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Scallop PDT Meeting
 October 20 & 21, 2010
 Inn on the Square, Falmouth, MA

PDT members in attendance: Peter Christopher, Emily Bryant, Deirdre Boelke, Jessica Melgey, Demet Haksever, Cate O'Keefe, Charles Adams, Dvora Hart, Bill DuPaul, Demet Haksever, Dave Rudders and on Day 2: Erin Kupcha, Kimberly Murray, and Carrie Upite

Also in attendance: Ron Smolowitz, Drew Minkiewicz, Peter Hughes, Charlie Quinn, and on the second day Matthew Weeks, Heather Haas, and Mark Buron.

Dr. David Rudders is now a member of the PDT.

Purpose of Meeting:

During this 1.5 day meeting the PDT reviewed projections for FW22, discussed the final YT AM measure in A15 and YT bycatch projections for FW22, discussed turtle RPMs as they relate to FW22, discussed research priorities, and general input on FW22 alternatives. Under other business the PDT discussed recommendations for 2011 priorities.

Day 1, Oct 20, 2010

FW22 Projections

- 2010 landings are at 48.5 million pounds, and at least 6 million pounds are expected in the fourth quarter; for a total estimated amount of 54-55 million pounds. This will imply an F of 0.35. Overall F is 5% higher (than what?); it is below the OFL of 0.38, but above ABC of 0.32. Roughly 24 mill lbs landed from access areas, and 30 mill lbs in open areas (28 by LA DAS). This implies LPUE of 2,215; 500 lbs more than projected.
- No Action is unrealistic so projection not valid, but necessary for analyses.
- Projections for the developed alternatives were discussed, but they are not final due to changes that still need to be made; a conference call will take place to discuss the results of the updated projections on Oct 28.
- PDT clarified that catch from LAGC and set-asides are now removed directly from ACL first based on A15 proposed action, so allocations presented at this meeting will need to be updated to reflect that change.
- Several important modifications have been made to these projections compared to the ones used last year for 2010 (FW21). Primarily, the fleet dynamics model within the SAMS model has been adjusted. The fleet dynamics model models where effort is going to go into each of the sub-areas in the SAMS model. In the past, effort per area proportional to exploitable biomass in that area. This works when exploitable biomass and LPUE are similar, which has been the case, until very recently. IN the last few years the PDT is seeing a divergence and areas with the highest exploitable biomass like the Channel, are not the same areas with highest LPUE like the New York Bight. So the fleet dynamics model has been adjusted to direct effort into areas with highest LPUE, rather than highest exploitable biomass, which is expected to mirror how the fishery would react more accurately. Once this change is made fishing mortality is reduced because effort is highest in areas with highest LPUE and lower in areas with higher exploitable biomass, which has higher impacts on F because scallops are smaller and discard mortality is likely higher. For example, when more effort is moved to the SAMS area which includes the New York Bight the catch per unit of effort increases and fishing mortality is lower, so more DAS can be allocated for the same fishing mortality rate. In

addition, the SAMS projections for this action include overall LPUE of around 2,200 pounds, compared to 1,700 pounds used in FW21. That 500 pounds difference makes a big difference in terms of total catch and fishing mortality.

- PDT discussed that the composition of catch in 2010 is different than projected. FW21 estimated that 10% of landings would be U10, and 57% 11-20 count. Actual catch to date is 20% U10 and 70% 11-20. The projections for FW22 do include these new values including higher LPUE and size composition (DVORA WAS GOING TO CONFIRM WHAT MW conversion she used, old one or new one?)
- Some of the initial results suggested that DAS would be lower in 2011 than 2012, so the PDT discussed the possibility of shifting some DAS from 2012 to 2011 to keep landings more consistent from year to year.
- The PDT clarified that FW22 will need to include specifications for three years, based on the proposed action approved by the Council for A15.
- Some notes about the GSC closure scenario:
 - Initial projection indicates 5 trips in 2011 and 6 in 2012
 - Closure will reduce F in 2011 and allow for more trips and 51/56 mill lbs landings
 - Was noted that recruitment has been low in MA for several years and adding a new area in the rotation schedule will help maintain catch for the fishery until another year class hopefully shows up in the MA or GB.
 - Concerns that fishing will take place before the closure, reducing the benefits possible at a later opening, as happened in DMV (i.e. behavior a factor)
 - Clarified that the model does not assume no fishing between survey and opening, and it is believed that even with effort, that closure will work, and if 2.5 trips looks to exceed OFL, an emergency closure could be justified from March 1, 2011 through implementation of FW22.
 - What about YT in this area? Much of the area is in the CC/GOM stock which is not of concern currently.
 - Concerns about the major shipping lane that exists in this area. PDT will look into this further. Fishable bottom in this area is limited and there are issues with fog/safety. PDT should be aware of these more practical/logistical issues with this area when comparing the benefits/impacts. AP needs to look at whether the current scenario is an equitable way to look at the GSC closure.
 - What about area swept? Fleet goes to areas with highest exploitable biomass, which in 2011/12 is GSC. This is lowest area swept because highest density. LPUE might not be highest though because meat weights might be higher elsewhere (i.e. NY Bight this year). Therefore, model has been adjusted to send effort to areas with higher LPUE and that has had a large impact on the results.
 - Area swept should go down, which means bycatch should go down. Area will open March 1, 2012 and it will be an access area for roughly 4 years. A benefit of keeping the area as a controlled access area compared to an open area is increased landings for a longer period of time.

Yellowtail Flounder AM for A15

The PDT will continue to work on the table that will be used to determine closure lengths of areas pre-identified as high bycatch as determined from observer data. Tom Nies from the GF PDT called in with specific questions for the PDT about what data should be used and how. Still waiting on data to be summarized by statistical area and permit category to complete this request. data from LAGC

vessels in order to complete them. Final tables need to be included in A15 and staff cannot submit A15 until the details of this alternative are completed. Concerns were raised that the same methods should be used for determining how much bycatch is allocated to the scallop fishery (TRAC) and how the bycatch is monitored (NMFS FSO website).

Day 2, October 21, 2010

Turtle RPM measures

There is likely to be 1 trip in each Mid-Atlantic access area in 2011 and 2012 – total of 2 trips. The PDT discussed the range of RPM alternatives that will be included in FW22 as well as possibly adding a new gear modification.

There is a relatively new gear modification that is expected to reduce sea turtle injuries (Smolowitz et al, 2010). The PDT reviewed a paper recently published about this gear type and reviewed a presentation prepared by the lead author, Ron Smolowitz. This measure would not comply with the current RPM because it does not “limit” effort. However, if there are equivalent conservation benefits of the modified turtle excluder dredge, compared to current RPM, it is possible that the dredge could replace the current RPM.

The PDT supports consideration of the modified turtle excluder dredge as a means of reducing injury and mortality associated with interactions. While the estimate of “take” would likely be the same with the modified dredge, it is possible that the number of lethal interactions may decrease. However, since time is very tight for FW22 the PDT feels that it is more appropriately tackled in a future separate action. Instead, in 2011 the PDT recommends that the Council should request that a gear modification replace the current RPM, in the form of a letter to NMFS. In addition, the Council should consider including the gear modification in FW23 if time permits, regardless of whether RPM1 is modified. Before final action is taken on that gear modification the Council would potentially know whether or not NMFS would consider modifying RPM1 to be focused on gear modifications compared to the effort based RPM that is currently in place.

Next, the PDT discussed details of RPM analyses for FW22. It was noted that this year will be even more complicated than last year because it is a multi-year specification package. If there is time, the PDT will try to quantify impacts on turtles using estimated effort shifts (converted into scallop dredge hours) and linking that to number of turtle takes.

RSA Research priority discussion

The PDT discussed the modifications made to the RSA program in A15. One Alternative needed additional clarifications in terms of where the 1.25 million pounds of RSA will be removed from, and if that has to be specified in a particular action. The intent of the set poundage was so that the application process could begin sooner and NMFS did not have to wait until a FW is implemented to officially award projects. NMFS is going to explore if there are options for setting the poundage and not specifying the areas. If that is not workable, RSA should be removed from open areas so that the process does not slow down.

The following changes were suggested (deletions in ~~striketrough~~, additions in **red**, with notes as to changes in priority in *italics*):

HIGHEST PRIORITIES (not listed in order of importance):

- An intensive industry-based survey of each of the access areas (access areas in Georges Bank including Closed Area I, Closed Area II, and Nantucket Lightship, as well as ~~Elephant Trunk~~, Delmarva, Hudson Canyon, and **Great South Channel, if approved**). These surveys can then be used to estimate total allowable catches (TACs) under the rotational area management program if the data from these surveys are available by August 2011.
- Identification and evaluation of methods to reduce bycatch of all managed species (e.g., gear research).

MEDIUM PRIORITY (not listed in order of importance):

- ~~Other resource surveys, including areas not surveyed or under surveyed by the annual NMFS survey to expand and/or enhance the NMFS annual dredge survey. (i.e., federal waters in the Northern Gulf of Maine management area and Southern New England).~~
- Identification of sources of sea turtle interactions and/or identification of ways to minimize interactions with sea turtles. Two Priority topics identified include ~~evaluation and analysis of factors affecting bycatch rates of sea turtles~~ development and **monitoring** of scallop dredge and trawl operations that would reduce or eliminate the threat or harm of sea turtle interactions. Other issues related to sea turtle research include, but are not limited to: gear modifications or fishing techniques that may be used to reduce or eliminate the threat of sea turtle interactions without unacceptable reduction in scallop retention, using available and appropriate technology to quantify the extent that ~~chain-mats~~ **gear modifications** reduce turtle mortalities, ~~comparison and analysis of turtle capture rates of similar gear in other fisheries,~~ and turtle behavior.
- Scallop biology, specifically studies aimed at understanding incidental gear mortality, discard mortality and seasonal growth. *No changes made but PDT wants it to remain medium priority.*

No changes were suggested for the “OTHER PRIORITIES” list, except the last priority was removed related to calibration of the federal scallop dredge survey.

- ~~Research projects that would help calibrate the transition of the federal dredge survey, or projects that compare various survey techniques and methods that would assist with the current transition period of the federal scallop dredge survey.~~

Walkthrough of FW22

As the PDT walked through FW22 several clarifications and additions were made:

1. Specific measures were added to Section 2.2.3 to prevent excess fishing due to the delay of FW22
2. A new alternative was added that would allow unused 2010 ETA trips to be used between March 1, 2011 and May 31, 2011, rather than all trips expiring on February 28, 2011. This alternative was added to recognize that catch rates are low in the ETA and allowing that effort to occur in the following spring would have fewer impacts on the resource.
3. PDT recommends that moving unused GB access area trips to another AA when a YT flounder bycatch TAC is reached is not workable for this action – not sufficient time to develop
4. PDT clarified that the Notice action measures for FW22 should only be for the Channel area if adopted, not as necessary for Delmarva and HC since they each only have one trip allocated.
5. PDT recommends that VMS alternative be rejected based on input from NMFS Enforcement and insufficient time to develop.
6. PDT reviewed seasonal/area meat weight data from the observer program for the alternative to adjust the possession limit seaward of the VMS demarcation line. Data support that a lower possession limit is warranted, but in light of the recent decision to increase the possession limit to 600 pounds, the PDT recommends that the possession limit stay at 100 bushels. This amount

should provide some flexibility but no provide incentive to shell stock or change fishing behavior.

7. PDT recommends that the GB default access area schedule in the regulations be deleted. It has been problematic and confusing in recent years. A15 changed specs to be every three years, with the third year as a default and that is viewed as preferable to the default schedule set in the regulations under A10.

Other Business

2011 priorities for the FMP as identified by the PDT:

- Pick up where Joint Cte left off in terms of scallop specific issues for YT bycatch
- Turtle action to look at requiring the modified turtle excluder dredge
- Review and possibly modify A15 Yellowtail AMs
- Send a letter to NMFS suggesting that RPM1 be replaced with a gear modification

Also, Observer manual changes coming in 2013, discussions to start in the winter – is there anything the PDT wants to bring to the table for additions/changes? Subset of PDT will look at logs and discuss priorities and possible additions/subtractions.

Final PDT Advice on Management Scenario for FW22

The Scallop PDT had a conference call on October 28 to review final projection results. After review the PDT recommends that the preferred alternative for FW22 be Scenario 1 with two important caveats listed below. In the event that the RO determines that the “split trip” mechanism is not feasible at this time, the PDT prefers Alternative 2 over Alternative 3, the Channel closure option.

This recommendation is made with two caveats.

1. Contingent on final input from NMFS SFD that the administrative burden and potential confusion/issues that could arise from allocating trips to the fleet differently – half the fleet getting a trip in one area and half the fleet getting a trip in another area – do not outweigh the benefits of Scenario 1 over Scenario 2.
2. Some of the RPM measures that consider longer seasonal closure will have impacts on tradability of trips for Scenario 1 that could make the alternative more problematic. Specifically, 2011 is more feasible because no “split trips” are allocated to Mid-Atlantic access areas. However, in 2012 “split trips” are allocated to Delmarva, Hudson Canyon, Closed Area I and Closed Area II. So if a longer seasonal closure is adopted as an RPM for Delmarva and/or Hudson Canyon, that may impact whether vessels would want to trade those trips since the potential fishing season is reduced. It was pointed out, however, that this issue currently exists with regular trading of trips in the Mid-Atlantic; but the entire fleet is subject to the potential risk, not just half the fleet that ends up getting allocated an additional Mid-Atlantic access area trip. Longer RPM alternatives for 2011 could also be a tradability issue for vessels that would normally want to trade a GB access area trip for an additional Delmarva trip. Longer RPM closures could affect whether vessels decide to trade. The intended FY 2012 allocations will be available at the March 1 start so vessel owners would firmly know their specific access area allocations and would be able to fish/trade "split trips" prior to any possible closure(s).

