



DRAFT
Scallop Committee Meeting
April 5, 2012
Hotel Providence - Providence, RI

Committee members in attendance: MaryBeth Tooley (Chair), David Pierce, Mark Alexander, Rodney Avila, Dave Preble, Peter Christopher (designee for Daniel Morris), Rick Robins, and Tom Dempsey.

Rip Cunningham, Chair of the Council, was also in attendance and participated at the table.

NEFMC Staff: Deirdre Boelke

There were about 30 people in the audience.

Ms. MaryBeth Tooley began the meeting just after 9am. She reviewed the agenda and informed the Committee that the only additional item is to review a request from the Groundfish Committee regarding work priorities for 2012. The purpose of this meeting was to provide direction to the Scallop PDT and develop several alternatives to be considered in Framework 24. In addition, the Committee heard a presentation from the NEFSC that was requested by the Council regarding the future of the federal scallop dredge survey and integration of Habcam technology. Finally, the Committee identified research priority recommendations for the full Council to review at the April Council meeting.

Development of alternatives in Framework 24

• **Section 2.1 - Fishery Specifications**

The specifications were not discussed yet because they rely heavily on recent survey data which is not available yet. The Committee only discussed the 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 met the day prior and recommended that the Committee consider adopting a trigger that would be based on a reduction in CPUE. The Committee wants the PDT to continue development of a trigger based on CPUE, but expressed concerns that it could be unwieldy. The Committee forwarded the issue but explained that if the PDT finds it too time consuming and burdensome to develop and implement later the only trigger should be a reduction in biomass.

The Committee did discuss some of the specific language drafted for this alternative and suggested five specific revisions. First, the Committee suggests that the deadline in the draft language of December 1 be deleted so there is more flexibility. One Committee member expressed concern that a proposed rule would potentially be required at all since all the development and analyses would be fully developed and available for comment in the framework. Second, the Committee discussed at this stage that measures should only *reduce* allocations and not increase them if updated biomass values are higher. One member pointed out that increasing allocations by this mechanism would be more complex because it would necessitate a revised ABC, which could potentially require SSC review. Third, the Committee also agreed to limit these measures to access area allocations for now, and does not think the

action needs to consider automatic reductions in DAS. It was discussed that the level of survey information for open areas is not usually as intense as it is for access areas. Furthermore, it was also pointed out that vessels can move to different areas under DAS, whereas access area trips are specific to a particular area.

Forth, one Committee member suggested elimination of a sentence related to NMFS not using survey data if it determines the survey is not scientifically sound. The Committee argued the Scallop PDT is best suited to determine what should and should not be used in the updated estimate. Finally, the Committee requested that the PDT develop more specific language about specifically what the PDT will develop and how that will be integrated into the process more specifically so it is clear how this updated information will be available. One Committee member suggested that when the PDT explores the variation in CPUE for the fleet it may be possible to identify one segment of the fleet with less variation, and that group could be used to assess CPUE in the future, rather than the entire fleet as a whole.

- **Section 2.2.1 - Modify the GB access area seasonal restrictions**

The Committee discussed this topic in general and decided to wait to develop specific alternatives until the PDT first reviewed more data. A member of the audience asked if an alternative would be included that would remove or eliminate the seasonal restriction all together. He further argued that the seasonal closures may actually be more appropriate as AMs.

This discussion led the Committee to address the GF Committee request. From the list of four potential GF Committee work items in 2012 related to the Scallop FMP, the Scallop Committee supports further work on Issue #4: Revise or eliminate seasonal closures the scallop fishery has access to the GF closed areas (Feb 1-June 14). One Committee member questioned why #1 is no longer a priority: developing a mixed stock exception for windowpane flounder catch in the scallop fishery. A member of the audience explained that the SSC recently approved a relatively larger ABC for this stock so the urgency of the issue is not what it used to be.

Motion 1: Avila/Preble

The Scallop Committee recommends that the GF Committee consider working on #4 from the list as a priority for 2012: revise or eliminate seasonal closures the scallop fishery has access to the GF closed areas (Feb1-June 14).

Vote: 6:0:1, carries

- **Section 2.2.2 – AMs for the LAGC trawl fishery**

After a mid-morning break, the Committee switched focus to development of AMs for the LAGC trawl fishery. Staff summarized a document reviewing information about this segment of the fleet as well as recent observer data. The AP passed several motions related to this topic the previous day and the Committee discussed each of them. Ultimately, the Committee felt that further sub-dividing the YT flounder sub-ACL may be warranted, but there may be obstacles. Therefore, the Committee passed the motion below and instructed staff to first determine if the LAGC fishery would qualify under the “other subcomponent” under the GF FMP rather than part of the scallop fishery sub-ACL, or if further sub-dividing the sub-ACL would require an unpractical level of observer coverage for the LAGC fleets. A member of the audience raised a potential third issue with sub-dividing the sub-ACL that may warrant more research; can a sub-

ACL be allocated to a group of vessels and not a “fishery” since LAGC permits are not gear specific? Staff will look into these issues for the next Scallop Committee meeting.

Motion 3: Dempsey/Preble

Develop an alternative to allocate a YT flounder sub-ACL to the LAGC trawl fishery, if the YT bycatch in this portion of the fleet is found to be more than “de minimis” and that effectively monitoring of such a sub-ACL is determined to be feasible.

Vote: 4:2:2, carries

In terms of specific AMs, the Committee so far has included the No Action (No AMs for the LAGC fishery), prohibition on the use of trawl gear completely as an AM for the fishing year in all areas, and the AP motion to close statistical areas 612 and 613 for a period of time to account for the overage (motion below). A member of the audience argued against the motion explaining that the scallop trawl fishery can reduce bycatch through gear modifications without being kicked out of the fishery completely. He also explained that some vessels will not bother to switch to dredges so will increase effort in other trawl fisheries.

Motion 2: Dempsey/Avila

Develop AM alternative that would restrict use of trawl gear by LAGC vessels in statistical areas 612 and 613 if a YT AM is triggered.

Vote: 6:0:2, carries

Motion 4: Robins/Alexander

Develop and alternative that would allocate the LAGC fishery its own sub-ACL for both YT flounder stocks with associated AMs.

Vote: 6:1:1, carries

There is still general confusion about what LAGC vessels can and cannot do if they also have a GF permit, particularly in and around the SNE dredge exemption area. One Committee members suggested that there may be other ways for the LAGC fishery to address YT bycatch such as enrolling in GF sectors and having that bycatch count against GF ACE, rather than the scallop fishery sub-ACL. This lead to a list of questions regarding that barriers currently exist to a program like that and modifications would require changes to the GF plan and beyond the scope of FW24. Based on the outstanding questions, the Committee requested that staff try to get answers to the list of questions below and bring a response back to the Committee at a later date.

Specifically:

- 1) May GC scallop fishermen buy groundfish permits and enroll in sectors?
- 2) May GC fishermen land scallops and groundfish on the same trip?
- 3) Can GC fishermen count groundfish catch against sector PSC?
- 4) If GC fishermen are counting groundfish catch against sector PSC then is it reasonable to grant these vessels exemption from the dredge restriction in the exemption areas?

- **Section 2.3 – Leasing LAGC IFQ during the year**

The Committee noted that the document says “mid-year”, but the alternative would allow leasing at any point during the year, so the Committee suggested the language be modified. **Without objection the Committee agreed with the alternative developed in the document.**

The Committee also considered the AP motion the day before about allowing LA vessels with LAGC quota to lease to other LA vessels with LAGC quota. One member supported including the option arguing that quota is quota. Another member expressed some caution and requested more information about this group of vessels first in terms of how many LA vessels have IFQ and at what level. It was not clear at the meeting if this modification could be considered in a framework action. **By consensus, the Committee agreed to include an alternative that would allow LA vessels with LAGC quota to transfer quota to another LA vessel with LAGC quota for now, and requested staff prepare more information about this segment of the fleet and whether ownership caps should be included.**

- **Section 2.4 – Expansion of the observer set-aside program to include LAGC trips in open areas**

The Committee reviewed the draft alternatives in the document as well as several motions from the AP from the previous day. **The Committee did not make a formal motion related to this topic but did recommend five overall modifications to this section by consensus.** First, the Committee clarified that compensation for LAGC trips in open areas should be “per trip”, and not per day to avoid abuse of the compensation. The Committee also supports inclusion of an alternative that would modify the observer set-aside so that it is not area specific, and there is not a maximum set-aside per area that needs to be monitored during the year. Instead, the set-aside would be removed before setting ACLs and would not be divided later into specific areas. NMFS would have to assume some level of coverage per area to help set compensation rates, but set-aside could be used in any area during the fishing year if more coverage or compensation is needed in a particular area. Third, in order to enable observers to effectively monitor LAGC vessels in open areas those vessels would need to notify NMFS on a weekly basis when they plan to fish, similar to the weekly notification process for LAGC vessels in access areas.

Forth, the Committee decided to remove the alternative that would increase the set-aside percentage from 1% of the ABC. The Committee believes that the current set-aside is sufficient to monitor this fishery and existing coverage levels in some fleets can be reduced to accommodate additional coverage of the LAGC fleet in open areas. Finally, the Committee did not support including the alternative the AP developed that would sub-divide the observer set-aside between the LA and LAGC fisheries, i.e. 5% of the 1% set-aside for LAGC fisheries. The Committee discussed that this would remove the flexibility of the previous alternative that is being considered that would remove the area specific nature of the observer set-aside. It was also discussed that it is likely 5% of the observer set-aside may not be sufficient to cover the LAGC fishery since that fishery is less efficient; more trips to get 5% of the total catch.

NEFSC Presentation on the future of the scallop dredge survey and integration of Habcam

Ms. Tooley explained that Dr. Dvora Hart from the NEFSC was going to give a presentation to the Committee that was requested by the Council regarding the future plans for the scallop dredge survey and integration of Habcam technology. Dr. Hart reviewed the 2011 survey results and future plans for 2012 and 2103. She reviewed the advantages and disadvantages of each survey method: dredge, SMAST camera and Habcam. Dr. Hart explained that in 2012 and 2013 there will be about half as many dredge tows (200 from 400), but Habcam will be towed at all stations, compared to just one leg in 2011. She explained that it is too early to say what the specific plans are after 2013; NEFSC will first assess these transition years before decisions are made about later years.

In terms of the biomass estimate, Dr. Hart explained that the CASA is still the model that will be used to estimate biomass. CASA uses as many inputs as available; therefore, results from the dredge survey, commercial data, observer data, growth data, as well as Habcam and SMAST video surveys will be combined to estimate overall biomass and F. The SAMS model will still be the model used to forecast future biomass and landings.

Following her presentation the Committee and public asked several questions and voiced concerns about the present direction of the federal survey and decisions about funding priorities. The major concerns raised during the conversation were: what is the fate of current survey methods now that Habcam is part of the federal survey; specifically how are Habcam results going to get processed and modeled; do those methods need to be peer-reviewed before results are used in FW24 and will they be ready; why is NMFS reducing the number of dredge tows (increasing the CV) and fully embracing Habcam before it has been tested; why are so many set-aside funds supporting this technology with little results to date, and why. Finally, several speakers voiced serious concerns that the use of Habcam suggests an agenda to replace the SMAST video survey, a technology that is proven and strongly supported by industry. The Committee Chair explained that a similar presentation will be given at the April Council meeting and these concerns will be forwarded to the NEFSC before that meeting so they can hopefully be addressed at the Council meeting. Another member explained that he recently saw a presentation of Habcam results at MREP and recommended that a similar presentation be available for the public to help inform what the technology is capable of.

Research Priorities

The Committee briefly reviewed the draft research priorities developed by the PDT. **By consensus the Committee approved the list of items as presented with the modifications suggested by the PDT.** A speaker in the audience requested that the Committee clarify that the purpose of the RSA program is not to directly supplement the federal survey, but that modification was not added to the draft priorities.