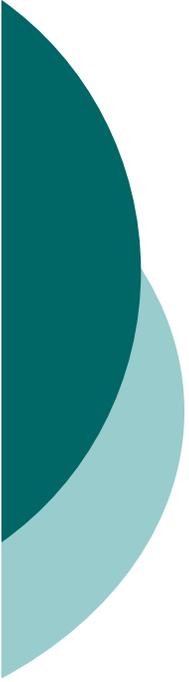




Scallop Committee Report April 2009 Council Meeting

1. Final approval of A15 alternatives for analysis – outstanding issues only
2. Initiate Framework 21
3. Other issues:
 - 2010 RSA priorities
 - review of 2 potential EFPs
 - YT response letter from NMFS



Amendment 15 – Follow-up from Feb Council meeting

- Council already approved most of A15 at Feb 2009 meeting
- 3 major outstanding issues (AMs, potential spillover issues as a result of leasing, and Gen Cat permit splitting issue)
- When Committee considered these issues also refined other small aspects of A15 (leasing, ACLs)
- Cmte met on April 2 – 10 motions relative to A15



Committee Motions – Doc #4

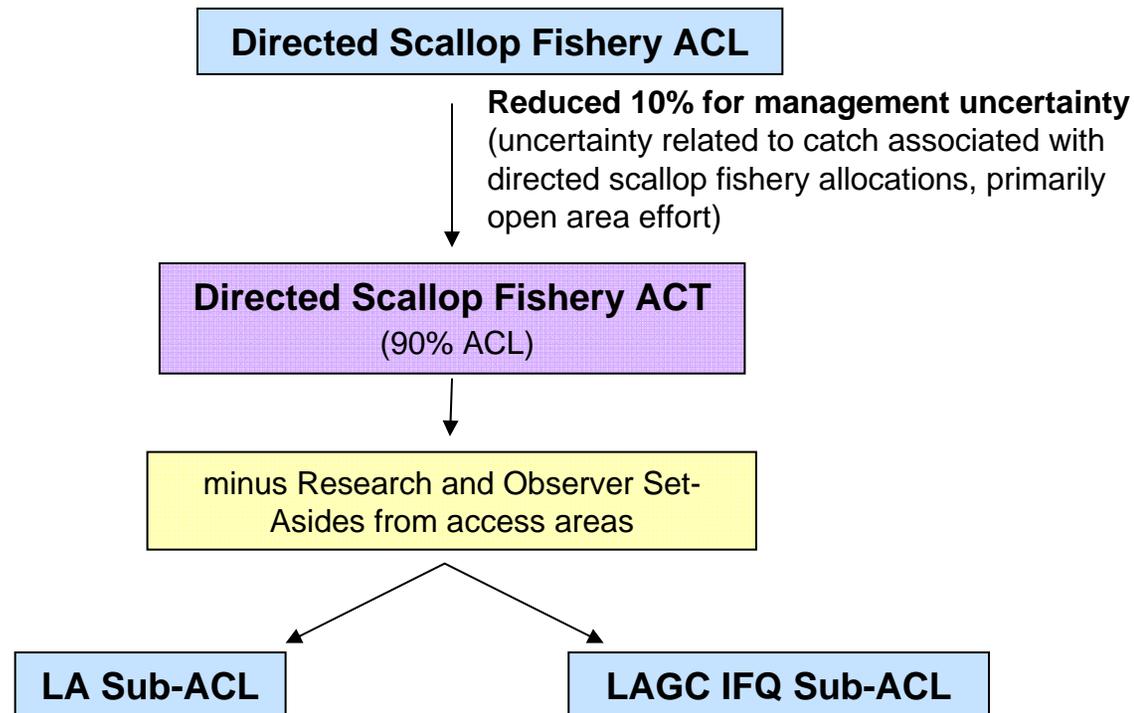
- **ACL updates**

- Motion 1 – not necessary to act on because trumped by Motion 7

- (Motion 7: Amend Option A and B to establish separate ACTs for the LA and LAGC IFQ fisheries, and apply corrective AMs only if the respective ACLs are exceeded.

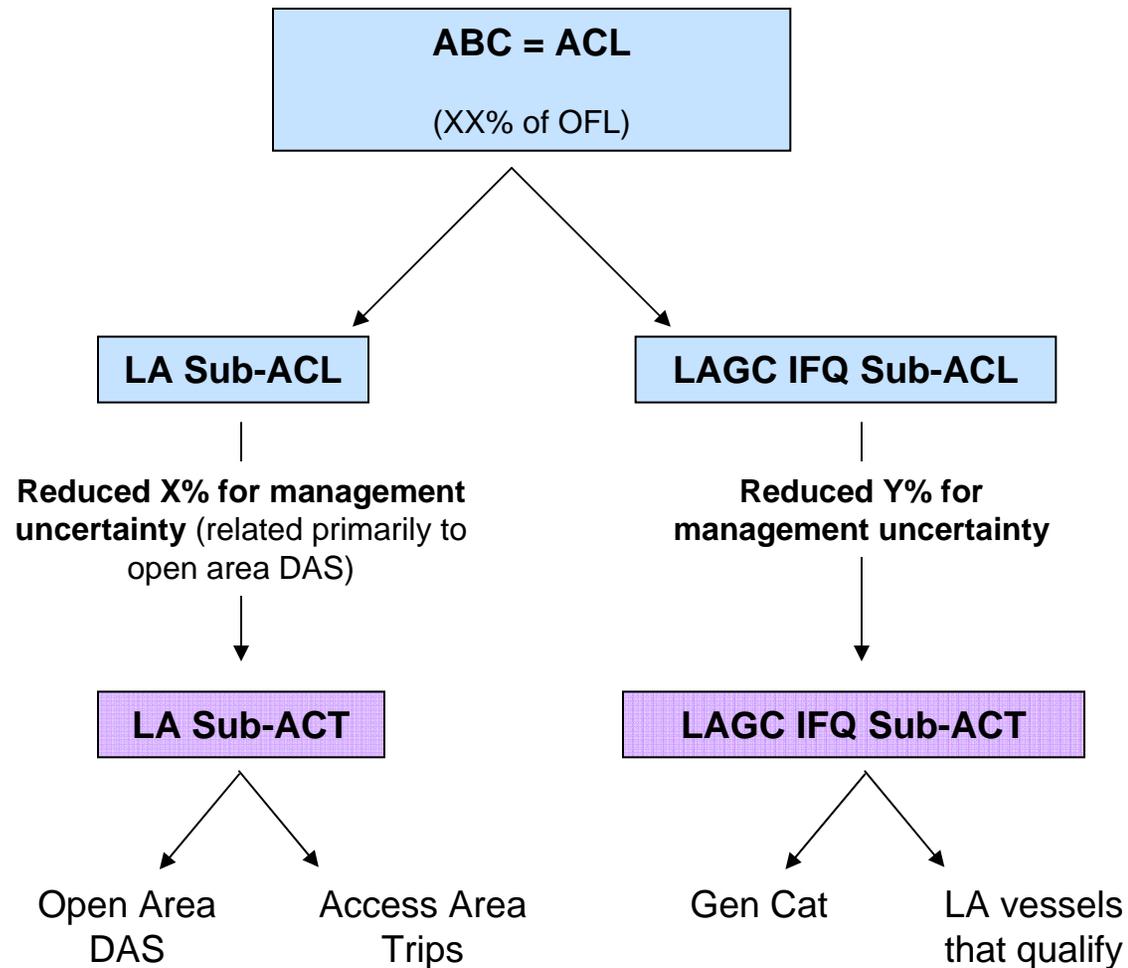
- Motion 2 - Update EIS with input from SSC and PDT

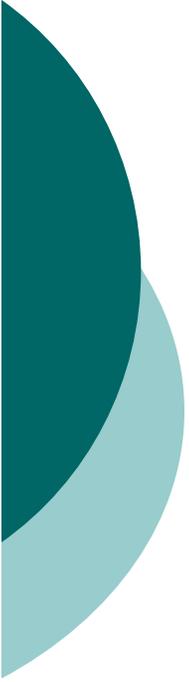
Original approach – ACT removed first (Figure 4 in DEIS – p.34-35)



Cmte recm. approach – separate ACTs

(Figures at back of Doc#4)

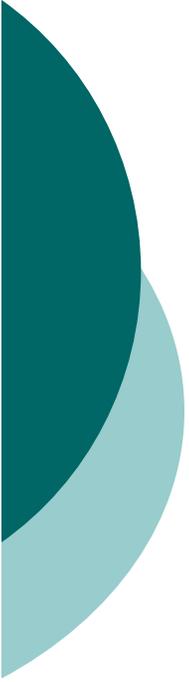




Accountability Measures (AMs) – GC (page 40)

- **Motion 3** - Accept PDT recm. for Gen Cat AM – *Request PDT to further consider issues that may come up with this AM – i.e. what if a vessel exceeds quota it leased.*

Gen Cat AM: If an individual exceeds their IFQ or leased IFQ in a given FY, their IFQ the following FY would be reduced by the same amount. If they exceed their IFQ in excess of their allocation the following year any outstanding overage would carry over to future fishing years.



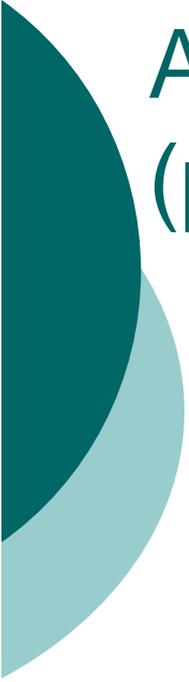
Accountability Measures (AMs) – LA

(page 40)

- **Motion 4a:** Accept PDT recommendation concerning limited access AMs, and request PDT to develop further analysis and justification for the disclaimer.

LA AM: The primary AM for the limited access fishery is the use of an ACT. The buffer between ACL and ACT would act as a proactive in-season AM. If the sub-ACL for the limited access fleet is exceeded the simplest, cleanest AM would be an overall DAS reduction in the subsequent year to account for any overages.

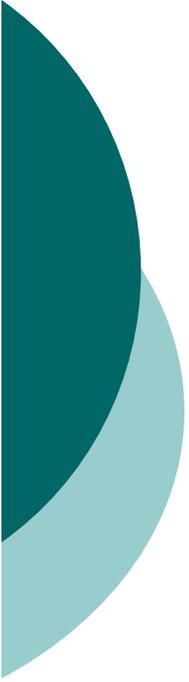
Disclaimer: if biomass was underestimated by a particular amount the year the overage occurred, then the AM would not be triggered



Accountability Measures (AMs) – NGOM (page 40)

- **Motion 5:** Accept NGOM AM as recommended by the PDT.

NGOM AM: Technically, the NGOM already has an in-season AM because when the TAC is predicted to be reached, the fishery is closed. The PDT recommends that if that component of the fishery exceeds the overall TAC after all data is final, then the hard TAC the following year could be reduced by that amount mid season (i.e. reduction on June 1 if necessary).



Yellowtail AMs (p. 44)

- As recommended by the PDT:
 1. Seasonal closure of entire stock area (in-season)
 2. Seasonal closure of portion that we pre-identify as areas with high bycatch (in-season)
 3. Shift DAS and/or access area trips from one stock area that reached ACL to another stock area (in season or subsequent FY)
 4. Institute fleet max DAS that could be used in stock area for the subsequent year to account for overage of ACL the previous year



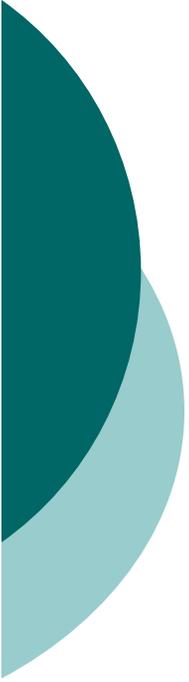
Cmte Motions on YT AMs

- **First half of split motion:**

Request that the PDT develop a fifth option under YT AMs that builds on bullet four and include adjustments in possession limits for access area trips and adjustments in DAS based on projected YT ACL with an effort to minimize derby fisheries, e.g. allocation of individual DAS allocations by YT stock area

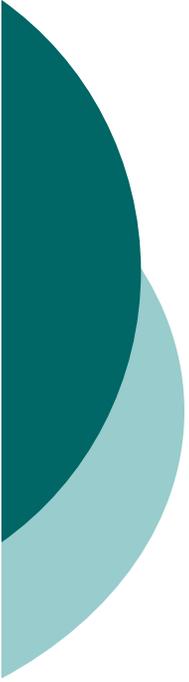
- **Second half of split motion:**

PDT should not further develop bullet #1 (only 2 and 3).



Potential spillover issues (p. 52 of DEIS and p. 2 of Doc#5)

- Council discussed in Feb that the Scallop Cmte and Interspecies Cmte should further consider whether A15 should include *limits on effort in other directed fisheries from vessels that lease DAS or AA trips.*
- Interspecies – reject
- **Motion 8:** Move alternatives in Section 3.3.3.3 to considered and rejected section



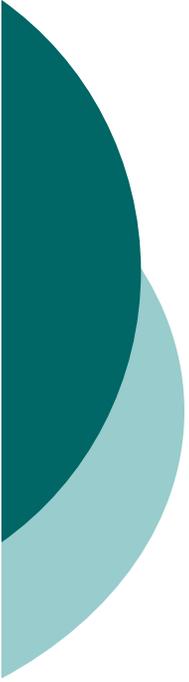
Gen Cat permit splitting issue (p.65 of DEIS and p.8 of Doc#5)

- Council asked the Cmte to consider this issue at Feb Council meeting

To direct the committee to develop an alternative in Amendment 15 to allow a limited access general category IFQ permit to be split from other permits held by the same vessel and transferred independently. Also, consider allowing permit splitting of Northern Gulf of Maine general category permit.

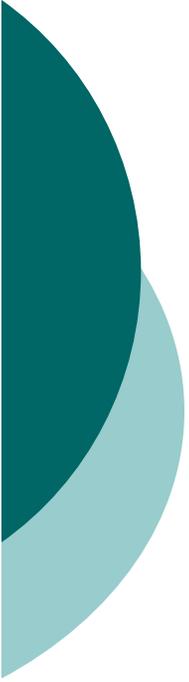
The motion, as perfected, carried on a show of hands (9/5/0).

- Interspecies recm. changing to “quota” rather than “permit”



Cmte motions on GC issue:

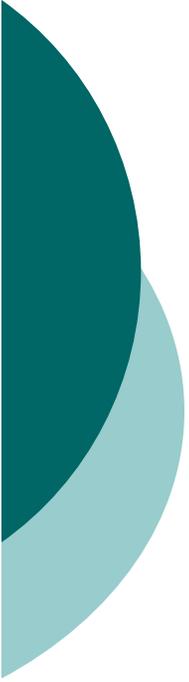
- **Motion 9:** Council include an alternative in A15 to allow LAGC permit owners to permanently transfer IFQ permit and associated allocation independent of all other permits. The only vessels that could participate would be vessels already with LAGC IFQ permits, both LA and GC vessels that have already qualified for a LAGC IFQ permit.
- **Motion 10:** Include an alternative in A15 to allow LAGC IFQ permit owners to permanently transfer some or all quota allocation independent from their IFQ permit to another LAGC IFQ permit holder, while retaining the permit itself.



Leasing provisions (p.53 of DEIS)

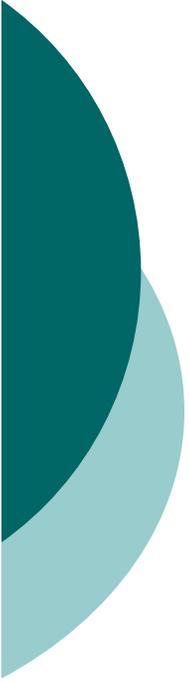
- *By consensus:*

Cmte recommends adding several “technical” provisions from GF leasing program to clarify leasing provisions (issues related to the application process, MF provision, clarify that duration of lease is one fishing year) and clarify that leasing is permitted between different permit categories.



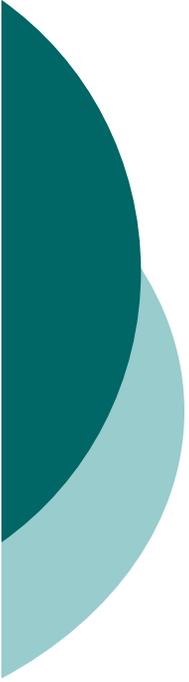
Council action on A15

- Does Council agree with Cmte motions 1-10?
(1 not necessary if pass Motion 7)
- Does Council agree with consensus issues for leasing?
- Does Council approve final range of alternatives for analysis with these additions?
- If approved today, DEIS expected to come before Council in Sept 09 fully analyzed for selection of preferred alternatives for public hearing process



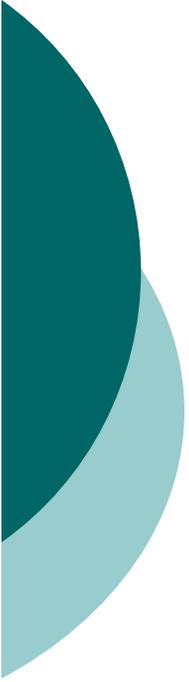
Framework 21 – Doc # 6

- **FW21 must include specs for 2010 as well as comply with RPM#1 from recent turtle biop**
- PDT discussed other potential issues that have been raised (minor adjustments to observer program, adjustments to AA program to reduce YT bycatch, and preventing a LAGC vessel from switching to trawl gear)
- **Motion 11:** Accept PDT recm. for potential issues to be considered in FW21



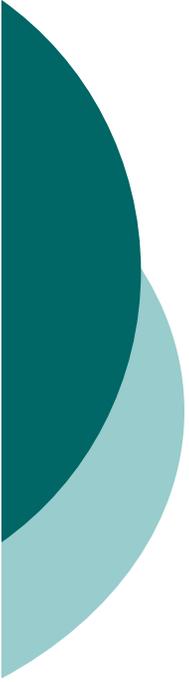
Council action on FW21

- Does Council agree with the range of issues identified for FW21?
- Should some be removed/added?
- Timeline for FW21:
 - Council final action in Sept 2009
 - Implementation March 1, 2010



2010 RSA priorities – Doc #8 revised

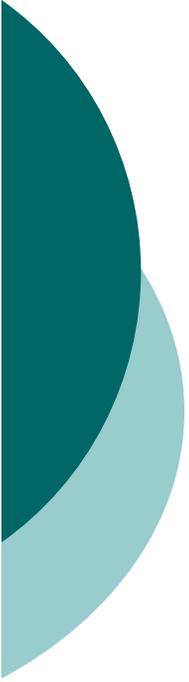
- New process to get announcement out earlier – June Omnibus FFO
- PDT, Cmte, and SSAP input included
- **Motion 12:** Committee accepts Scallop RSA priorities with the following changes: 1) item #3 be moved to highest priority level and remove the word “groundfish” to include “all managed” species; 2) elevate #6 to medium or higher priority. The remaining priorities would be equal under other priorities.
- 10 priorities – high/medium/other
- Does Council agree with the identified priorities and ranking?



Review of 2 EFP applications

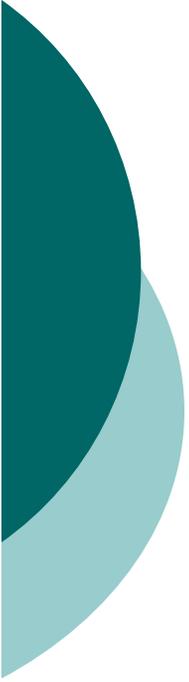
(Doc #3 behind EFP Tab #14)

- NMFS is currently reviewing two EFPs related to scallop research to be conducted in 2009.
- EFP is required if research wants to be exempt from fishing regulations
- NMFS requests input on EFPs, but these have not been issued yet
- Cmte requested to provide support for these projects and offer additional input for the agency to consider in terms of whether these exemptions are justified.



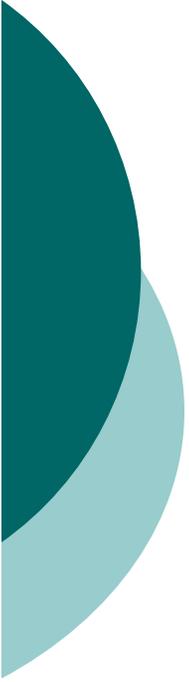
Review of 2 EFP applications

- Applicant available to discuss details of projects and EFP applications
- 1 project seeking exemption from seasonal turtle closure in ETA and second project seeking exemption from twine top mesh size restrictions and exemption from spawning seasonal closures



Review of 2 EFP applications

- **Motion 13:** This Committee recommends that the Council consider two specific EFP applications reviewed today and consider recommending that NMFS consider that the exemptions may be justified.



NMFS response to YT letter (Doc #9)

- Council sent a letter to NMFS requesting info after Oct 2008 Council meeting

That the Council send a letter to NEFSC that requests the NEFSC conduct an analysis comparing 2006 and 2008 observer data and how that data was used for yellowtail flounder monitoring. Specifically, how is volume converted into lbs, was there an improvement from 2006 to 2008 concerning how an observer estimates bycatch (count/measure), fishing behavior impacts, how data is extrapolated, etc.

- Agency sent response on April 6, 2009