

## HPTRT Work Group Meeting March 12, 2013

We appreciate the work that has been done through the informal meeting of a working group. It is clear that substantial progress has been made. For those Team members who were not aware of this informal meeting, an informal working group was convened to discuss a strategy for moving forward. The work group consisted of TRT members from the NGO, scientific, industry and state management stakeholder groups. The group met on March 12, 2013 and provided NMFS a list 'areas of general agreement'. This list is provided below along with a list of the data related questions posed to NMFS. NMFS preliminary thoughts on the 'areas of general agreement' are also provided to help guide the discussions at April 10, 2013 Work Group Webinar.

### Points of General Agreement

1) Support for a PBR-based trigger for the Consequence Closure Strategy that we would ratcheted down toward ZMRG over a 3-5 year period

Does the support for a PBR-based trigger mirror what NMFS had proposed in its white paper that it shared with the Team? Are you suggesting that if SI/M for US sink gillnet fisheries is greater than PBR then all three consequence areas would be implemented? Are you ok with the current seasons and areas of the consequence areas?

How would you ratchet down toward ZMRG? What would your threshold(s) be and what would the ramification be if bycatch was over this threshold(s)? Would this concept be better served to be tabled for a future rulemaking as described in your 5<sup>th</sup> bullet below?

2) Compliance should be measured as a combination of deployment and functionality

How does this differ from our current definition of compliance? What are you suggesting? Are you suggesting that compliance somehow serve as some sort of trigger in combination with the PBR trigger? Is this concept in relation to your 5<sup>th</sup> bullet below? Do you have ideas for how to increase compliance?

3) Pingers should be seasonally required for all gillnet vessels north of 40 degrees

Is your intent to get rid of all current harbor porpoise TRP management areas north of 40°? During what season would pingers be required? This idea was previously analyzed as an alternative for the 2010 amendments. The analysis showed a low conservation benefit for a high economic cost. The current areas were chosen based on known interactions and migration patterns of harbor porpoise. What is your rationale to justify resubmitting the idea of seasonal pingers everywhere? If you have a known compliance problem, how will simply extending the pinger requirements help with compliance?

4) The fall CC in the Gulf of Maine might be lifted under specific conditions, such as being below PBR in 2012 and positive performance in 2013)

Is this bullet regarding the use of the “Other Special Measures” provision whereby NMFS would utilize this provision to permanently remove this closure or a general statement that NMFS include lifting the closure until a new trigger is implemented through rulemaking? In addition to being below PBR in 2012, what are the other ‘specific conditions’ that you referenced? What does ‘positive performance’ refer to - compliance? If compliance, what level of compliance and how would we measure that level of compliance?

5) We agree to consider an incentives and consequences program relative to compliance but for future rulemaking.

Noted and supported.

#### Questions/Actions Items for NMFS

1) How quickly can the Team be apprised of observed takes and estimates of fishing effort and total bycatch?

The observed takes can be viewed in SIMM within weeks (if not sooner) after they occur. Fishing effort and total bycatch theoretically could be provided 6-9 months after calendar year is complete, though this time table does not necessarily include review by the SRG. These estimates would be DRAFT estimates until reviewed by the SRG. With review by the SRG a more realistic estimate may be 9-12 months. It appears that the SRG may be willing to review the estimates earlier than the typical 2-year SAR process. This schedule assumes 3-months for data processing by NEFOP, 4 months for the preparation of Allocated Dealer data (Dealer data matched up to VTR as best as possible), roughly 3 months for analysis and calculations, and additional time for NEFSC review (and possibly reviews by the SRG or other groups). Fishing effort (VTR or Dealer data) could be provided on its own sooner than this - within months of the completion of the calendar year - if it would be useful on its own. However, the Allocated Dealer data is typically not available until at least May 1 of the following year (e.g., 2012 calendar year data available May 1 of 2013). The time schedule presented here (6-9 months for analysis and data preparation, additional time for review) could be accelerated under certain circumstances, though it would not be advisable to make this a regular occurrence.

2) What is observer coverage on sector versus common pool vessels? Guarantee  
For the current fishing year the common pool coverage rate is 17% and the sector coverage rate is 25%. For the next groundfish fishing year the common pool will likely be covered at 8% (NEFOP only) and sectors will be covered at 22%.

3) How many vessels are enrolled in sectors versus the common pool?  
As of March 27, 2013 there were 81 currently permitted sector vessel and 24 common pool vessels that landed fish on a groundfish trip using gillnet during FY12.

4) What proportion of takes occurred in sector vessels versus common pool vessels?

In the 2011 calendar year roughly 85% of observed takes occurred on sector vessels, and in 2012 roughly 75% of observed takes occurred on sector vessels. However, it is important to remember that this does not take into account higher coverage levels for sector vessels. Also, these numbers are only the raw numbers of observed takes; these are not percentages of the total annual harbor porpoise estimate. To provide some context, in the 2011 and 2012 calendar years combined, sector hauls made up roughly 85% of all hauls in harbor porpoise management areas.

5) When will the 2012 bycatch estimate be available?

A preliminary DRAFT 2012 estimate is in the attached document. In order to provide realistic estimates for this meeting, the usual effort dataset could not be used because it is not ready yet. Therefore, the estimates are nearly GUARANTEED TO CHANGE in the future. Our preferred effort dataset will not be ready until May 1 at the earliest. However, aside from using an effort dataset with less spatial and temporal precision, the estimates provided here were done using the same process that generates the final estimates and should be accurate enough to provide a sense of the magnitude of takes in 2012. New England had an estimated 176 takes, and the Mid-Atlantic had an estimated 73 takes, for a regional total of 249 animals.

6) In regard to takes in the Mid-Atlantic, are New England vessels complying with the gear restrictions?

Both the New England and Mid-Atlantic vessels are complying with the Mid-Atlantic gear restrictions on about 50% of hauls. Most of the violations are for floatline length with the next most common violation type for twine size.

7) Can we see a list of the number of vessels in the common pool by state?

| Home Port State | VESSEL_FLAG   | Vessel Count |
|-----------------|---------------|--------------|
| MA              | ACTIVE_VESSEL | 7            |
| NC              | ACTIVE_VESSEL | 1            |
| NH              | ACTIVE_VESSEL | 1            |
| NJ              | ACTIVE_VESSEL | 1            |
| NY              | ACTIVE_VESSEL | 4            |
| RI              | ACTIVE_VESSEL | 9            |
| VA              | ACTIVE_VESSEL | 1            |
| Grand Total     |               | 24           |