



Atlantic Surfclam and Ocean Quahog (SCOQ)

Council Meeting

December 15, 2021

Today

- Background presentation on draft “Approaches to Address the Current Species Separation Requirements ...”
- Review FMAT Recommendations
- Review AP and Committee Recommendations
- Discussion and Council recommendations



History of Issue



Photo credit: Noaa.gov

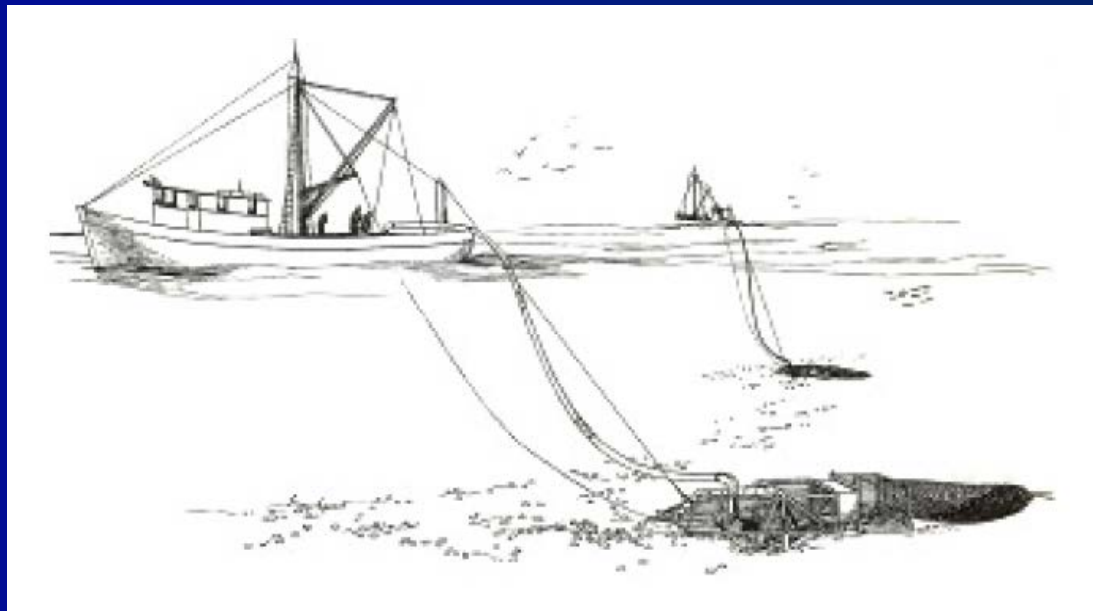
- Industry asked Council to address issue
 - asked for a mixing allowance in cages to address their enforcement concerns
- Council/GARFO recognized issue is complex, and creates data/monitoring issues
- FMAT formed to produce background and some solutions/direction for Council

History of Draft White Paper

- **Nov. 17, 2020:** FMAT formed and met
- Not much writing until 2021 - gathered background from port agents, enforcement, regulations, etc.
- **Oct. 13, 2021:** Solicited input from Advisors
- **Oct. 15, 2021:** Introduced topic and solicited input from Committee
- **Nov. 16, 2021:** FMAT met to consider input received. Develop recommendations
- **Dec 6, 2021:** Committee/Advisors met. Develop recommendations

Current Species Separation Requirements

- Trips are declared under VMS as either surfclam or ocean quahog (i.e., no mixed species trips)
- No take home or consumption allowances for SCOQ ITQ fisheries, etc.



Current Species Separation Requirements

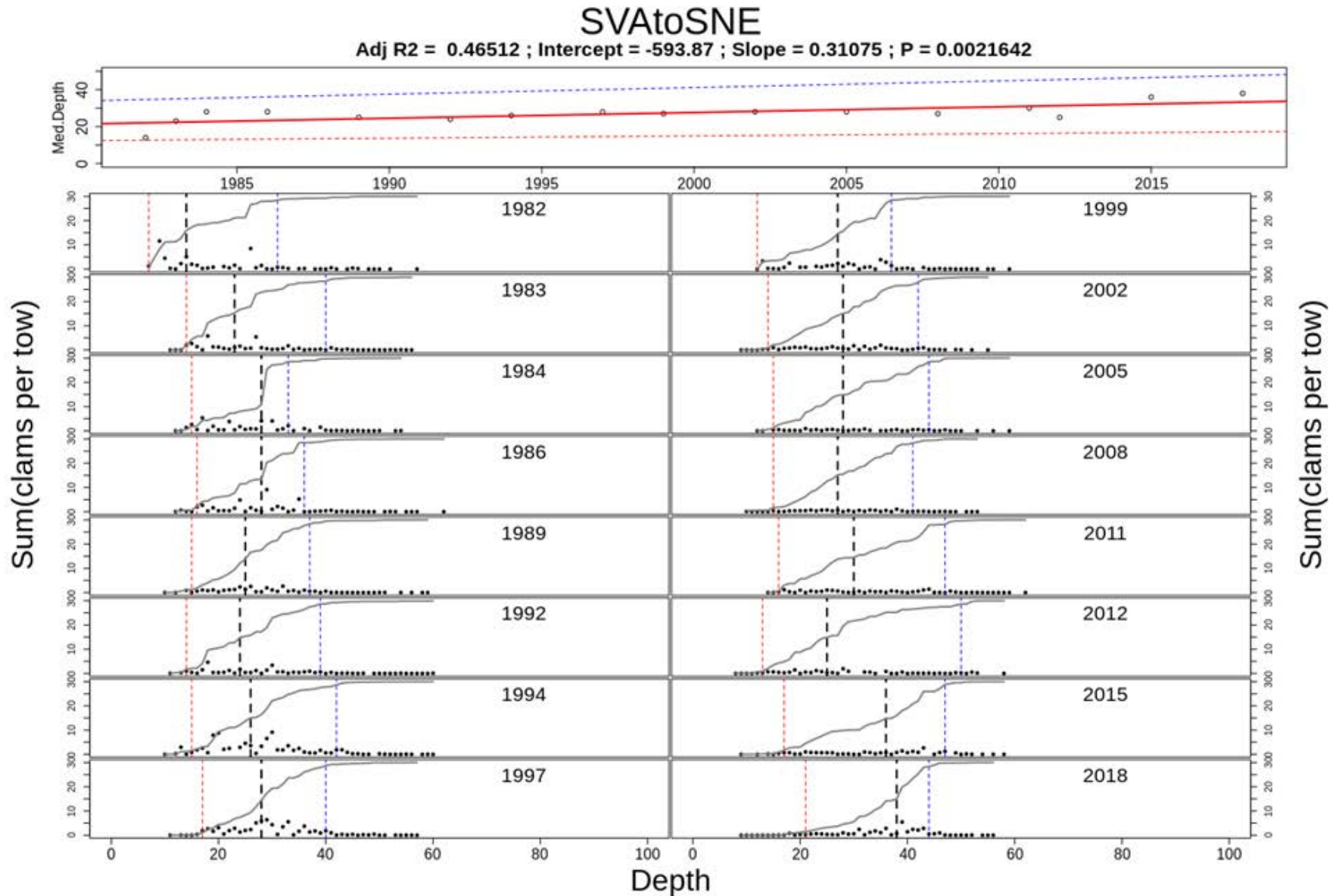
- All cages assumed to be 100% target species of clam; tagged
- Large steel cages not emptied by port samplers or enforcement; just check tags
- Some hand sorting occurs onboard; not fully effective



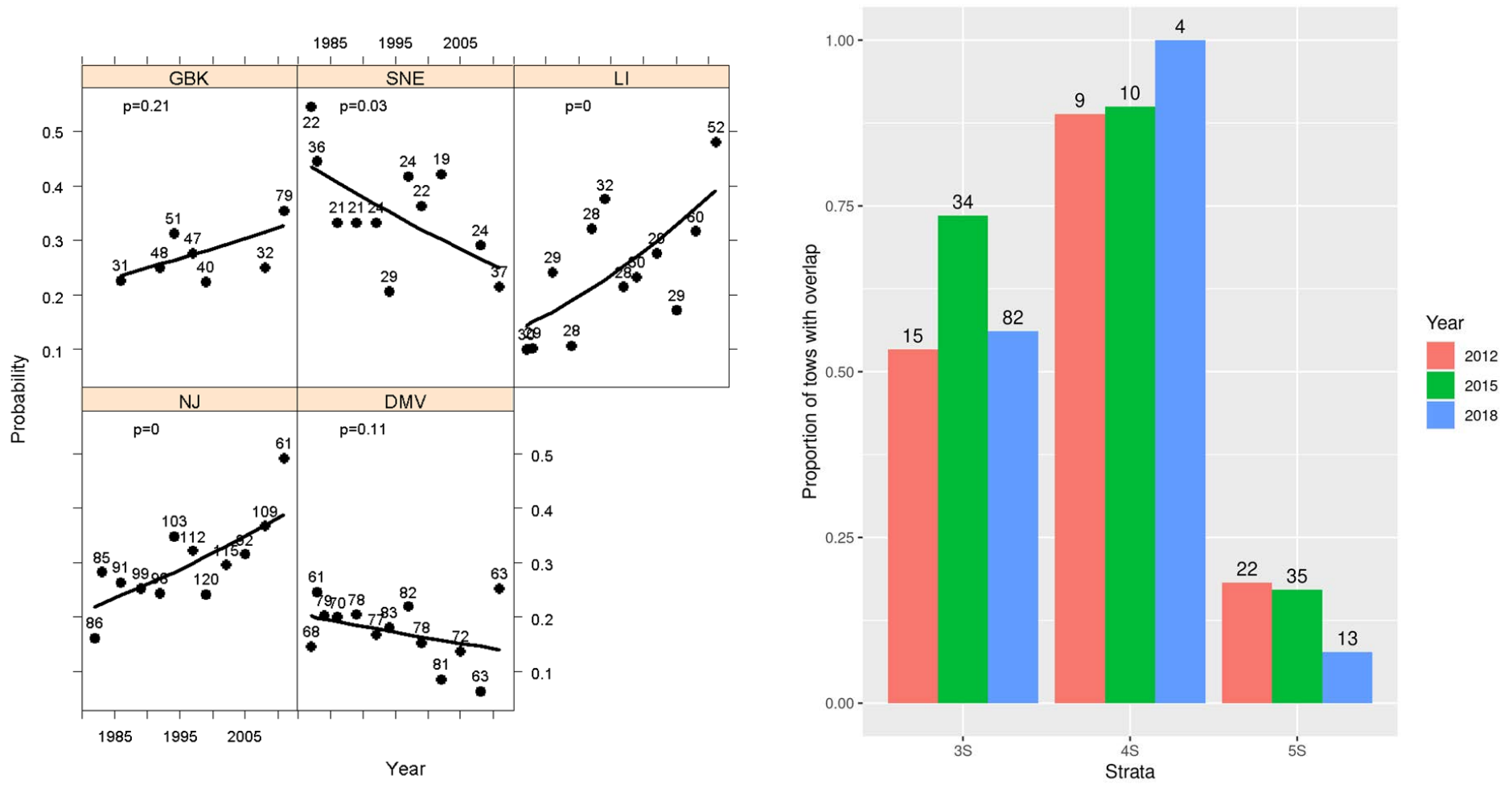
What is the Extent of Mixing?

- **Industry:** Indicated mainly in areas Hudson South and is increasing
- **NEFSC Clam Survey:** Limited data, reinforces same trajectory, but also shows increase in some Northern areas too
- **SCEMFIS Study:** Sampled areas of expected mixing based on clam survey data – report due after December 15

Extent of Mixing - Surfclam



Extent of Mixing (Appendix A)



What is the Extent of Mixing?

- Despite regulatory and economic incentives, mixing is already occurring
- Industry indicated they are avoiding these areas (to avoid quahogs in surfclam cages)
- Still landing a mix in the cages despite some onboard sorting
- Data already erroneously assume cages are 100% target (not the case)



Key Issues

- Must account for mix in cages – must be sorted/monitored at some point
- Processors don't want mixed cages
- Captains don't want mixed cages because of processors
- Tagged cages cannot be easily dumped and refilled
- Stock assessment relies heavily on bushels of clams reported for catch



Key Issues

- Catch limits set rely upon reliable catch data
- Trajectory appears that mixing is increasing (will require ongoing monitoring)
- Contents of cages are currently not inspected (by enforcement & very limited bio-sampling)
- Large differences in sizes of operations – vessels and processors
- FMAT noted if mixing is allowed, additional sampling/monitoring/enforcement is needed

Potential Solutions (Table 1)

- **ID#1: No Council Involvement** (Industry Solves Issue with GARFO)
- GARFO must ensure regulations are followed and enforced
- Industry works with GARFO to find an agreed upon solution (note: might require later action by Council to implement)
- Committee noted that industry specifically asked Council to address this

Potential Solutions (Table 1)

- **ID#2:** Modify Regulations to Require Onboard Sorting; Maintain current regs of No Mixed Trips
- Some onboard sorting is currently occurring but not adequate (i.e., non-target mix in cages, some non-targets end up in trash at processor)
- Require sorting to ensure cages are 100% target – will impact onboard operations
- Some advisors indicated feasible to sort onboard, others not

Potential Solutions (Table 1)

- **ID#3**: Modify Regulations to Require Onboard Sorting and Allow Mixed Trips
- Would change current declaration process to either SC, OQ or Mixed trips allowed
- Vessels may land two species per trip, which is unappealing to some processors
- Not all process both species, and processors don't run product lines at same time

Potential Solutions (Table 1)

- **ID#4:** Modify Regulations to Allow for Mixing (up to X% non-target) within Cages on Vessels without Additional Monitoring
- Changes current declaration process to either SC, OQ or Mixed trips allowed
- Having unknown percentage of mixing within cages impacts stock assessment and degrades ITQ catch accounting
- Very difficult to enforce/monitor; contents of cages are currently not inspected

Potential Solutions (Table 1)

- **ID#5:** Modify Regulations to Allow for Mixing (up to X% non-target) within Cages on Vessels with Manual Onboard Monitoring
- Changes current declaration process to either SC, OQ or Mixed trips allowed.
- Manually inspect and sample cages onboard vessels and record catch composition.
- Will require some type of enhanced at-sea sampling program to get representative catch data (e.g., observer?)

Potential Solutions (Table 1)

- **ID#6:** Modify Regulations to Allow for Mixing (up to X% non-target) within Cages on Vessels with Electronic Onboard Monitoring
- Changes current declaration process to either SC, OQ or Mixed trips allowed
- Electronically inspect material on "belt" prior to filling cages, and record catch composition
- Would need new regulations related to EM

Potential Solutions (Table 1)

- **ID#7:** Modify Regulations to Allow for Mixing (up to X% non-target) within Cages on Vessels with Manual Port Monitoring
- Would not change current declaration process for either SC or OQ trips
- New sampling programs (costs?)
- Must intercept vessels at dock to process cage contents. May impacts port operations

Potential Solutions (Table 1)

- **ID#8:** Modify Regulations to Allow for Mixing (up to X% non-target) within Cages on Vessels, with Manual Processing Facility Monitoring
- Changes current declaration process to either SC, OQ or Mixed trips allowed
- Only a handful of processors (fewer locations to sample) – industry indicated not set up for this
- New sampling programs (costs?)

Potential Solutions (Table 1)

- **ID#9:** Modify Regulations to Allow for Mixing (up to X% non-target) within Cages on Vessels, with Electronic Processing Facility Monitoring
- Changes current declaration process to either SC, OQ or Mixed trips allowed
- Program costs? Would need new regulations related to EM
- Creates fewer on the water logistical challenges

FMAT Recommendations

- Industry advisors want ability to land mixed trips, or mixed cages, but were not generally supportive of monitoring or enforcement approaches that interfere with operations
- To monitor the mix of catch occurring, and that may occur going forward, changes to operations will be needed



Photo Credit: Fishwatch.gov

FMAT Recommendations

- FMAT was supportive of finding long-term solution to current inaccurate accounting of the clam catch, now and going forward
- Supportive of development of technologies and potential for EM to provide more permanent and adaptive solution that may enhance data collection in future

FMAT Recommendations

- Given differences in operations for individual vessels and processors, FMAT could not identify one solution that would address this issue comprehensively
- Any approach would require support of the individual vessels and processors and substantial development work
- FMAT recommends mixing issue be addressed under research and development (R&D) type approach (such as an EFP)

Dec. 6: Committee Recommendations

I move that the Committee forward the recommendation of the AP and Committee as discussed Dec 6 (i.e., proposal of option 3 and longer-term R&D such as EM type of solution), to the full Council for consideration.

Wilke/Cimino passed by unanimous consent

What is Option 3 on Page 10?

- Allow mixed trips (land both species onboard)
- Require onboard sorting into distinct tagged cages
- No additional monitoring program; likely requires additional validation/enforcement

ID #	Potential Solutions*	Overview	Additional Monitoring/Sampling**	Additional Enforcement**	Other Reg. Details	Advantages	Disadvantages	Other Issues	Amendment
3	Modify Regulations to <u>Require Onboard Sorting and Allow Mixed Trips</u>	Allow for trips that land both species. Require onboard sorting and separation of clams by species when cages are filled.	No additional onboard sampling beyond current observer coverage.	Likely require some kind of enhanced validation/enforcement to ensure cage contents are either 100% surfclam or 100% ocean quahog, or a trip is being fished as declared.	Would change current declaration process to either SC, OQ or Mixed trips allowed. Cages must be tagged as a surfclam cage or an ocean quahog cage.	Allows for precise ITQ catch accounting, and consistent with assumption that 100% of the cage contents are as tagged for each species.	Difficult to manually sort effectively on board; may need to slow down operations to fully sort catch. Vessels may land two species per trip, which is unappealing to processors. Non-target clams may be discarded at processors. Impacts may vary by vessel size as smaller vessels/smaller processors may have an easier time adapting to sorting.	Cell I2 applies here. Industry indicated that non-target species (such as quahog mixed in surfclam cages) are trashed at surfclam only processing facilities - not all facilities process both species. Infeasible to put a cage or two of the undesired species to truck elsewhere.	Likely yes

What is Option 3 on Page 10?

- Early guidance suggested an amendment may not be needed for “mixed trips”
- FMAT recommendation didn’t require an amendment
- After Dec. 6: General Counsel reviewed issue and determined an amendment to the plan would be needed



Bottom line: To move the committee recommendation forward the Council would need to initiate an amendment

Staff Workload Implications

- Set SCOQ ACLs until 2026, but still have annual reviews
- Staff manage other portfolios
- Implications for Implementation Plan discussion tomorrow



Other Committee Issue

- Committee discussed letter received on the Great South Channel Habitat Mgmt. Area
- Impacts surfclam industry businesses and operations
- Desire to revisit science related to the siting of clam access areas



Photo Credit: Fishwatch.gov

Committee Recommendations

- Noted time has passed; history (back to 2014-15); new members
- Leadership level discussion that is prioritized between:
 - NEFMC and MAFMC Executive Directors
 - Both Council Chairs
 - Habitat and SCOQ Committee Chairs, resp.
 - History of this issue and current state of the data, management, and other issues related

Council Action

- How to proceed with respect to Species Separation Requirements?
- If an amendment is needed....
Staff/Implementation Plan considerations?
- Additional Committee recommendation for leadership level discussion – how to proceed?

Questions?