



DRAFT

**New England Fishery Management Council
Scallop Advisory Panel Meeting**

April 4, 2012
Providence, RI

AP members in attendance: James Fletcher, Ed Welch, James Gutowski, Robert Maxwell, William Wells (Chair), Kirk Larson, Scott Bailey, Gib Brogan, Michael Marchetti, Peter Hughes, Ron Enoksen, Bob Keese, and Paul Parker

NEFMC Staff present: Deirdre Boelke and Demet Haksever

There were about 20 members of the audience present for the meeting

The Chair of the Scallop advisory panel, Bill Wells, began with introductions and reviewed the agenda. Staff gave a presentation on the outline of measures being considered in Framework 24. The primary objective of this meeting is to provide input on several measures under consideration as well as provide research priority recommendations for 2013 and 2014.

FRAMEWORK 24

2.1 Fishery Specifications

The specifications were not discussed yet because they rely heavily on recent survey data which is not available yet. A handful of survey cruises are planned for this spring and summer and the PDT will begin developing alternatives in August/September after results are available. The only subject the AP discussed related to specifications is development of an alternative that would create automatic reductions in allocations for the second year of a specification package if updated information is available to suggest that allocations should be adjusted downward.

The AP is very supportive of developing an automatic measure to adjust allocations rather than relying on requests for Emergency Action etc. when allocations are set too high. Motion 1 below was passed related to this topic. It was discussed that CPUE would be a useful tool and could be more real-time than a biomass survey, but it could get very complicated because multiple triggers will have to be set for areas to shift effort from, as well as areas to shift effort to. The AP identified a handful of factors that cause variability in the fleet that likely impact catch rates. The AP discussed that variations such as single versus double dredge, crew size, tow time, season, etc. could mask average CPUE calculations. It is possible that vessels may have to report more information daily to support this type of measure. One member noted that similar measures may have to be developed for Year 3 as well. The AP also discussed the possibility of having annual specifications instead of developing this automatic process.

Motion 1: Hughes/Gutowski

AP recommends an automatic adjustment based on updated biomass estimates below a specified trigger OR an automatic adjustment based CPUE falling below a specific threshold of CPUE (i.e. if CPUE in an access area falls below 1,500 pounds per day based on the most recent estimate of CPUE available). If vessels are displaced from an area the PDT will identify upfront where displaced vessels could take that access area trip.

Vote: 8:0:3, carries

2.2 Measure to refine the YT flounder sub-ACL

2.2.1 Modify the GB access area seasonal restrictions

Rather than focusing on identifying specific time periods with lower bycatch rates based on fishing experience the AP instead identified a handful of principles they would like the Committee and PDT to keep in mind when developing measures. Preliminary work discussed at the PDT suggests that bycatch rates are highest in CA1 and CA2 starting in August through October. Several speakers suggested that scallop meats are best starting in March, and a bit later in CA2. Motion #2 below was passed in an effort to help guide future alternatives. The AP was a bit split on bullet number 3. It was explained that this was included to recognize that some vessels have to steam long distances to access these areas and having very different schedules could increase steam time for some vessels. A member of the audience suggested that these restrictions should be based on general trends and be as flexible as possible to support a longer fishing season since these dates may be in place for a long time. A LAGC advisor added that the open season has to consider times of year when smaller vessels can access the areas safely; they cannot only be open during poor weather months.

Motion 2: Hughes/Larson

For development of GB seasonal restrictions the AP recommends the Committee consider:

- 1. GB AA should be open in the Spring when meat weights are higher and bycatch rates are lower**
- 2. Seasonal restrictions should primarily be dictated by bycatch rates only, and not just scallop yield.**
- 3. Preference is that the seasonal restrictions be the same for all three areas (CA1, CA2, and NL).**
- 4. Seasonal restriction should not be longer than the current 4.5 month restriction (Feb1-June14).**

7:0:4, carries

2.2.2 Measures to address YT bycatch in the LAGC trawl fishery

The AP passed several motions related to this topic. Overall it was clear that the AP did not think it was reasonable to have some fleets with an AM and some fleets without one since YT catch from all scallop fleets counted against the same sub-ACL. The AP did explore the idea that there may be ways to reduce YT bycatch on LAGC trips by allowing those vessels to land groundfish while on a scallop trip. The SNE area is very complicated in terms of what vessels can do what and the restrictions have changed over time. Ultimately, the AP passed motions below (#3 - #7) to develop alternatives in FW24 that would further subdivide the sub-ACL so the LAGC fishery had its own sub-ACL, and then divide if further so vessels with trawl gear had their own.

A member of the audience that has a LAGC permit and fishes with trawl gear explained that possible AMs could be increasing mesh size to 6.5 inches everywhere, as well as implementing a limit on the length of ground wire. Another suggestion was to eliminate or reduce the use of chafing gear or prohibit a trawl vessel from landing anything else but scallops as an AM. As the AP discussed possible AMs the issue of the 2010 observer data being an anomaly came up. Ms. Amy Van Atten from the Observer Program was present to explain the 2010 observed trawl trips in more detail. She expressed that six out of the total 31 observed trips had relatively high YT bycatch. And the six larger trips were on less than three vessels. Some tows were measured using the “volume to volume” method, which measures a sample of a tow and extrapolates it for the full tow, while some of the larger

catches were weighed directly. Therefore, it is possible that some of the larger tows could be questionable, but some tows were completely measured so are more reliable.

In the end, the AP supported subdividing the sub-ACL so each fleet is accountable for their own bycatch. The AP did not adopt a gear related AM for the trawl fishery and instead developed a spatial AM that would prohibit trawl gear in statistical areas 612 and 613 for a period of time to account for an overage. The AP did not have time to develop specific AMs for the LAGC dredge fishery.

Motion 3: Gutowski/Hughes

AP recommends the Committee allocate the LAGC fishery its own sub-ACL with associated AMs. And if that estimate of LAGC YT catch is found to be a de minimis amount, that bycatch could be part of the “other subcomponent” of YT bycatch under the GF FMP.

Maker of the motion and seconder decided to split the motion

Split Motion 4: Gutowski/Hughes

AP recommends the Cmte allocate the LAGC fishery its own sub-ACL for GB and SNE/MA YT flounder stocks with associated AMs.

Vote: 8:1:2, carries

Motion 5: Parker/Keese

Recommend the Scallop Committee consider adding an alternative in FW24 to allow LAGC vessels with a gf permit to land gf on a scallop trip.

Vote: 11:0:1, carries

Motion 6: Keese/Maxwell

AP recommends the Committee consider in FW24 an alternative that would allocate the LAGC trawl fishery their own sub-ACL of YT flounder.

Vote: 9:0:2, carries

Motion 7: Larson/Marchetti

AP recommends the Committee consider a possible AM that would close area 612 and 613 to LAGC trawl vessels if AMs are triggered. *Intent: A trawl vessel could switch to dredge gear and fish in that area.*

Vote: 9:0:2, carries

2.2.3 Timing of AMs for the for the YT flounder sub-ACL

The AP did not have much discussion leading up to this motion.

Motion 13: Hughes/Enoksen

AP does not support triggering of YT AMs in subsequent year (No Action). Therefore, Scallop AP supports Alternative 2.2.3.2 (Year 3).

Vote: 10:1:1, carries

2.2 Measures to improve flexibility of LAGC IGQ through leasing during the year

The AP did not have much discussion leading up to this motion except it was discussed that this idea should be expanded to include permanent transfers as well, not just temporary leasing. Another motion was quickly made to further expand this idea to allow leasing for LA vessels with LAGC quota to each other. This issue came up in the past related to LAGC vessels being able to lease quota from LA vessels with LAGC quota, but was rejected due to concerns of mixing allocations. The AP supported adding this measure in FW24 it was restricted to leasing for LA vessels with LAGC quota already.

Motion 14: Parker/Maxwell

AP supports Alternative 2.3.2 but add a provision to allow multiple temporary and/or permanent transfers of quota during a fishing year even if quota has been fished.

Vote: 10:0:2, carries

Motion 15: Fletcher/Hughes

AP recommends FW24 include an alternative that LA vessels with LAGC quota be allowed to temporarily or permanently transfer quota to other LA vessels that already have both a LA and LAGC permit. Vessels with just a LA permit would not be permitted to participate in this leasing.

Vote: 6:2:4, carries

2.3 Measures to expand the current observer set-aside program to include LAGC open area trips

Some advisors supported including LAGC open area trips to recognize that this fleet needs more observer coverage in open areas. But others raised concerns that this could lead to other issues such as reducing coverage for other parts of the fishery and questions about appropriate compensation for the variety of LAGC open area trips that occur. Some trips fish to the possession limit of 600 pounds, and other trips do not. Some are 30 hours and some are 15 hours. How will all these variations be addressed and compensated for with observer providers?

The AP did pass two motions to recognize that they do not want one fleet to use up more than their share of observer set-aside. Motion #9 and #10 recommend further dividing the set-aside and reducing coverage in existing fleets to account for the addition of the LAGC fleet in open areas. The AP agreed unanimously that compensation should be on a trip basis, not per day and compensation pounds could be used on that trip or any future trip.

Motion 8: Maxwell/Bailey

AP supports inclusion of LAGC open area trips under the observer set aside program.

Vote: 6:4:2, carries

Motion 9: Maxwell/Keese

AP recommends FW24 include an alternative that would divide the 1% observer set-aside further between the LA and LAGC fisheries to cover observer coverage in all areas for both fisheries (i.e. 5% of the 1% set-aside for the LAGC fishery).

Vote: 9:1:2, carries

Motion 10: Hughes/Bailey

AP recommends that there be a proportionate reduction in LA observer coverage to compensate for the addition of LAGC open area coverage, if LAGC open area trips are added under the observer set-aside program.

Vote: 10:0:2, carries

Motion 11: Larson/Marchetti

Dayboats that fish a small portion of a day, less than 16 hours have a lower compensation than vessels that fish a longer portion of a day. In addition, the amount observer providers charge each vessel should reflect this difference.

Vote: 2:7:2, fails

Motion 12: Bailey/Parker

Recommend that FW24 consider an alternative that would allocate compensation in pounds per trip for LAGC OA trips. The compensation pounds could be taken on that trip or a future trip later in the fishing year.

Vote: 11:0:0, carries

RESEARCH PRIORITIES

The panel was running out of time at the end of the day but did pass one motion to support inclusion of a new priority that would focus on intensive surveys of potential new access areas. The AP clarified that these surveys could be in current closed or open areas such as the northern part of Closed Area II and west of the current closure.

Motion 16: Gutowski/Hughes

AP supports the new research priority developed by the PDT for surveys of candidate access areas, and suggests it be a high priority.

Vote: 7:1:4, carries