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Scallop Committee Meeting – September 18, 2013**Motions****FRAMEWORK 25****1. Preble/Quinn****Recommend that Alternatives 1, 2, 2b, and 4 as possible specification alternatives in FW25.****Vote: 6:0:0, motion carries**Rationale: Primarily based on input from AP Motion 3.

It is very difficult to assess scallops that are very small. There is higher predation and mortality on these scallops and they are in deeper waters than typical. Therefore, their survivability is more uncertain. These small scallops are in an area that is not heavily fished by the scallop fishery, so incidental impacts should be limited. The average size is 17mm; therefore these small scallops will go through commercial gear. There are some larger scallops mixed in these areas and it may be better to access the exploitable scallops now before the smaller scallops grow larger. Closing more open area now within a new access area will potentially reduce DAS further for FY2014 further, and the allocation for 2014 may be lower than 2013 already.

The Committee agreed to leave in Alternative 4 for more analyses, but recognized it may be more complex to develop and there may not be sufficient time in this action. Area rotation overall is designed to protect small scallops and currently there are very few small scallops in the northern part of NL or CA2. So keeping these areas managed as access areas may not be the most effective strategy. It will be informative to see the impacts of accessing NL and CA2 as access areas compared to open areas. Under the current hybrid overfishing definition the fishing mortality is set differently based on whether the area is an access area or an open area. These analyses would help show these differences. It was noted that if one of the three potential access areas is converted to an open area there may not be enough exploitable biomass in the remaining two to give each vessel one access area trip in 2014. It was also noted that vessels have different capacities per DAS, so that will need to be taken into consideration if the areas are managed under DAS versus a possession limit. Finally, NL and CA2 are both within GF closed areas, so effort will still need to be limited, and not wide open in terms of DAS fishing within a GF closed area. An overall TAC would still be required for the area, whether it is DAS or pounds.

2. Pierce/Kaelin**Move to retain in FW25 Alternative 2 related to CA1 trips modified so that unused CA1 catch would be permitted to be fished in the current or revised area if modified by the EFH Omnibus Action.****Retain Alternative 4 and add AP motion 4 (split unused 2012 and 2013 CA1 trips to be permitted in open areas). Not include Alternative 3.****Vote: 6:0:0, motion carries**Rationale: Primarily based on input from AP Motion 4.

The Committee agreed that several alternatives should be considered for unused trips to help preserve area rotation and the lottery approach currently being used in the area management system. The Committee removed Alternative 3 because there are no access areas in 2014 that can take additional access from these

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unused trips. The Committee is supportive of allowing these unused trips access just north of the current access area in CA1 if that area is no longer closed after the Omnibus Amendment. The Committee wants the PDT to consider the impacts of allowing both unused 2012 and 2013 trips. The PDT will evaluate it further, but preliminary estimates are that about 300,000 pounds are left from unused 2012 trips, and about 1.2 million pounds from unused 2013 trips. The Committee included the AP recommendation to spread the trips over two years so it has more limited impacts on the fishery. Similar to how carryover catch is considered, the catch counts against the ACL the year it is caught, not the year it was allocated.

3. Pierce/

Sub-ACT be set for LAGC IFQ fishery to account for uncertainty from carryover and the buffer between the sub-ACL and sub-ACT be 100,000 pounds, 50% of recent carryover levels.

Failed for lack of a second

4. Quinn/Kaelin

Include AM Alternatives 1-4 and eliminate 5-7 for consideration in FW25. Include reference in FW25 that there are already measures in place that reduce wp bycatch including requirement for use of turtle dredge.

Vote: 6:0:0, motion carries

Rationale: Primarily based on input from AP Motion 8.

The Committee agreed that several alternatives should be considered for WP AMs and agreed with how the AP recommended the list be limited. Overall, since the sub-ACL has not been exceeded focusing on reactive AMs was preferred. A seasonal area closure as well as a seasonal gear restricted area alternative will be developed further. The Committee added that turtle deflector dredges likely reduce WP bycatch and since they are already required in Mid-Atlantic waters west of 71W from May 1 through October 31 the document should reference them as a proactive AM in place already.

By consensus the Committee recommended that Framework 25 include: 1) both alternatives for LAGC access area trip allocations in Section 2.1.3.2; 2) both NGOM hard-TAC alternatives in Section 2.1.4; 3) only one alternative for Incidental catch (50,000 pounds) in Section 2.1.5; and the estimate of catch from state waters should be left alone at 160,000 pounds.

OTHER BUSINESS

5. Pierce/Quinn

Recommend the Council forward the points in Motion 2 from the AP Meeting on September 16 to the Enforcement Committee or other entity that could address these issues.

Vote: 6:0:0, motion carries

Rationale: Primarily based on input from AP Motion 2, see correspondence in binder.

The Committee agreed that if VMS can potentially be used as a lifesaving tool it should be discussed further by the appropriate group. In addition, if EPIRBS are not working as they should be steps should be taken to test and identify how they can be more effective.

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6. Pierce/Preble

Recommend the Council include in FW 51 zero retention for YT flounder in the scallop fishery.

Vote: 5:0:1, motion carries

Rationale: The Committee discussed that the Council is going to make a recommendation on the TAC for GB YT at the September Council meeting and the value is potentially going to be lower than it was in 2013. A member of the audience commented that since the sub-ACL for the scallop fishery is likely going to be lower than 2013 all incentive to target YT needs to be removed. He argued that the full retention of legal sized YT requirement for the scallop fishery is not working. Many vessels in the industry are not complying with it so we are not getting the improved data we hoped for. Furthermore, some vessels are actually targeting YT, or not moving off it if they encounter it. It was argued that zero retention eliminates incentive to target, thus reduces mortality of YT. One Committee member argued this would also provide more incentive to participate in the voluntary bycatch avoidance program and help the fishery stay below the sub-ACL preventing AMs from being triggered.

Scallop Advisory Panel Meeting – September 17, 2013

Motions

FRAMEWORK 25

AP1. Gutowski/Maxwell

AP recommends the Committee adjust the assumed discard estimate in FW25 downward. The AP further recommends the Committee analyze observed discards and the mortality rate that is applied to those discards from the last scallop assessment (SARC50).

Vote: 12:0:0, motion carries

AP3.Gutowski/Hansen

AP recommend that Alt 3 (new closure in and around NL) not be considered in FW25 but should be revisited in the next appropriate action.

Vote: 12:0:0, motion carries

AP4.Quinn/Larson

Cmte consider another alternative for CA1 issue.

Allow any unused 2012 and 2013 CA1 access area trips to be taken in FY2014 and FY2015 in pounds in open areas. About 40% of the total unused catch will be available in FY2014 and 60% in 2015. This access will be determined by lottery, some vessels would get access in 2014 and some in 2015. Clarification that this catch will be part of the LA sub-ACL in FY2014 and FY2015.

Vote: 10:1:0, carries

AP5. Parker/Marchetti

AP not recommend inclusion of an alternative to consider a sub-ACT for the LAGC fishery.

Vote: 11:0:0, carries

AP6. Larson/Welch

Do not consider a seasonal area closure AM for WP in FW25 (Alternative 2).

Vote: 6:2:2, carries

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AP7. Fletcher/Marchetti

When an observer is on a boat the boat must stop the dredges for a given period of time (3 minutes).

Vote: 1:9:1, motion failed

AP8. Gutowski/Marchetti

Replace motion 6 and instead eliminate Alternatives 5-7 related to WP AMs (proactive measures) from FW25. AP recommends including Alternative 1-4.

Vote: 10:0:1, carries

2014 PRIORITIES

AP9. Gutowski/Larson

In terms of 2014 priorities, recommend the Committee develop an action to provide access in EFH areas if they open as soon as possible, ideally as early as the end of FY2014.

Vote: 11:0:0, carries

OTHER BUSINESS

AP2. Gutowski/Welch

Recommend the Scallop Committee have the Enforcement Committee consider how VMS can be used more as a dual purpose for enforcement as well as safety.

1. Specifically recommend that if both the communication (GPS satellite) and enforcement signal go down in a VMS unit that the vendor must contact the owner, vessels nearby, and USCG automatically, if feasible.
2. Consider a test for EPIRB function during mandatory dockside examinations
3. Investigate why EPIRBs are not reliable

Vote: 11:0:0, motion carries