

**New England Fishery Management Council**  
**Joint Groundfish/Scallop Oversight Committee**  
**Meeting Summary**  
August 10, 2010

The Joint Groundfish/Scallop Oversight Committee met in Revere, MA to discuss measures to facilitate the harvest of optimum yield from the two fisheries. They also received a report on an S Mast project designed to reduce yellowtail flounder bycatch in the NLCA access area and a brief report on the 2010 assessment of Georges Bank (GB) yellowtail flounder. Committee members present were Mr. Rip Cunningham (Chair), Mr. Terry Stockwell, Mr. David Pierce, Ms. Mary Beth Tooley, Mr. Rodney Avila, Mr. Mike Leary, Ms. Sally McGee, Mr. Howard King, Mr. Erling Berg, and Ms. Hannah Goodale. Advisory Panel co-chairs Mr. Bill Gerencer and Mr. Jim Gutkowski also joined the discussions. Council member Mark Alexander was also present. They were supported by Council staff Tom Nies and NMFS staff Tom Warren, Pete Christopher, and Emily Bryant, and NOAA General Counsel representative Gene Martin.

**SMast Bycatch Reduction Project**

Ms. Cate O'Keefe provided an overview of an S Mast project that worked with scallop fishermen to identify and publish areas of high yellowtail flounder bycatch in the 2010 NLCA access area. This enabled fishermen to avoid the areas to reduce bycatch and facilitate the harvest of scallops from the area. Committee members thanked Ms. O'Keefe for the presentation and noted that this was a good example of cooperation between industry and scientists to address a management problem. They also expressed interest in the costs of the program. Ms. O'Keefe noted that S Mast was attempting to identify funding for continuing the project in future years.

**Georges Bank Yellowtail Flounder 2010 Assessment**

Council staff gave the Committee an overview of the results of the Trans-Boundary Resources Assessment Committee (TRAC) assessment of GB yellowtail flounder. This year's assessment estimates stock size as lower than last year, a result of reduced estimates of the size of the 2005 year class. Fishing mortality is also low and is estimated to have been below Fref for two years. The assessment has developed a retrospective pattern of over-estimating stock size and under-estimating fishing mortality.

Projections indicate the stock cannot rebuild by 2014 even in the absence of fishing mortality, but can rebuild by 2016 under any of the three alternative strategies the Council is considering. Rebuilding success is highly dependent on successful recruitment over the next few years. The Trans-Boundary Management Guidance Committee (TMGC) will meet at the end of August to develop a recommended catch for 2011. The Science and Statistical Committee (SSC) will meet the same week to determine an appropriate ABC. A more detailed assessment report will be provided at the September Council meeting.

## Joint Advisory Panel Report

Mr. Gutkowski and Mr. Gerencer reported the recommendations of the Joint AP to the Committee. The reports focused on the motions passed at the two AP meetings. The passed motions at the first meeting recommended:

- Adjust the GB yellowtail flounder rebuilding strategy.
- Develop an option to eliminate the GB access areas yellowtail flounder 10 percent cap.
- To allow a limited number of cooperative research trips to provide up to date information on bycatch rates and spawning periods.
- Allow formation of voluntary bycatch cooperatives to the purpose of developing gear modifications.
- Allocate 100 percent of the scallop fishery estimated yellowtail flounder catch to the scallop fishery.
- Do not change the fishing year.
- To define the General Category IFQ fishery as an “other subcomponent” of the groundfish catch/ACLs.

At the second AP meeting, the passed motions were:

- Revise/eliminate the GB closed areas for both groundfish fishing by sector vessels and for access by scallop vessels.
- Support a program that provides access to the year-round closed areas for a study fleet for the purpose of identifying maximum meat yield and eliminating bycatch.
- Reverse the Amendment 16 decision to require groundfish sectors to bear the cost of at-sea monitoring and to instead share those costs with the NMFS.

The Chair reviewed the AP recommendations and noted that many could be sent back to the appropriate committee and did not need joint committee action. For example:

- GB yellowtail flounder rebuilding timelines are being revisited in FW 45
- Council already expressed interest in legislative attempts to address the US/CA area
- Amendment 15 is considering changes to the fishing year for scallops

One issue that seemed to need Committee discussion was changes to the GB closed areas and access areas. Changes were contingent on what would be adopted by the ongoing habitat amendment; work on those alternatives is ongoing.

**Motion:** To recommend the Council forward the Joint AP recommendation relative to revisions of the GB groundfish closed areas for groundfish sectors and the scallop fishery to the groundfish and scallop committees. (Dr. Pierce/Mr. Preble)

The maker of the motion argued that this motion would move forward a carefully thought out recommendation of the Joint AP and would allow the two committees to consider the impacts of the habitat amendment on the concept. A motion to substitute was offered that suggested forwarding all the AP recommendations to the appropriate committees. The language of this motion was perfected several times to address the status of the Joint Committee and what committees should be involved, with the final form of the motion (see below) suggesting the joint committee be suspended until needed at a future date.

**Motion to substitute (as perfected):** To recommend to the Council that this committee be suspended and forward all the Joint AP recommendations to appropriate committees for further development. (Mr. Stockwell/Mr. Leary)

The Chair noted that the original purpose of the Joint Committee was to create bycatch sectors. Since this option was rejected by industry, it did not seem necessary for a separate committee to exist. Committee members expressed the opinion that even if the Committee is suspended, the Joint AP could still serve a useful purpose to coordinate efforts of the two industries. Some Committee members were hesitant to support this motion until the Committee discussed the specific AP recommendations. Others were concerned the motion implied endorsement of the AP recommendations; the Chair clarified that was not the case. Public comment on the motion included:

- Ms. Maggie Raymond, AFM: Will Council debate the merits of these ideas or merely forward them to the committees? There are some other ideas that could be pursued. These issues will be debated during priorities anyway.
- Mr. Drew Mintkiewicz: Fisheries Survival Fund (FSF). The joint committee came about because we have been told changes we want need a joint action. Habitat issues need to be addressed as well. We cannot accept this change if this means we are moving backwards.
- Mr. Roy Enoksen: If you accept this motion it is a good opportunity for the two fisheries to work together.
- Mr. Peter Hughes: Atlantic Cape Fisheries. I thought there would be more debate on each AP motion. If there is strong support for an idea, that should be communicated to the Council. If there is no support for an idea let it die on the vine.

The Committee considered these comments. There continued to be confusion over whether the motion endorsed the AP suggestions or merely forwarded them to the Council without endorsement. Some Committee members felt the AP recommendations warranted more discussion.

**Motion:** To table the motion to substitute until review of Joint AP recommendations applicable to both the groundfish and scallop committees. (Mr. Avila/Ms. Tooley)

The motion to table carried unanimously.

The Committee discussion on specific AP suggestions can be summarized as:

**Changing the fishing year:** The Committee did not make any recommendation since this idea is being considered for the scallop fishery in Amendment 15, currently open for public comment.

**Eliminate access areas and GB closed areas:** The Committee supported further analysis of this concept in general and noted that it would need considerable development by the groundfish and scallop committees. This development could include expansion of the ideas into the Gulf of Maine (GOM). The Committee recognized that in some cases implementation of changes might occur in an action under one plan, while other changes might require changing multiple plans through a joint action.

**Access to areas for cooperative research:** Two ideas were considered: a general statement of support for research projects, and incorporating a research project into a specific management action. The latter idea would be complex to implement and many details have not been addressed. Nevertheless, the Committee saw merit in both concepts.

**Motion:** To bring the substitute motion back to the table. (Mr. Preble/Mr. Leary)

The motion carried unanimously. The motion on the table was:

**Motion to substitute (as perfected):** To recommend to the Council that this committee be suspended and forward all the Joint AP recommendations to appropriate committees for further development.

Committee members questioned the process that would follow if this motion were adopted. Council staff noted that in the past the Council had addressed joint actions through two separate committees. If necessary, the Committees could hold a combined meeting or the full Council could resolve issues at a Council meeting. Having a third committee could cause confusion as multiple committees might address the same issues. At the same time, the Council could still have a Joint AP work with other committees if desired. Committee members seemed satisfied with this explanation.

The Chair clarified that the intent of the motion was to take these recommendations, send them to appropriate committees, and support the concept of moving them through those committees. The Joint Committee was not endorsing any single issue.

The motion to substitute carried on a show of hands (8-1-1).

The motion carried as the main motion on a show of hands (8-2).

Since there was no other business, the meeting was adjourned.

