



# Atlantic Surfclam and Ocean Quahog (SCOQ)

Council Meeting

*February 6, 2024*



# Today

- Brief history of the action
- Review draft public hearing document
- Overview of Committee Recommendations



# Purpose and Need for Action

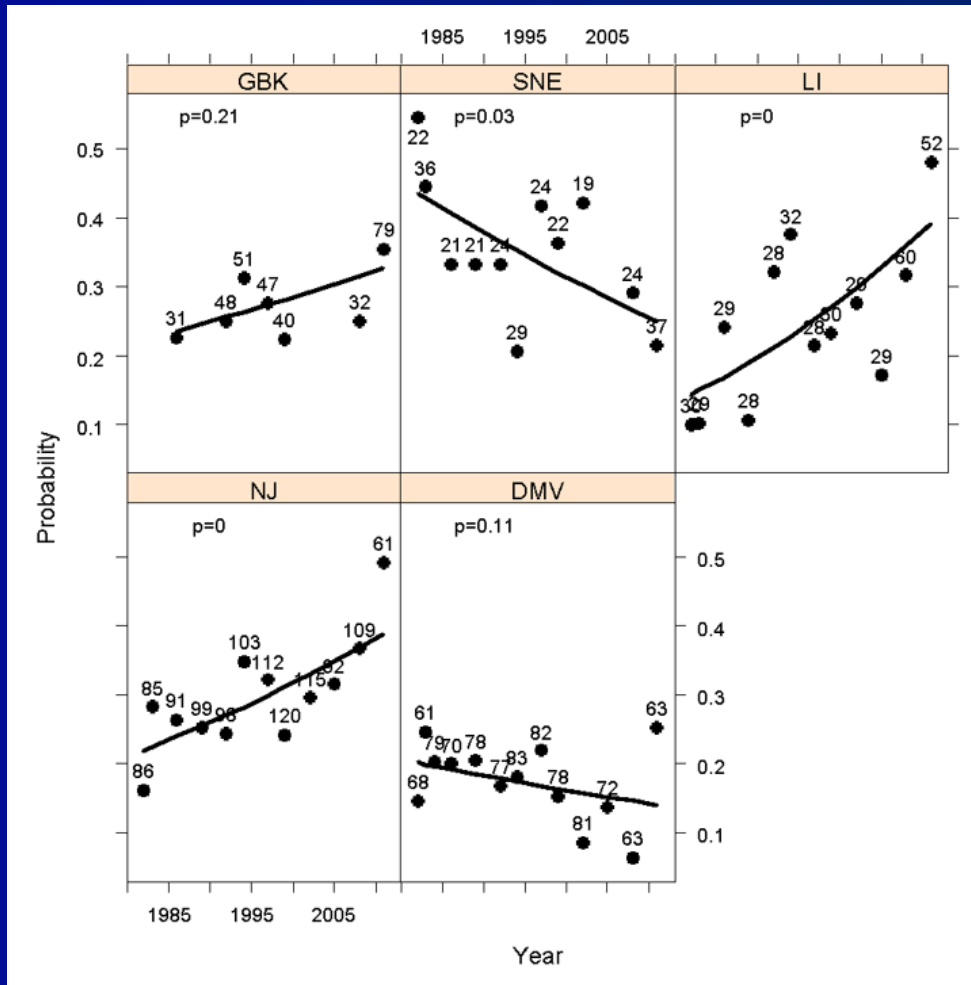
- Action is needed because of the increased frequency of mixed catches of surfclam and ocean quahog
- Mixed catches in the clam fisheries creates issues with the reliability and quality of the catch data collected
- Created challenges with accurate tracking of ITQ allocation use in these fisheries as well as the enforceability of the regulations, which rely heavily on cage tagging

# Purpose and Need for Action

- A mix of clams is being caught on single species declared trips, but cages are tagged as single species (SC or OQ)
- Those non-target clams are
  - discarded at-sea, and/or,
  - landed in clam cages, and,
  - not reported as landings and/or discards consistently in vessel trip reports (VTRs), or in dealer reports.
- Action needed to ensure adequate catch monitoring, ITQ allocation tracking, and enforceability of measures for both ITQ programs

# Mixed Bed Issue

Clam Survey information (App. A) indicated mixed beds are widespread (areas in both North and South) and trends in most areas in increasing.



# History

- FMAT work began in 2020 on a white paper and 9 options for consideration. Ctte and AP reviewed it
- December 2021 Council Meeting, Council passed the motion “move to initiate an Amendment that considers short-term solutions to species separation including white paper option 3 [onboard sorting]. Also request that the Council/NEFSC staff explore the feasibility of longer-term solutions for monitoring (such as electronic monitoring testing on the clam survey)”

# History

- In 2022, a public hearing document was developed and taken out for public comment
- Industry members indicated that onboard sorting was not a feasible option, nor were the other alternatives
- December 2022: Council tasked FMAT to explore additional alternatives and return to Ctte/Council

# History

- January 2023 FMAT met with AP to gather input
- April 2023 FMAT met and invited additional experts from the GARFO Analysis and Program Support Division, Office of Law Enforcement, and Port Agent Program
- September 2023 the Ctte and AP met jointly; no Ctte motions were made during that meeting



# The Draft Public Hearing Document

- FMAT worked to integrate input from industry members and other experts
- 5 alternatives within the amendment - the no action, plus 4 action alternatives
- Assessed impacts and highlighted ability to address three main challenges: catch data and verification, allocation tracking, enforceability

**SPECIES SEPARATION REQUIREMENTS  
AMENDMENT  
AMENDMENT XX TO THE ATLANTIC SURFLAM  
AND OCEAN QUAHOG  
FISHERY MANAGEMENT PLAN**

**Public Hearing Document**

January 2024

Mid-Atlantic Fishery Management Council  
in cooperation with  
the National Marine Fisheries Service (NMFS)

Council Address  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

NMFS Address  
Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930



# 5 Alternatives

<b>Alternative 1 (No Action/Status Quo)</b>	<b>No changes would be made to the current regulations for surfclam and ocean quahog.</b>
<b>Alternative 2 (Require Onboard Sorting, No Mixing in Cages)</b>	<b>Current regulations would be modified to <u>explicitly</u> require onboard sorting and reporting of all discards.</b>
<b>Alternative 3 (At-Sea Observing and Monitoring of Catch Disposition)</b>	<b>Current regulations would be modified to implement onboard sampling protocols developed by NOAA Fisheries to determine catch and discards onboard the fishing vessel for each monitored trip.</b>
<b>Alternative 4 (Full Retention of Both Surfclam and Ocean Quahog; Sort at the Dealer)</b>	<b>Current regulations would be modified to require full retention of both clam species onboard the fishing vessel.</b>
<b>Alternative 5 (Require Electronic Monitoring, Allow for Mix in Cages)</b>	<b>Current regulations would be modified to allow the mixing of both clam species within the cages with the implementation of a new onboard electronic monitoring (EM) program to assess catch composition.</b>

# Alt. 1 – No Action/Status Quo

- No changes to current regulations
- Single species declared trips, cages tagged and filled with target species (surfclam or quahog)
- Potential for mixing to continue to increase with increasing temperatures; industry members indicate they are presently avoiding areas of high mix
- Discarding of non-target clams on at-sea and disposal at facility – not reported or recorded

# Alt. 1 – No Action/Status Quo

- 100% mortality expected on clams discarded at sea (surfclam and quahog), and discarded on land
- As a result, this unknown source of clam mortality is not accounted for in stock assessments
- Potential for slight negative to negative biological impacts over long-term due to increase mortality

# Alt. 1 – No Action/Status Quo

- Slight negative to long-term negative socioeconomic impacts due to increased onboard vessel costs; effort to avoid sorting

Catch Monitoring (H, M, L)	Allocation Tracking (H, M, L)	Enforceability (H, M, L)	Cost (\$ to \$\$\$)	Practicability
Low	Low	Low	N/A	Industry and the Surfclam and Ocean Quahog Committee have noted that action is needed, and that no action would not address the issue.

# Alt. 2 – Require Onboard Sorting

- Onboard sorting explicitly required
- Single species declared trips, cages tagged and filled with target clam species (surfclam or quahog)
- All discards of non-target clams and other species must be reported on Vessel Trip Reports (eVTRs)
- Would be expected to moderately improve monitoring of catch and allocation tracking; still some challenges with verification of cage contents

# Alt. 2 – Require Onboard Sorting

- Positive biological impacts due to mod. improvement in catch monitoring to manage this ITQ fishery
- Negative socioeconomic impacts due to increased operating costs for some trips and processor groups

Catch Monitoring (H, M, L)	Allocation Tracking (H, M, L)	Enforceability (H, M, L)	Cost (\$ to \$\$\$)	Practicability
Mod	Mod	Mod	\$\$	Industry has stated that fully sorting is not a practicable solution for their vessels and/or processor groups.

# Alt. 3 – At-Sea Monitoring

- An at-sea catch monitoring program would be required to improve the accuracy of collected catch data (landings and discards)
- Applies to vessels fishing deeper than 30 m (98 ft)
- 90% coverage for 3 years
- Observer Program (NEFOP) Trips exempt from carrying monitor; Potential EM/audit exemption
- Council will review program two full years of catch data are available (in year 3)



# Alt. 3 – At-Sea Monitoring

- Would be a new program with monitoring protocols developed by NOAA Fisheries
- Estimate program could cost about \$1.7 million per year for monitors
- Cost recovery for this ITQ fishery each year is currently about 0.2%
- At full 3% recoverable amount would be about \$1.2 million

# Alt. 3 – At-Sea Monitoring

- Positive biological impacts by provide detailed information on catch
- Negative socioeconomic impacts due to potential cost increases

Catch Monitoring (H, M, L)	Allocation Tracking (H, M, L)	Enforceability (H, M, L)	Cost (\$ to \$\$\$)	Practicability
High	High	High	\$\$\$	Other limited access programs with mixed catch/discard issues have similar programs (i.e., Groundfish Catch Share Sectors, Pacific Groundfish), making this a practicable solution.

# Alt. 4 – Full Retention, Sort at Dealer

- Full retention of catch on board vessel would be required after material passes through shaker
- At dealer, each fishing trip would be sorted separately using standardized protocol developed by NOAA Fisheries
- Industry members have indicated their preference to sort at the dealer, as they already sort in the facility

# Alt. 4 – Full Retention, Sort at Dealer

- Sorting at dealer provides for no secondary source of verifications of the data (currently eVTRs and dealer reports serve as a crosscheck)
- Limits ability of enforcement to make unscheduled visits to witness catch being sorted
- Many dealer facilities are spatially removed from point of landings (trucking) and cages may be stored for a time before processing

# Alt. 4 – Full Retention, Sort at Dealer

- Some positive improvements in the catch data but no secondary verification of catch
- Some negative impacts as it may slow processing operations

Catch Monitoring (H, M, L)	Allocation Tracking (H, M, L)	Enforceability (H, M, L)	Cost (\$ to \$\$\$)	Practicability
Mod	Mod	Low	\$\$	Industry has stated that sorting at the dealer is the most practicable for them; however, this is the least enforceable of the options compared to the no action.

# Alt. 5 – Electronic Monitoring

- Mixing of both clam species within the cages would be permitted with new onboard EM program to assess catch composition
- Full retention of catch after material has moved through shaker would be required
- Technology currently being evaluated using clam survey
- Longer-term solution

# Alt. 5 – Electronic Monitoring

- Positive improvements in the catch composition monitoring; could potentially collect lengths
- Could be expensive to initially implement but could also be costs savings over long-term; some neg -

Catch Monitoring (H, M, L)	Allocation Tracking (H, M, L)	Enforceability (H, M, L)	Cost (\$ to \$\$\$)	Practicability
High	High	High	\$\$\$ to \$	Not practicable as a solution in the short-term; this new EM program would require long-term development but could be practicable in the long-term.

# Considered but rejected

- Prior drafts included a new VMS category to allow for trips to land both species under a “combined trip”
- Office of Law Enforcement emphasized the importance of their target trip declarations to the work they do
- Therefore, not further analyzed in the document



# Considered but rejected

- Partial sorting onboard the vessel for some cages, and then further sorting at the dealer facility is problematic
- Created challenges with tracking and reconciling catch and allocation use for single trip
- Verification of what constitutes a sorted cage versus an unsorted cage would be nearly impossible to determine

# Considered but rejected

- Prior drafts/discussions examined a shoreside sampling program
- Would allow for improved accounting of what was landed, but does not address accounting for discarding of non-target clams at sea
- Port samplers would need to enter processing facilities – disruptive to processing and/or poses health and safety issues

# Elimination of Physical Tags

- Could consider undertaking a data modernization process like SERO which allows for electronic tracking of allocation tags
- Large short-term admin. burden on NMFS but long-term benefits
- SERO region collects the max. 3% cost recovery from all its catch share programs to fund this work
- Council could request GARFO develop a similar system

# Feb. 5 SCOQ Committee and Advisors

- Met jointly via webinar Monday am
- Staff presented on contents of draft PHD
- Much discussion during meeting focused on what industry members/advisors provided as a substitute for alternative 4 (redrafted language from Box 1 of PHD)
- Provided via email to staff on Feb. 2

# Feb. 5 SCOQ Committee and Advisors

- This proposed Alt. 4 substitute includes:
  - A combined trip declaration for each trip, allow mixing in cages
  - Manual sorting at processor facility, but with NOAA contracted monitor

Alternatives	Brief Description of Alternatives	Catch Monitoring (H, M, L)	Allocation Tracking (H, M, L)	Enforceability (H, M, L)	Cost (\$ to \$\$\$)	Practicability
<b>Alternative 4</b> (Allow Combined Trip Declaration, Mixing of Clam Species within Cages (on a Declared Combined Trip), and require Manual Processing Plant Monitoring of Combined Declared Trips to be performed by a monitor contracted by the NMFS.	Current regulations would be modified to create a new combined trip category that would allow for both species (surfclam and ocean quahog) to be landed on the same trip. On a declared combined trip (i.e. a fishing trip that is allowed to land both surfclam and ocean quahog) the mixing of both clam species would be permitted with the implementation of a new NOAA Fisheries sampling program to assess catch composition at the processing plant by an independent monitor designated by the NMFS.	High	High	High	\$5	Industry has stated that sorting at the processing plant is the most practicable. The requirement of a NMFS contracted monitor at the plant makes this Alternative enforceable.

# Feb. 5 SCOQ Committee and Advisors

- Advisors and industry members noted their proposal:
  - Would improve catch monitoring
  - Would be enforceable
  - Be less costly than paying for at-sea monitors

Alternatives	Brief Description of Alternatives	Catch Monitoring (H, M, L)	Allocation Tracking (H, M, L)	Enforceability (H, M, L)	Cost (\$ to \$\$\$)	Practicability
<b>Alternative 4</b> (Allow Combined Trip Declaration, Mixing of Clam Species within Cages (on a Declared Combined Trip), and require Manual Processing Plant Monitoring of Combined Declared Combined Trips to be performed by a monitor contracted by the NMFS.	Current regulations would be modified to create a new combined trip category that would allow for both species ( <u>surfclam</u> and ocean quahog) to be landed on the same trip. On a declared combined trip (i.e. a fishing trip that is allowed to land both <u>surfclam</u> and ocean quahog) the mixing of both clam species would be permitted with the implementation of a new NOAA Fisheries sampling program to assess catch composition at the processing plant by an independent monitor designated by the NMFS.	High	High	High	\$5	Industry has stated that sorting at the processing plant is the most practicable. The requirement of a NMFS contracted monitor at the plant makes this Alternative enforceable.

# Background on FMAT Alt. 4 - Full Retention, Sort at Dealer

- Manual sorting at dealer was in white paper (Option 8; in 2021) along with onboard sorting
- Advisors indicated to FMAT that dealers did not have space to dump/sort cages in their facilities
- In late 2022/2023, advisors/industry members indicated that sorting in dealer was preferable to sorting at sea
- FMAT Alt. 4 included full retention to ensure at-sea discards were also accounted in catch estimates

# Feb. 5 SCOQ Committee and Advisors

- Ctte/advisors discussed the mortality rate of clams discarded at sea (expected to be high)
- Use of non-target clams by dealers was discussed
- Noted need to track allocation and quotas with tags
- Monitoring protocols would need to be developed, maybe for each dealer or for at-sea
- FMAT would need to explore the redraft in more detail with advisors (more details) and others



# Committee Motion

Move that the Committee recommend the Council delay the draft going out to public comment until the FMAT can review [industry revised] alternative 4 as presented by industry.

Cimino/Gwin

Motion passes by consent

# Questions?