



Scallop PDT Meeting

June 8, 2010

Parker River Wildlife Refuge, Newburyport, MA

PDT members in attendance: Peter Christopher, Emily Bryant, Deirdre Boelke, Jessica Melgey, Demet Haksever, Cate O'Keefe, Charles Adams, Carrie Upite, Kevin Kelly, Erin Kupcha, Dvora Hart.

Also in attendance: Melanie Griffin, MADMF; Jay Hermsen, FSO.

Dr. Charles Adams is the new PDT member from FSO. He replaces Jim St. Cyr. Rula Deshier has been replaced as USCG designee by LT Lyle Kessler.

Purpose of Meeting: Discuss Committee direction, analysis needs, and PDT work for FW22; review Draft Amendment 15 public hearing document; and discuss preliminary results of SAW 50 and how they impact upcoming scallop actions.

Status of Current Actions

Staff reviewed the updated timelines for FW21, A15 and FW22. Staff has received most comments back from NMFS on A15 from NERO and will update the document for submission later in June. Public hearings for A15 are expected in July. There isn't any PDT work left for A15 at this point unless things need to be revisited during the comment period. Target implementation is still set for June, 2011, which will have some repercussions.

Framework 21 is under the last stages of review and should be implemented very soon. FW22 will no longer have final action in September. This will be pushed to November, which likely pushes implementation to May instead of March. Industry will be notified of this ahead of time. Elephant Trunk concerns came up at the Committee meeting because if FW22 is not implemented before March 1 and No Action measures rollover, that area would open with an allocation of two trips, more than it can sustain.

#1 Fishery Specs

FW22 was discussed at the May Committee meeting, and Committee input has been added to the document. In terms of specifications scenarios, the Committee was interested in pursuing additional/different types of access to CA2, even if it means something other than a full trip. One PDT member is not sure that enough biomass exists in the area north of the cod HAPC for even a half trip for the fleet, and feels that the depth is too great and the meats too small to be worthwhile. The area to the North is way too deep, the area to the South (middle) is accessible but there is little scallop biomass (but lots of quahog, blackback according to the survey). It was voiced that that most of the scallops in CA2 are either in the cod HAPC or in the access area, so looking at the other areas will not be very fruitful. SMAST will be surveying the entire area this summer and that data will be available to look at potential yield. It seems winter flounder may be a large concern in these areas and bycatch needs to be taken into consideration. Despite some of these potential constraints, the PDT is still going to explore expanding access in more areas within CAII.

The Committee asked the PDT to explore whether there are any 'notice action'-type measures that we want to put in this action. These would include things like reducing effort in 2012 if survey results from 2011 suggest fishing effort was too high, and closing an area in 2012 if high levels of recruitment are found in 2011 surveys. There needs to be adequate justification of these ahead of time. It was discussed that if biomasses in Hudson Canyon and/or Delmarva are lower than projected based on the results of 2011 surveys, then trips could be reduced for 2012. In addition, there is also potential for closure in Elephant Trunk in 2012 if recruitment is high in the 2011 surveys, which has not been the case lately. There's not that much biomass left in ET, so closing this area in 2011 may not affect much in terms of our scenarios. RO Staff clarified that analysis and provisions need to be set up front so there's no decision making involved with notice action measures – either it is or it isn't.

The first leg of the NMFS survey is back (Mid-Atlantic) and localized high recruitment is not obvious at this point. Hudson Canyon looks best at first glance (basing on photographs of catch – no data yet). Initial indications are that there should be fewer HC and DM trips in year 2.

A PDT member asked if it was possible to change compensation measure to have effort from CA1 go to another access area instead of DAS if CA1 closes due to yellowtail. RO Staff thought this could cause problems with YT AMs if effort remains in the same YT stock area. Perhaps trips could be moved to MA AAs instead or you could use that CA1 trip in 2012 instead. Some think it's unrealistic that this will happen and we need to worry more about CA2 in 2012. RO Staff thinks that we probably would not need a joint action to change the way compensation is given if we chose to pursue such a change.

The PDT discussed whether it was time to discuss a more informed NGOM TAC based on what we've learned from the survey. There is a biomass estimate now (from a 2009 offshore survey in federal waters) so you could base a TAC on that. It was suggested that the TAC could be 25% of the lower bound of confidence interval on estimate – this equates to around 70,000 lbs but would be based on biomass information instead of landings. There is an appendix on NGOM in the SAW 50 document so a lot of this work is already done. Also, the NGOM survey observed what appears to be a large recruitment event on Platt's bank. Smaller, more near-shore access areas for LAGC were discussed at the Committee level recently, but they did not choose to pursue development of the idea at this time. The event should be 'spotlighted' in the framework in case it is useful in future.

The framework should include updated landings information for the incidental catch permit category. It hasn't approached 50,000 lbs the few times it has been looked at, but the PDT will review data and determine if the target TAC for this permit category should be changed.

It is likely that there will be no trips in ET next year, and there was some support for letting it 'go open.' According to current regulations, it would be an access area through Feb 29 2012, but it was noted that it could be detrimental to leave it as an access area too long because *F* will go up. One PDT member asked what happens to the seasonal closure in ETA as established by FW18 if it reverts to an open area. It was discussed that seasonal closure would likely go away as well since it was linked to the area as an access area. If FW22 wants to consider a seasonal restriction in that area as a RPM it should be closed as a turtle measure and not linked to the area rotation

program. The PDT had a longer discussion about possible RPM measures later during the meeting.

#2 Specify ABC

The PDT would like to bring the same 25% control rule regarding setting ABC to the SSC at the end of August. If approved, the FW would include an ABC set with the same control rule. For the SSC meeting, the PDT will need to summarize the new assessment and present what the new ABCs should be for 2011 and 2012. The PDT has set August 2nd as the goal to have survey information for SSC.

There was discussion of the OFD in terms of new reference points presented in the assessment, and noted that we can change reference points but you can't change the basis of the OFD by framework. The assessment proposes changing from the proxy to the new MSY reference point. The PDT discussed this issue more specifically later in the meeting when the assessment results were reviewed.

The PDT discussed that there are numerous issues in A15 and the Omnibus Amendment that will likely impact FW22. The PDT decided that Council and RO staff should meet to clarify what specific measures could impact FW22 and the document will have to include some, "If, then clauses" There is a lot of precedent for overlaps between actions (A11, etc.), and the same type of overlaps are expected between A15 and FW22.

#3 Habitat

The EFH Amendment is progressing and the Habitat Committee will know what potential areas (draft measures) will be part of the Omnibus Amendment by November when we are picking alternatives. This means that the Scallop PDT might have to integrate new areas into the SAMS model when making projections.

#4 YTF

The PDT will look into changing compensation measures to utilize access area biomass instead of open area DAS. It will also need to communicate with GF PDT this summer about what scenarios are looking like, and let them know projected yellowtail catch 'need' to compare this with what was projected in FW44 and make adjustments if necessary (in Multispecies FW45). In order to project what is needed, updated bycatch rates and YT assessment results (TRAC meeting for GB stock in mid-July) will be used. In September the Council will pick YT AMs for A15, and the triggers associated with them could affect specifications and alternatives in FW22.

#5 New candidate access areas

The Committee decided that there's still no compelling reason to pick Channel area for closure, but they do not want to abandon the process of A10 and therefore want to be more creative and look at different sizes, lengths, etc. for closure of the area. One option could be a one year closure in 2011 with one access trip the following year in 2012. Right now there is potential of heavy fishing at some point if there is no closure, and if this happen at an inopportune time it could drive down yield. Overall the PDT feels that proposing a smaller size access area does not seem feasible in terms of enforcement and assessment, and therefore it is better to pursue shorter time period alternatives.

#6 RPM

In terms of turtle measures in this framework, the PDT discussed whether it needs to revisit the 'more than minor' threshold analyses used in FW21. Staff from NMFS Protected Resources suggested that there doesn't seem to be a better or different option for analysis at this time. It was also mentioned that justification will be needed about impacts of effort shifts. The PDT first discussed if there was a way to assess the current RPMs to determine if they are effective or not. There was an idea to look at landings by port and use those as a proxy for Mid-Atlantic effort because dealer data does not have fishing location associated with it. For example, Southern ports will probably be Mid-Atlantic landings, and those can be compared to past years to see if effort has been reduced by the RPM measures put in place in past actions. Indications are that closures in Mid-Atlantic have lowered effort in September and October. The PDT then refocused on identifying alternatives rather than assessing the current ones since they have not been in place long enough yet. The PDT agreed to include the existing measures that would consider seasonal closures in MA AAs as well as restrict the number of MA AA trips that can be taken during the turtle window. There was some support for including consideration of an open area limit in this action as well and the PDT will continue to discuss possible alternatives at future meetings this summer.

There may be additional information available that analyzes the probability of a turtle take by area, but the PDT will have to investigate this further. This could allow for the possibility of shutting down just a piece of HC based on 'hot spots.' This calls to question how the PDT would analyze the effort shift caused by shutting down a portion of an access area. There was also discussion about looking into an ET closure that only includes areas with a precedent for takes rather than considering restrictions for the entire area if it reverts to an open area. The PDT discussed that the number of alternatives has to be limited because the analyses of these measures is very time consuming. In addition, one PDT member reminded the group that these measures need to be considered as part of the entire proposed action relative to what fishing effort will be in 2011 and 2012, and not independently. In addition, RPMs are not compared to any baseline; they need to be considered in each action and should adjust based on the overall specifications proposed.

Issues Raised by Previous Motions and/or Correspondence

The GSC general category exemption was handed off to GF Committee to be included in FW45. VMS issues were picked up by Committee as something the PDT should look into during this FW. The PDT will need to work closely with enforcement to work out issues associated with developing the VMS requirements alternatives. The issue of opening dates for access areas in the Mid-Atlantic will be forwarded to the AP to see if this is still an issue, along with the issue of LAGC permit splitting. Staff was informed that permit splitting is an issue that would have to be addressed in an amendment and not a framework, as recommended by NMFS legal counsel.

The Committee did not decide to pursue any measures to reduce yellowtail bycatch in this action because it would be analysis-heavy and because the Joint Committee is looking into this issue.

The Committee revisited the observer non-payment issue and NERO is looking into addressing this without Council action. This will likely need to go in the Considered but Rejected section of the FW22 document.

The final potential alternative is to modify the possession limit seaward of the VMS Demarcation Line. The PDT would like to develop a more accurate bushel (basket) equivalency: shucked poundage value and change the possession limit. VIMS provided an average weight from Delmarva for August (worst meat weights) to be 7.34 with a standard deviation of 0.59. This yields a reasonable limit of about 65 bushels (baskets) as opposed to the current 100 basket limit. Observer data from access area trips should have an average pounds per bushel value – once per watch. This data will be helpful to get a more ideal range of weights across the resource spatially and temporally. There will not be open area values available. Staff will work with the Observer Program to summarize these data if this alternative remains in FW22.

NERO may require an additional monitoring section to monitor ACLs for yellowtail flounder, but this may be something that needs to go in A15 instead.

The PDT is planning to pull VMS data in order to link it to dealer data to use in various aspects of the SAFE report and analyses in FW22. Staff will be working with FSO to acquire the data and summarize it this summer.

A15 Public Hearing Document

The public hearing document was reviewed by the Committee at their recent meeting. A main point of clarification was the section on OFD. Dr. Hart will work to improve the section by adding an example. PDT members were asked to review the document and get suggestions to staff in the next several weeks before public hearings begin in July.

Stock Assessment report

The results of SARC 50 are considered preliminary until the report is complete and submitted (mid-July). Changes to the model during this assessment included updated values for natural mortality (GB = 0.12 and MA = 0.15) and incidental mortality (GB = 0.2 and MA = 0.1). These adjustments decrease the production potential of the stock and will likely result in less (over) optimistic projections.

Selectivity values also updated. Selectivity varies by size which makes fishing mortality vary by size. Selectivity is a multiplier and not fully-realized. The fishery has been successful in recent years because selectivity has increased and larger scallops are being harvested. F values mean different things in different time periods because of this. There is potential to recalculate F over these different time periods to improve comparison. Right now the common currency issue is being tackled with exploitation indices based on #caught/abundance >80mm.

F_{max} is highly uncertain in the Mid-Atlantic, and no longer makes sense as a proxy. GB is slightly better, but the assessment working group still moved to use MSY. Currently, the stock is above B_{MSY} , and well above overfishing threshold of $\frac{1}{2} B_{MSY}$. (Not overfished.) 2009 F (0.378) is essentially equal to the new F_{MSY} reference point (0.38) estimated from SYM, but it must be over the reference point for overfishing to be occurring. The probability that overfishing was occurring in 2009 was just under 50%, so we should expect to reduce allocations in 2011 and possibly 2012 compared to 2009. We should also expect that 2010 F will be higher than the 0.24 target.

Cautionary notes from the assessment include:

- Keeping Mid-Atlantic biomass high may help to keep long term MSY higher.
- Retrospective pattern in Mid-Atlantic suggests 10-20% of mortality is unaccounted for.
- There was poor recruitment in 2009 and probably 2010 in Mid-Atlantic. GB recruitment appears cyclical, and we have seen good recruitment in recent years and thus should expect a drop-off.
- Because of the $F = F_{MSY}$ in 2009, it is likely that 2011 and 2012 allocations will have to be lower than 2009 amounts.

Schedules

The PDT will probably not meet again until August after survey data is available – this will likely be a 2-day meeting. After that a meeting is expected in September/October.