Richard Canastra, Jackie Odell, Carl Bouchard, and Geoff Smith. Multispecies Committee Chair Rip Cunningham also attended. Staff present were Tom Nies (NEFMC), Doug Christel (NMFS NERO), and Amy VanAtten (NMFS NEFSC).

Mr. Cunningham advised the panel that the Committee may focus on changes to the DAS system in Amendment 16, with other management approaches considered in a future action. He also reported that there wasn't any additional information available on NMFS development of guidance for recent changes to the M-S Act. Council staff provided a brief overview of DAS discussions hosted by the Gulf of Maine Research Institute (GMRI).

DAS Performance Plan

Staff provided a short description of the DAS performance plan. The AP generally concurred with the suggestions for improvement offered by participants at the GMRI meeting. In addition, members identified additional concerns:

- Mandatory retention of legal-sized groundfish may be a problem in the case of damaged/unmarketable fish. This is a particular problem for fixed gear fishermen and is applicable to many proposals.
- Video catch monitoring may prove unreliable, particularly in winter weather conditions.
- A weighmaster might be necessary to make this proposal work (and other output-based proposals as well). There has to be enforcement at unloading. Another alternative might be to require a hail of landing weight prior to entering port.

Several AP members felt the plan was complicated. Others noted that at least it charged DAS based on what individuals caught. **The DAS performance plan is not supported for full development by the AP.**

Changes to the Existing DAS System

The AP identified problems with the existing DAS system:

- The plan falls far short of achieving OY; yield is sacrificed from healthy stocks.
- Since DAS are counted in hours and minutes, one DAS can be stretched into multiple trips.

- Raises safety concerns. The F/V Lady of Grace sank in icing conditions while enroute port because they didn't want to run their DAS clock while riding out a storm offshore.
- There isn't a direct connection between effort and catch.
- Mid-Atlantic boats have lost access to the fishery, yet winter flounder are healthy in that area. Management has taken away fishermen's versatility.

The AP next developed recommendations for improvements to the DAS system. After extensive discussion, the AP recommended the following ideas be considered:

- Charge DAS as a twenty-four hour day (in integer values). There was some discussion about whether this should be just for the first twenty-four hours of the trip, or for the entire trip. This measure was viewed as a replacement for differential DAS counting.
- Remove differential DAS counting from consideration.
- Use triggered trip limits for stocks with trip limits. This system would be analogous to the triggered trip limit used for GB yellowtail flounder. Two stocks mentioned were CC/GOM yellowtail flounder and GB winter flounder.
- Adopt a running clock for all species with trip limits. This might be implemented by requiring vessels to hail landing weights prior to crossing the demarcation line. A suggestion to impose a tax on the DAS charged was discussed but not supported by the AP.
- Remove 20-day spawning block for DAS vessels.
- Review seasonal and year-round closed areas. The AP supports reducing the GOM rolling closures, but not their elimination. They believe reducing the closures may restore access to healthy stocks. One member said fishermen in his port wanted to keep CAII closed to protect yellowtail flounder.
- Consider allowing gillnet vessels to use six inch mesh.
- Develop a WGOM Closed Area longline haddock SAP if it can be supported by the stock status of GOM haddock.
- Reduce the 72-hour advance notice requirement to the observer program.
- Eliminate/reduce the conservation tax on the DAS transfer program when transfers occur within the permit upgrade restrictions. One AP member dissented with this proposal.
- Create more flexibility in the DAS leasing program by allowing leasing between vessels of different size. DAS would be adjusted to account for size differences. Some AP members supported making the same change for the DAS transfer program, while others did not.
- Allow permits in the permit history category to lease DAS. The AP noted that the current prohibition merely means that the permit must be taken out of the history category and put on a skiff before DAS can be leased. This does not prevent those DAS from entering the fishery.
- Remove vessel replacement tonnage restrictions. AP members do not believe that tonnage has any relation to fishing capacity. In addition, they noted that tonnage can be changed by making minor modifications to the vessel (often at considerable

expense because of the need to have the vessel re-measured by a naval architect). The AP noted that while this can be done in this amendment for groundfish permits, action would have to be taken in other limited access permits in other plans for the change to be effective.

- Examine exempted fisheries to see if they continue to meet the bycatch standard.
- Consider using the cod cap proposal previously submitted during the development of FW 42 as an alternative to the 24-hour clock and differential counting. (Two members dissented with this recommendation).

The AP also commented that many of these ideas should be considered even if another management system is adopted.

US/CA Resource Sharing Area Measures

The AP next considered measures in the US/CA area. They noted they had already recommended reviewing the understanding, but the Multispecies Committee chose not to act on that recommendation. An AP member expressed concern that there is talk of adding species to the understanding and yet there has never been a review of the current agreement. As noted above, they recommended reducing the notification requirement for the observer program to less than 72 hours.

The AP discussed measures that might facilitate taking more of the GB haddock TAC. Suggestions discussed included reducing the minimum fish size to 17 inches for GB haddock, requiring use of a 6 inch square mesh with a separator trawl, or allowing retention of a percentage of fish less than 19 inches. The AP members had differing opinions on the value of catching fish less than nineteen inches. Some members felt that there was no problem with measures that would allow targeting these fish, some thought they should be avoided as the 2003 year class is the only exceptional year class in the stock, and still others thought that the fish should be retained if caught to reduce bycatch but should not be targeted. Some members wondered whether the 2003 year class would be larger than 19 inches by the time the measures could be changed, even if the change was made through emergency action or other RA authority. If the fish exceeded 19-inches by the time a change could be implemented, reducing the minimum size might have unforeseen consequences on future year classes of GB haddock. Ultimately the AP recommended three different approaches that should be considered by the Committee:

- Adopt measures (smaller square mesh, 17-inch fish size) to facilitate catching the haddock TAC.
- Develop measures that allow retention of all, or some, fish less than 19 inches that are caught under current regulations as a temporary change to the regulations.
- Status quo

These measures should apply to GB haddock wherever caught.

The AP also identified additional measures that might allow the eastern area to remain open longer:

- Consider changing the start of the fishing year
- Use quarterly TACs in the area to spread out catches over the course of the year (with underages rolling over into the next quarter within a fishing year)

Sectors

The discussion on sectors began with a question on the allocation of sector TACs and the US/CA area: are sectors allocated a specific share of the TAC for the US/C area? They are not, which the AP identified as an issue that needs to be addressed as sectors move forward. It is unclear how this allocation would be determined.

The AP held a lengthy discussion on sectors and the implications for allocation of fishery resources. There were divergent opinions. AP members noted that some of the recently received sector requests did not fall within the bounds of the sectors rules implemented in Amendment 13. They would require changes to sector rules and in some cases would require changes to other management plans. Some AP members argued that an allocation amendment should be addressed before additional sectors are allowed. Others noted that the existing regulations allow sectors to be formed and there is no reason not to implement sectors that adhere to those rules.

AP members talked about the current rules of allocating to sectors. Staff explained the rolling baseline was designed to allow vessels that may not have had much history when stocks were poor to create sectors in the future. There are, however, problems caused by this approach that were not identified during Amendment 13 development. AP members had differing views on qualification periods, on the allocation method and whether catch history should be the sole consideration, whether leasing complicates the allocation process, and even whether the resource should be allocated at all. There were concerns expressed that catch history may be inaccurate.

The AP recommended that an allocation formula be developed.