

**Summary Minutes**  
**Joint Meeting of the Red Crab Plan Development Team and Advisory Panel**  
**July 13, 2009**

The Council's Red Crab Plan Development Team (PDT) and Advisory Panel (AP) met jointly by conference call at 10:00 a.m. on July 13, 2009.

The following PDT members were present:

Richard Allen, Chairman

Moira Kelly, NMFS Regional Office Fishery Policy Analyst

Barbara Rountree, Northeast Fishery Science Center Fishery Economics Branch

Richard Wahle, Bigelow Marine Laboratory

Joseph DeAlteris, University of Rhode Island

PDT member Antonie Chute, NEFSC Population Dynamics Branch, was on leave and not present.

Advisory Panel members present were:

Frank Wetmore, Chairman

Jon Williams

Peter Lawsig

Chris Kellogg, Council staff, was also present.

The group reviewed the purpose of the two upcoming Council actions and the timeline that will guide PDT activities in the coming months. The first action will set the specifications for the total allowable catch and days-at-sea for 2010. That action is expected to be completed for Council approval at its September meeting. The second action will be a fishery management plan (FMP) amendment that will establish an annual catch limit (ACL) and accountability measures (AMs) for the red crab fishery and any other measures determined to be necessary by the Council. The amendment is expected to be ready for final submission to NMFS by May 18, 2010.

Chris Kellogg explained that the Scientific and Statistical Committee (SSC) of the Council must approve an allowable biological catch (ABC) that will establish the basis for the specification of the total allowable catch (TAC) and days-at-sea (DAS) for 2010. The SSC generally reviews and provides guidance on the methodology proposed by the PDT during one meeting and makes a decision on the recommended ABC at its next meeting. The next two meetings of the SSC are scheduled for August 10-11 and September 16. The Council expects to approve the specifications at its September 22-24 meeting.

The PDT recognizes the results of the Data Poor Stocks Working Group (<http://www.nefsc.noaa.gov/publications/crd/crd0902/>) and the associated Review Panel Report (<http://www.nefsc.noaa.gov/saw/datapoor/Data%20Poor%20-%20Review%20Panel%20Report%20Final-1-20-09.pdf>) as the best available science for deep sea red crab.

Decision 1: The PDT tasked Antonie Chute with preparing a presentation to the SSC for their consideration in setting the overfishing level (OFL) and ABC for red crab, with input from Richard Wahle and Joseph DeAlteris as needed to respond to the SSC's guidance.

The PDT and the Advisors discussed the problems created for the red crab fleet by the Emergency Rule that reduced fleet DAS from 780 to 582, with a consequent reduction in the individual vessel DAS from 195 to 146. The reduction in the DAS corresponded with a reduction in the TAC from 5.928 million pounds in fishing year 2008 to 3.56 million pounds in fishing year 2009. The fleet does not have a problem with the TAC, but will find it difficult to catch the TAC in an economically efficient manner with the reduced number of DAS per vessel. The fleet landings in recent years have approximated the reduced TAC, but the most active vessels have used more than a proportional fraction of their individual DAS. The reduction in DAS, coupled with the individual allocation of DAS, therefore created a hardship on the industry that was not anticipated in the Environmental Assessment that accompanied the Emergency Action.

As explained by the advisors, the primary problem with the individual allocation of DAS is that all of the boats get an equal number of DAS regardless of whether they will use those DAS. Some of the boats fish in other fisheries as well as red crab, and have not traditionally used all of their DAS. The fact that the part-time boats get an equal allocation became a problem when the fleet DAS were reduced. The fleet DAS are calculated on the basis of the average landings per day, without consideration of the fact that some DAS will not be used because they are allocated to part-time red crab boats. The reduced DAS that are actually available to the active fleet do not, therefore, provide sufficient DAS to catch the TAC unless all of the vessels make maximum use of their DAS allocation. In contrast to the flexibility that the fleet has enjoyed in recent years, the new rules will cause the vessels to maximize the productivity of the available DAS by changing their sailing and landing times and hauling traps under marginal weather conditions. These changes in fishing strategy will also affect future calculations and interpretation of landings-per-DAS.

All of the limited access red crab vessels are now operating under a cooperative harvesting agreement that uses the permitted vessels most efficiently and involves the sharing of revenue from the total red crab harvest. The harvesting agreement removes the need for the individual allocation of DAS that was originally intended to avoid a competitive derby fishery. During the comment period for the Emergency Action that implemented the reduced TAC and DAS, the red crab industry requested NMFS to simply set the fleet DAS without allocating DAS to individual vessels. The Regional Office responded that NMFS did not have the authority to make that kind of change in the regulations and that the industry would have to request that change from the Council. The industry has made that request to the Council. All of the advisors supported the elimination of the allocation of DAS to individual vessels.

The PDT discussed the potential procedures that might be followed by the Council to eliminate or modify the DAS allocation in a way that would allow the fleet to operate efficiently.

Decision 2: The PDT tasked Dick Allen and Barbara Rountree with the preparation of a decision document covering social and economic issues that will be needed for the Council to decide how to proceed on the industry's request to eliminate or modify the allocation of fleet DAS to individual vessels. The PDT also tasked Moira Kelly with the preparation of a decision document related to the regulatory issues that would need to be considered in a Council action to eliminate or modify the allocation of DAS to individual vessels.

Advisor Jon Williams explained to the group that the industry's preference would be for a hard TAC with no DAS controls in place of the current target TAC and DAS controls. Jon had assumed that a modification to the individual allocation of DAS could be done more expeditiously than a change to a hard TAC. If that turns out not to be the case, the industry would prefer to go to a hard TAC. The industry will submit a formal request to the Council to make that change in the next appropriate action.

The meeting adjourned at approximately 11:00 a.m.