



NEW ENGLAND FISHERY MANAGEMENT COUNCIL

Scallop Scoping Meeting Summary

April 2, 2008

Cape May, NJ

The meeting was started at 7:10 pm and ran about 1.25 hours. About twenty members of the public attended. The meeting was led by Dave Simpson (CT DEP, NEFMC Council Member) and Sarah Pautzke (NEFMC staff). Dan Cohen (Scallop Advisory Panel, Scallop Survey AP) and Robert Maxwell (Scallop Advisory Panel) were present.

Issue #1: ACLs and AMs

One comment was that ACLs and AMs are hard to make comments about because of the lack of NFMS guidance. We're pushing beyond our knowledge, which may have unintended consequences.

It was also mentioned that with regards to ACLs, that the scallop fishery should continue to receive 10% of the YTF TAC and that the SC fishery should be unaffected by the AMs of the other fisheries. Additionally, when the 10% is divided among the scallopers (i.e. the GC, LA, and LAGC programs), the AMs of each scallop program should not affect another. In other words, if the GC fishery goes over its YTF TAC, then that should not affect the LA and LAGC fisheries.

Issue #2: LA Capacity Reduction

It was argued that ITQs are good, but this is the wrong time and place and so there is no support at this time. It was voiced that leasing is an appropriate measure because it makes fishing more flexible (for example, if a vessel breaks down at the end of the FY, the owner can lease the permit to another vessel owner so harvest is not lost). However, anything that comes into play with regards to capacity reduction needs to be proportionate and equal (i.e. fair).

It was commented that permit stacking and leasing is unfair because it hurts single-boat owners, crew (can go from 2 to 1 crews if stacking is allowed onto 1 boat), and other sister industries due to reduced numbers of boats (electricians, welders, etc. will have less work or no work). It was argued that this could lead to a monopoly and it was pointed out that most of the clam permits are now owned by banks. Permit stacking can be good for a few people, especially larger boat owners, but is not good for many smaller boats.

One commenter was concerned that the IFQ might cut catch history in half. He also said that Access Area trips should not be incorporated into the determination of an IFQ allocation.

ITQs were not recommended by a commenter. It was pointed out that there are already problems for GC folks. If we do go with ITQs, they need to be consistent with the DAS and vessel size restrictions of A10. It was argued that one problem with ITQs is knowing how to cut the pie. Additionally, sectors would be ok if they are subject to A10 mortality controls.

Issue #3: OFD Definition Revision

It is not right to make a change right now because habitat closure impacts are unknown. Maybe, if we have a 5-yr horizon to eliminate peaks and valleys in harvest to better manage the market, and in conjunction with other measures, it might be alright.

Another member of the public argued that if the whole ocean was under rotational management, then it might be appropriate. As it stands now, it should just be left alone.

Issue #4: LAGC Measures

One measure that was suggested was to revisit A11 3.1.2.5.4.4 because the Council may have overlooked the allocations per vessel of 2%; it should be adjusted to 2.5% to be consistent to coincide with A11 3.1.2.5.8.1, which is 5% ownership.

A second measure that was suggested was an increase of the day limit from 400 lbs to 600 lbs per day due to current fuel prices. This would increase the lbs per day, but reduce the number of trips a GC vessel would have to make to harvest their IFQ. This increase to 600 lbs/day would reduce cost, increase profits, and increase overall economic efficiency.

Issue #5: EFH Measures for Consistency with GF A13

All comments were in support of making the EFH areas consistent between the scallop and groundfish amendments. If A15 goes through, it should include the measures necessary to make the SC closed areas consistent with the GF A13 closed areas in the event that the EFH omnibus amendment is delayed. This was agreed on by all industry members present. Additionally, it was pointed out that those three areas (NLS, CAI and CAII) are all loaded with scallops in the areas that are prohibited. One public member pointed out that the second phase of the EFH omnibus amendment is the most contentious, so we should expect delays and thus, include the measures in A15.

Issue #6: RSA's

There was support to include the changes in the RSA set-aside program listed in the scoping document.

Issue #7: Changing FY to May 1

It was argued by all that May 1 should not be considered at all. The biggest problem now, from one point of view, is that NMFS does not know what current research platform will be utilized, although it will probably be the R/V Sharp. Based on that, in addition to economic reasons because the market is geared towards a March 1 start date, there is no value in changing the FY start date, especially in light of the new turtle biological opinion with its perceived turtle interaction issues. Also, a change in the FY would result in harvest at the time of year with the lowest yield. One comment was that the draggers were supposed to be March 1, but due to gear issues had their fishing year adjusted to May 1. Thus, it is not the scallopers that are out of sync with the wrong start date, but in fact the draggers who should adjust to the scallop fishing year start date.

Additional Comments

Comments unrelated to the actual scoping document included a question about the April 4th deadline with regards to scoping, especially since the last scoping hearing is April 8 (one person suggested accepting comments until April 15th), and a question with regards to FW21 setting specifications for 2010 only (as opposed to two years). It was pointed out that annual specifications would be good. The demarcation line was also talked about in reference to whether declaring into the fishery at the demarcation line or the port, and whether the demarcation line can be extended farther away from the coast to allow transit between the coast and the demarcation line.

The final comment of the evening was that there should be a rule against anchoring in a Access Area fishing zone because, for example, the NLS gets packed toward the end of the YT TAC and boats will anchor to shuck their scallops in the way of other boats that are fishing, which is a dangerous situation.