

Scallop PDT Meeting Summary
Gloucester, MA
March 1, 2007

The primary purpose of this meeting was to review analyses of Amendment 11. The PDT also discussed several issues related to further development of Framework 19 alternatives.

Amendment 11

Deirdre Boelke took the PDT through Amendment 11 section by section. The PDT identified a list of issues the Committee should be aware of before recommending Amendment 11 for public comment and selection of preferred alternatives.

1. Alternative 3.1.2.4.1.1 (possession limit up to 2,000 pounds) is problematic when combined with Option B (allocation of access in trips). This concern was raised at the September Council meeting but was not addressed. If limited entry is selected and the Council decides to allocate access on an individual basis, there is an alternative that the possession limit could be increased from 400 to 2,000 pounds. The PDT recommends that this alternative should not be coupled with Option B, allocation in trips. If a vessel can land up to 2,000 pounds this will change how the PDT estimates mortality from the general category fleet. If the Council wants to leave this alternative as an option with allocation in trips, then a vessel should be charged more than one trip if it landed over 400 pounds, otherwise estimated mortality will increase per trip.

The PDT further discussed some concerns with increasing the possession limit to 2,000 pounds. Raising the possession limit has the risk of changing the incentive structure for this fishery. Two thousand pounds would be more attractive for more vessels than 400 pounds. Vessels will be more willing to travel farther and fish longer in sub-optimal conditions, which could increase impacts on the scallop resource. It may not be cost effective to fish in sub-optimal areas for 400 pounds a trip, but 2,000 pounds per trip would be more attractive.

2. The division of quarterly/trimester TAC in Alternative 3.1.2.4.7 (fleetwide hard-TAC under limited entry by quarter or trimester) uses fishing years 2000-2005. The PDT suggests that these years be used to identify the initial allocation, but rather than those percentages being used in definite, the future percentages should be based on more recent fishing years as well as future projections. For example, the quarterly allocation percentages in 2010 should be based on landings from 2003-2008 and consider what season access areas open etc.
3. While the specific hard TAC for the NGOM alternative is going to be defined in a future action – the PDT thought it would be useful to give a general value at this time to give the Council a better sense of a general ballpark value and how the TAC would potentially be identified. Until the area can be assessed, the PDT recommends taking the annual landings from the GOM from the last several years (i.e. 2000-2005) and averaging them. Then the PDT thinks the TAC should be reduced by about 20% to prevent overfishing of a resource that is sporadic and to account for the fact that many of the areas offshore that

used to support scallop fishing are currently closed in groundfish mortality or habitat closures.

4. The PDT discussed that analysis for impacts on the scallop resource for the No Action alternative should be expanded. The PDT voiced that some aspects of the biological impacts on the scallop resource were not addressed. The discussion should explain why a quantitative analysis was not completed and include more description of the risks associated with No Action.
5. The PDT discussed that in some cases inaccurate data could increase future allocations for some vessels, and reduce future access for other vessels. The PDT discussed that one way to address this would be to include specific standards for the pre-qualification process. The Council could consider including a specific pre-qualification process that would for example, cap all general category records in the dealer database at 400 pounds. This would reduce the effects of inaccurate reporting. If a vessel can later prove that landings from one record in the dealer data should be more than 400 pounds (i.e. multiple VTR trips were reported as one trip in the dealer data) then that vessel can appeal for a higher allocation contribution. If the Committee agrees with this concept a section can be added to the permit provisions that would specify standards for the pre-qualification process, Section 3.1.2.5.

Over lunch Kimberly Murray, a turtle biologist at the NEFSC presented a recent report published on estimated loggerhead turtle bycatch on scallop trawl vessels in the Mid-Atlantic. She described the recent observed takes of turtles and the various methods used to estimate total turtle bycatch from this component of the scallop fishery (3 different methods generated 6 different point estimates of bycatch). Of the eight turtles taken in this gear type in 2004 and 2005, one was resuscitated, but all were released back into the water alive. Point estimates of turtle interactions with scallop trawl gear ranged from 81-191 turtles per year (with separate confidence intervals ranging from a minimum of 20 turtles to a maximum of 320 turtles). The PDT briefly discussed that more research should be done on the potential use of TEDS in the scallop fishery. The PDT discussed that portions of this final report should be included in Framework 19.

After lunch Demet Haksever summarized the economic analyses for Amendment 11. Overall the analyses are still preliminary and more work is going to be completed before the Committee meeting later in March. Numerous analyses have been conducted on combinations of the limited entry qualification alternatives, allocation options, allocation of total TAC, and numerous other alternatives in this document. Furthermore, detailed analyses with different price estimates, future yield and other economic elements are included. Since this action includes many decisions with impacts that are interrelated the economic analyses are complex. Overall the PDT discussed that all the analyses are necessary to include, but if there is time staff should identify the critical tables to help the Committee and Council identify the main impacts of the different alternatives being considered.

General statements/guidance from the PDT concerning Amendment 11:

- One PDT member noted that the message that sticks out to them from all the economic analyses is that the Council should be very conscious of the number of participants that receive a permit if limited entry is adopted. Typically the Council does not want to leave anyone out, but in this case the Council should not be in the mind set that every qualifier needs to receive full access to this fishery. Most participants over time have relied on scallops as part of their total income.
- Some of the alternatives in the document could disrupt the nature of the general category fishery and a new fishery could result.
- Another PDT member noted that Amendment 11 has to think about the long-term health of the scallop fishery. While it may be true that economics could keep this fishery in check, Amendment 11 should put some controls in this component of the fishery to prevent overfishing and help to stabilize the fishery overall.
- The Council should keep the vision statement in mind when making decisions and final recommendations.

Framework 19

The PDT then discussed Framework 19 and reviewed the list of eleven priority items approved by the Committee. One item under consideration for Framework 19 was the need to clarify what can be done to prevent overfishing for the entire 2007 fishing year. Emergency action was taken in December 2006 to prevent overfishing. As requested by the Council, NMFS reduced the number of trips in the Elephant Trunk Area, delayed the opening until March 1, and prevented deckloading from the area. That action can only be extended for two 180-day periods (less than one calendar year). If it is extended, after December 2007 status quo measures implemented under Framework 18 would revert back for the last two months of fishing year 2007 (January and February 2008). So in order to prevent overfishing for the entire fishing year, the Council may consider initiating a framework to extend the measures implemented by emergency action through March 1, 2008. The PDT is supportive of extending the emergency regulations through Framework 20 to prevent overfishing. While many limited access vessels may not fish in January and February for reasons previously stated when the Council considered recommending interim action, allocating all general category trips for the January/ February time period would be problematic. Since those trips are fleetwide, vessels would be more inclined to fish in January/February, potentially increasing mortality in fishing year 2007 above the overfishing threshold.

The second issue the PDT discussed was consideration of improvements to the observer set-aside program. Ms. Boelke explained the public comments received during Amendment 13 and the support of the Council to address these issues as soon as possible. The PDT reviewed a brainstorming document with examples of ways to improve the observer set-aside program. Several PDT members are going to continue working on this issue, and will hopefully have more information for the Committee to review for their meeting on March 20. The PDT is supportive of exploring a sector type of mechanism to fund observers, but the details need to be further developed. The PDT discussed Example 1, a different possession limit and accrual rate by permit category, but determined that alternative will not solve the problems raised by the industry. One PDT member suggested that a straightforward way to approach this would be to set aside a certain set-aside and auction it so vessels could bid for funds to pay for observer

coverage, but that system could not be implemented under current regulations. Another PDT member suggested that if all the available research set-aside was not used the poundage or Das associated with that research should revert back to the observer set-aside.

Lastly, the PDT discussed the number of access area trips expected for the Georges Bank access areas. Based on the surveys conducted in 2006 it does not look like the areas can support more than one limited access trip per year for 2008 and 2009. Furthermore, it does not seem that the resource within Closed Area I can support any trips for either fishing year. The area that is available to access within Closed Area I has been reduced as a result of the FW16 lawsuit, so until the boundaries of that area can be re-examined, that area is not expected to be in the rotation scheme in the near future. There is abundant resource just north and south of the current access area, but the Council is unable to even consider those areas as potential access areas until Phase II of the EFH Amendment. Several members of the PDT voiced continued frustration with this process and warned that the benefits of area rotation are seriously being compromised.

The next Scallop PDT meeting will probably be held the last week of June.