

Scallop Advisory Council Meeting March 31, 2016 in Brewer

DMR staff: Trisha Cheney, Pat Keliher, Kevin Kelly, Joseph Wodjenski, Mike Kersula, Tom Reardon and Carl Wilson.

SAC members: Paul Cox, James Wotton, Tad Miller, Alex Todd, Andy Mays, George Freeman, Carla Guenther, Curtis Haycock, Justin Boyce, and Ray Swenton.

SAC members not present: Randy Ramsdell, Marcus Jones and Erin Owen.

Public: Barry Huckins, Sheila Huckins, Kevin Durkee, Russell Bray, Rob Bauer, Brian Preney, Dana Black, Caitlin Cleaver, Ben Martens, Mike Murphy Sr., Mike Murphy II, Derek Jones, Frank Jones, Ron T. Trundy, James West, Togue Brawn, Ben Heansler, David Leach, Russell Leach, Tim Sheehan, Christina Robichaud, Josh Trundy, Mike Thalhauser and Ben Crocker Jr. .

Meeting commenced at 3:00pm.

Introductions

Minutes [06/04/15] Approved (J. Wotton motioned to accept, R. Swenton seconded. Vote unanimous).

T. Cheney: While we haven't had the SAC meeting since last June to approve the season, I did host a round of local meetings in the fall where a range of topic were discussed. [See meeting summary in Appendix A].

DMR UPDATES

DMR In-Season & Spring Survey Update [M. Kersula's Slides in Appendix B]

M. Kersula: Last season was the first year that we did in-season surveys in Cobscook Bay. We do a full survey of the area before the season. Then during the season we do a subset of those sites and from that subset we try to get an idea of how the scallop abundance is changing in an area. Last year people felt like it was fairly successful and in Cobscook Bay it ended up leading to the area being opened for a lot longer as we did not observe the decline that we were expecting to see based on our preseason estimates. This year we expanded the in-season survey, so in addition to Cobscook we did surveys in Machias, Gouldsboro and Vinalhaven. However, this year we had already closed down Machias and Gouldsboro because we believed that 30% of the harvestable biomass had already been taken before we could get in there and take a look, so we went in after the closure. For Machias Bay looking at the shell heights of scallops you can notice on the legal size (101.5mm and above) some of that stuff had been taken, but not a large decline in the different size classes. If you look at our survey catch you will see that it went down from before the season to after, however, it didn't go below 30%. We are trying to look at changes in biomass in an area by comparing the density of scallops as opposed to try to estimate biomass for a whole area; when you do that you get into issues of drag efficiency and what is the whole area you are trying to look at. This way you are looking at the same drag at different times and what are you catching in your survey sites. So what you have here is the density of harvestable scallops went down, however not as much as we thought and that is why Machias Bay ended up getting re-opened. For Gouldsboro and Dyers Bay I threw them both together. You can see again when we are actually able to get in there and survey it after we had shut it down we saw that harvestable biomass had gone down, but it hadn't gone down enough, it hadn't passed that 30% harvest target, so we re-opened the area. I wanted to point out for Machias seed is a big part of what we saw. In Gouldsboro we are seeing some seed coming up in the bottom of the bay, so there is something we are looking at there for the future too.

A. Mayes: How are the sublegals looking there in that area?

M. Kersula: Sorry, I keep calling seed and sublegal the same thing. When I said seed, I meant sublegal. Our cut off for seed is 2.5 inches, with the two inch rings.

A. Mayes: I get that, but I want to know what is it going to look like in 3 more years as I didn't get to go there this year? Sometimes it doesn't have good recruitment and it is a bust no matter how long you wait. So I am just wondering what it is looking like for sublegals.

M. Kersula: So in the charts, sublegals are in red and there are numbers there. It seems to me around 2.5 inches we don't have 100% selectivity with the drag, so there are probably more there than what we are seeing in the drag. But I am not going to make a prediction for what will be there three years from now when it reopens.

A. Mayes: Well, you will be the only one. [laughter]

R. Swenton: In upper Gouldsboro Bay there is one spot there that is all harvestable, but I don't see anything in between. Is there a particular reason why you didn't go there?

M. Kersula: There are no Xs on there, which represent zero tows in that area. There are three sites in there [CL 743, CL710 and CL716) – those were goose eggs; we didn't catch anything in those sites. We did survey there, but we didn't catch anything. You can see over in Dyers Bay in the particular spots where we towed further up, those are Xs, nothing.

R. Swenton: Is the bottom totally different there?

A. Mayes: It is all mud.

K. Kersula: So, you can see the change here and it was less than 30% so we felt that we should reopen it as it hadn't been depleted as much as we had thought it had been based on our preseason numbers. Cobscook is a little bit more complicated of a story. Looking at the densities, how much harvestable scallop meat is there in a square meter, we found that initially, our estimate goes up compared to the pre-season survey and we saw the same thing last year. Our best understanding of what is going on there is the catchability of the scallops are changing once the season starts. Before the season starts the bottom hasn't been disturbed for the most part since the last season. Once the season starts and the bottom becomes disturbed and the efficiency of our drag changes. These numbers between the pre and in-season surveys are not necessarily comparable. As the season went on, we kept surveying every couple of weeks. We kept expecting to see change and we didn't see it. All of the numbers are statistically the same as time was going on. And then finally once it was shut down and we went back and did the full survey again, we were able to see that difference that we expected to see. So, the final density from Feb 9 is 20% lower than the original Dec 17 density and it gets us in the range of what we were shooting for. A big lesson here is that we kept doing partial surveys throughout the season. We only did a full survey before the season and at the end of the season. One thing we learned is that it is really difficult to do these partial surveys with randomly selected point and actually see the difference in the population over time. So, our plan for Cobscook next year is to do less in-season surveys, but have them be full surveys when we do them, so we are not relying on the smaller random subset.

J. Boyce: You guys still don't do anything with tide, right? Do you think the tide might have any effect on the first number and the second number there? If you tow and there are a big set of tides, that first number is going to be skewed regardless.

M. Kersula: Definitely. Looking at the tidal amplitude for the majority of the in-season surveys, they were not very different. But for the last survey the tide was definitely running hard.

J. Boyce: Well, that is probably a really bad assessment then.

M. Kersula: It definitely is affected, I agree.

J. Boyce: That is my biggest issue with the survey. You think they are right, but they are not even close half the time if you are not taking any of that into account. If you did a slack tide comparison, maybe.

M. Kersula: The issue for us is that we can't just go out and do surveys at slack tide.

J. Boyce: You have a two hour window that it will be better than other times, especially when the season is over, you have plenty of time then, don't you? If the season was already over for the last survey, couldn't you have waited until a better day to get your samples?

M. Kersula: I think we could have waited longer, and in that case it may have been wiser. Looking at the bubble plot charts before and after the season, the reason I would feel confident in our numbers in the end with the full survey is that it was very consistent in all the areas. Not just smaller numbers, but the bags that we had were full of more small scallops than we had before, so we are seeing this consistent decline in the harvestable scallops everywhere. But I definitely agree with you that efficiency is definitely affected overall. Just like at the start we have issues with catchability, at times when we are playing the tides wrong, we may be messing with our results. It is something that I want to take a look at as you can look up the tidal amplitudes online and I could compare them with the surveys that we have done. But it isn't something that I have done yet.

J. Boyce: Ok.

M. Kersula: You could even correct your results based on tidal strength if you made a model based on tidal catch. It is something that we can deal with, but I haven't done anything for it yet.

J. Boyce: Ok, I just wanted to see.

C. Wilson: Point taken about running with the tides. The other thing that has been an interesting learning experience as we do these in-season surveys is I believe that for everyone one of our first in-season surveys the first survey is up after a couple of week of fishing compared to our pre-season survey. There are definitely changes in availability to the gear as it is the same boat, same gear, same locations.

J. Boyce: I wish that would happen for me. I have never seen that, I rarely go back to a place that was better than when I towed it the first time.

C. Wilson: It was consistent in Cobscook, Machias, Gouldsboro and Vinalhaven.

M. Kersula: You can see in the earlier survey the green portion of the bubble plots (green=harvestable) is larger. We kept doing subsets of the stations in the in-season surveys and finally we did a full survey at the end and you can see the red portion of the bubbles (red=sublegal) make up a bigger proportion of the total. If you want to look at these in a different way with the shell heights for each size class, as the season went on the amount of scallops decreased. Because we are using the smaller 2 inch rings, I would say that Cobscook next year is going to be a good year.

M. Murphy II: I thought you weren't going to make any predictions? [laughter]

M. Kersula: Whiting Bay is another story, an unclear story. We did a full survey before the season and you can see a lot of green in the bubble plots (harvestable scallops), also a lot of sublegal scallops (red). Then you have two random subset surveys that were done in season and it was closed down after the January 7 survey. Then we did another full survey after it was closed down. We found the numbers actually going up at the end. So, this is a good reason to look more closely at what we are doing and why we are getting the results that we are.

R. Swenton: So back in January you are showing mostly sublegal and harvestable scallops. Then when you jump forward to February, it jumps up in the amount of harvestable scallops. Is it possible that when you shut it down those scallops were still growing?

A. Mays: In the winter time?

R. Swenton: Well, they would grow slower.

M. Kersula: They do grow.

R. Swenton: If there were a lot of 3.9 inch scallops they could have very easily grown that tiny bit and have become harvestable within a month. Is there a greater percentage of closer to legal than seed in that area?

M. Kersula: I do have a shell height chart; I just don't have it with me. But I can tell you from when I was looking at it, all the numbers were going up on both sides.

R. Swenton: What does that tell you?

M. Kersula: Maybe it tells us that the efficiency of the drag is changing. With Cobscook I think you can make the argument that some of what we saw pre-season may have recruited up from October to January because you have all this stuff right on the cusp (of legal size). But in Whiting Bay we didn't.

R. Swenton: That is what I was getting at. If it was right on the cusp, did it grow up a little bit?

M. Kersula: I don't think it would be enough to explain this. Our estimate is doubling.

R. Swenton: Why do you think it jumped? What is your explanation?

M. Kersula: My explanation would be that we are surveying an area about a 1/3 of a mile by 1/3 of a mile. My impression is that 50 feet makes a difference with scallops.

A. Mays: Five feet makes a difference.

M. Kersula: There are also big confidence intervals around these numbers.

R. Swenton: I don't want to be critical, but this is not an exact science.

M. Kersula: I realize that.

R. Swenton: Your controls are so variable, how can you control anything? You have tide, depth, bottom, drag speed, size of the drag, your GPS is off by 5 feet.

A. Mays: Yeah, but if you look at the aggregate they are consistent to show the trends.

M. Kersula: That is our goal.

R. Swenton: That is the key right there, the aggregate. Because for everything else you are looking at, it is not exact. That is why you have to look at the aggregate, because it is consistent.

M. Kersula: One of the hard parts for Whiting Bay is that our aggregate is 14 stations. So you are trying to figure out from 14 tows across the bay what the average is for the whole area. So you end up having these large confidence intervals like this. For us, statistically, these numbers never changed because the confidence intervals are overlapping. So this is obviously an issue to us. I am now going to step back from the issue for a second and talk about the Vinalhaven in-season survey work and then will get back to the issues and how we are thinking about dealing with those issues with the survey work that we do. In Vinalhaven, this wasn't a place that the DMR was expecting would be a hot spot, however, the spring survey showed really good numbers of scallops off the west side of Vinalhaven, so it became an area of focus for us. We had a small number of sites on the west side of Vinalhaven, and we wanted to expand where we were looking at so we could have a better idea of what the change would be over time here. So, some people were gracious enough to share with us what they thought were the areas of scallop beds that we should be looking at in that area. From that whole area that was provided to us, we took a selection of those and resampled them. We only went in there twice, but we were able to see a 60% decline in the area, which was much clearer than anywhere else.

A. Mays: 60% decline in the harvestable biomass?

M. Kersula: Yes. You can see the harvestable scallops in the charts show a clear decline, in all the sizes. It was such a drastic decline that I don't doubt that the numbers have gone down. In Cobscook we do a systematic survey where we have a grid of the area and we do every single station in the grid. Other areas of the state we have the number of tows that have been done in the past and we choose from among those tows and survey them again. We have been using that method to estimate biomass for areas, which isn't exactly the one that we want to be using to estimate biomass if that is how we are going to be managing areas. So, we are developing a new set of areas. Next year on the charts you will see the yellow rotation is open next year. If you look at where we have been in the past, these little black squares are all the places that we have had a set tow in the last ten years by the

survey. What I did is that I took all the survey data that we had going back to 2002 when they did the first state waters survey and I took harvester reports as well and tried to figure out what all the resource distribution is for an area; how much of it can I get down on the map that looks like it is probably where there are scallops so we can get a more thorough look at scallops in the area. So you can see as an example (Chandler Bay/Head Harbor Island Rotation) in this area. Instead of concentrating in just one spot where we had surveyed in the past, we will now be expanding the area that we survey based on the harvester reports. We are also applying this to Cobscook and Whiting Bay with the theme being to have a better look at the whole area where people are actually fishing instead of only the areas that we have been looking at over the past 10 years. Any questions?

T. Cheney: Thank you Mike. You plan to do the survey in the next couple of weeks, right?

J. Wodjenski: We start the week of April 18 and we have 10-14 fishing days. We are using Tony Wood again.

P. Cox: Are you going to rebuild the drag before you start?

J. Wodjenski: We have brand new drags.

P. Cox: So you are changing everything?

K. Kelly: It is the same design.

J. Boyce: Are you going to change the sweep chain in every area as you move on? Last year when you got to Stonington you had a flat drag.

K. Kelly: Every fisherman has a different take on it. We will have four drags, and the drag we will be using this spring will be brand new with a new head bail, sticks, chain, twine, everything. Wally Gray is building it for us and it is a Blue fleet drag with 2 inch rings in the ring bag with a 3.5 inch twine top. We need a seamless piece of gear because we survey all the way from Gloucester to Machias Seal Island.

J. West: Why are you surveying in Gloucester?

K. Kelly: We are also doing the Northern Gulf of Maine (NGOM) survey; we do that every few years.

T. Trundy: So you are going to have the same drag down in Cobscook to Gloucester.

K. Kelly: Yes, but it is a standardized piece of gear that is different from what a local fishermen would use in an area. We are doing a survey and our goals are different.

T. Trundy: How many tows are you doing from Cobscook to Gloucester?

K. Kelly: That is a different survey (NGOM Survey is in federal waters) . This year we have a spring survey (Maine state waters) of the seven rotational areas in Zone 2 that will be open next year and we will do about 20 tows in each area. So, there will be at least 200 tows for the whole thing as we are expanding our coverage and survey grids as we now have included the harvester data with the past survey data for tow stations.

T. Trundy: Do you think that drag will be as efficient on the first tow as it on the last tow?

C. Haycock: It will be worn out by the end of it, like the efficiency stuff Justin was talking about. The sweep chain will be worn out.

C. Gunther: You have to maintain it.

K. Kelly: We use that drag for two years.

Audience: Two years?! I rehang mine every year.

K. Kelley: In the fall we will then survey Cobscook Bay.

T. Brawn: Given all that we have seen for issues with the survey, can you explain why you feel it is a worthwhile expenditure in funds?

C. Wilson: As far as the difference between the annual survey going to all the areas to the in-season survey, the annual survey gives us a look at what we might expect in the coming season. It helps with our conversations on where we are going to set up our assets for sampling in the following season. It allows for broader discussion on what we expect to see in season as we have shifted what used to be the fall survey to the spring. For the in-season survey, I think it is an absolute game changer on allowing us to assess relative change over the course of the season. It is a learning process that we are going through. One thing that we are trying to move away from is coming up with absolute biomass number because it changes what you are looking at. What we are trying to do it harvest 30-40% of the harvestable biomass from an area and relieve some of the pressure from those areas for when they go back into rotation and for Cobscook which will be open next year. So, the in-season survey has changed the way that we assess objectively and allows us to be consistent. It is not perfect, but it is an objective measure and a consistent measure.

A. Mays: We hope.

A. Todd: It seems like it would work for Cobscook or Gouldsboro, but for my area it scares the crap out of me that you one day try to do this in Casco Bay. It is such a spotty area that I don't know how you would survey it, let alone in the in-season survey.

C. Wilson: That gets to the variability within the system. The areas where we have chosen to do the in-season stuff were the areas of highest abundance in the pre-season surveys and that we speculated would attract the most vessels as well.

A. Todd: I am with you; I say they move anyways. Just because you choose one spot, that doesn't mean it is the spot to choose the next year. Or that they will be there the next day.

C. Wilson: When Kevin started working on scallops and the scallop biologist before him, this survey was initiated because we knew nothing about scallop populations along the coast of Maine, so it was a "let's go and take a look" to now where it has gone. To quote Paul "it was one thing to do some science, but it is another thing when you are using the survey to shut down areas." That is where it is a learning process and I don't think any of us would say we have it dialed in perfectly but we are trying to change and use the information we have, work with industry, work with boats from local areas. This is a range finding exercise and we are hoping that we have our boat pointed in a positive direction rather than a negative direction.

P. Cox: You said you had four drags. Could you rig one up with commercial rings?

C. Wilson: I think that the next thing to do would be in-season surveys with a local boat and a commercial drag. You will miss most of the sublegal stuff, but what we are looking for is that consistency over time. Whether it is in Cobscook or another area, I think the idea to use a commercial drag in season that is a day that is not a fishing day is fine by me. As long as it is in the exact same place as we are using our survey gear that is fine by me too. These are the questions that are out there, so let's answer them.

A. Todd: Again, you come to so many different fishermen. If one guy is landing a bucket and he gets a bucket, you need to be happy with his survey. It is such a range of what people catch. You can't expect everyone to be in at 10am with 135 lbs. everywhere. It just isn't that way.

A. Mays: Just you. [laughter]

C. Wilson: We are trying to treat each area differently so we are not painting everyone with a broad brush. That is why Trish is talking to half of you guys on a weekly, if not a daily basis of what is going on out there. It is why we are looking at revamping how we are doing the survey, when we are doing the survey. The change in the catchability, we had heard some discussion with industry around that; you gotta take the kelp off and then you get down to the scallops down below or whatever it is. That is all talking about how your gear is performing on the bottom relative to the resource that is there. So, the fact is that we are seeing this in our experimental tows as well. Again, it is a range finding exercise and we are hoping to be moving the boat forward, not backwards.

A. Mays: I agree with you Alex and I have said that to other people. First of all I am pleased with the surveys, but it certainly is...

K. Durkee: You said yourself on the surveys though and I don't think it is true because you guys opened back up Gouldsboro, which I think they should have never touched it! I think it should have stayed shut down. My boat was hauled out; I was done for the season. Next thing I know, they are going to open Gouldsboro back up. So, I put my boat back in the water; cost me \$600 both ways. I get up to Gouldsboro and I was landing a bucket a tow. Now I don't know if I am a good dragger or bad dragger, but everyone I talked to was on the same page as me. How do you figure that over 30% of the biomass was still there, and it wasn't? I was down in Eastport about a month prior to that and I was getting my limit in about an hour and they shut us down! That doesn't make any sense to me. These surveys are proving out to be what they are.

C. Wilson: The in-season survey in Cobscook based on how we did things a few years ago, kept Cobscook open an extra month.

K. Durkee: Ok, I am not saying that surveys are a bad thing. I am just saying that it is hard to be accurate.

C. Wilson: Yes, that is the learning process that we are going through. As far as Gouldsboro and Dyers, we saw something when we went back and did our surveys, but it didn't meet the threshold of 30-40%, so we felt obligated to have that conversation with industry. That is why the Commissioner came to the Fishermen's Forum and had the conversation as to whether we should open it or keep it closed and the consensus at that meeting was to open it at that point.

K. Durkee: From what I heard, it had to open back up or be a complete closure.

C. Wilson: The emergency closure is effective for 90 days. So when it expired we had to decide to roll in another closure for the rest of the season or do we let it reopen.

K. Durkee: Did the state do a survey in there prior to it opening back up?

C. Wilson: Yes.

K. Durkee: And you said that there was more than 30% of the biomass still there?

C. Wilson: No. We said that less than 30% of the biomass had been harvested.

K. Durkee: Then why didn't they leave it shut down? That's our future! Those scallops we harvested, that was the product that would put spat out in the following years so that in a couple of years when it reopens there will be more biomass.

C. Wilson: So the group discussion and consensus at the Forum was to reopen it.

T. Cheney: Those three areas – Gouldsboro, Jonesport and Machias – they all sunset together. So the point was to reopen them all together so everyone wouldn't drive right to one of them. So, Machias had a more remaining biomass than the rest of them, but we opened them all together so people could spread out amongst those three areas.

K. Durkee: You knew no one would go to Jonesport.

T. Cheney: Two or three people did. But, exactly; people went to where they knew scallops would be. And it was only for 3 days because we didn't want everyone from all over the state going there; however, there was a lot of effort for those three days.

C. Wilson: A consensus means that is what was agreed upon, it doesn't mean every individual agreed to it. It was mixed.

D. Leach: I was happy you opened it back up. I did really well.

R. Leach: You should have come to Dyers Bay.

K. Durkee: That is what I heard.

D. Leach: But the point is I didn't put my boat back in the water, my boat was already in the water. I missed a lot of blowy days because of weather and I actually enjoyed those three days in my home bay, Dyers Bay. And there is plenty of stuff left there because my last tow I had three round trays and a half a tray.

J. West: I fished in both bays, my boy did too. We got our limit every day; it was quick and easy. Some guys knew where to go, some guys didn't. Some drags fished good, some drags didn't. It's all factors. I fished in both bays and I am some glad they opened it back up. It worked out for me. It didn't work out good for that gentleman.

K. Durkee: I am not complaining. I did alright.

J. West: For the stuff I fished on, there was a big difference in the meats from Dyers Bay and Gouldsboro Bay. I told Trish this. The stuff where I fished was old, was going to die and not put out any spat. That is my opinion. Maybe I am wrong, but when you get scallops that have shells this size (5 inches) with meats as big as your finger and they are gray...

T. Brawn: Dyers Bay scallops were definitely better, even my customers said they tasted better.

J. West: So, to me it was good to get that stuff out of there. My boy fished there for two days and got his limit pretty quick and then he had company. But he fished up inside and it was old stuff and I am some glad they got caught up because they had been laying there for years. I think they would have died off and it wouldn't have befitted anybody.

C. Wilson: So it was a back and forth internally within the Department and even at the Forum. Again, at the end of the day the consensus was to move forward with the three days.

T. Miller: I thought the in-season survey mimicked our area (eastern Zone 1/western Zone 2) pretty well with what we were seeing half way through the season. We learned a lot.

T. Cheney: So, in addition to Vinalhaven, we did in-season surveys in Muscle Ridge, Owls Head, West Penobscot Bay Limited Access Area and right up to Camden. So, we did a little extra work in Vinalhaven as well.

A. Mays: What I started to say was it seems like the surveys, where two years ago the industry had no faith in them whatsoever, where now it is like we expect them to be surgically correct, like we are performing brain surgery. It is not that and it is not the only thing that is involved with the decisions. A lot of it has to do with reports from people, from marine patrol. It is not exact; it is not going to be exact. To try to get it as best as we can, that is the goal.

C. Haycock: I think the reason that people expect them to be exact is that we are basically being managed by them.

A. Mays: Yes, but we are not being managed exclusively by the survey.

K. Kelly: That is a good point Andy.

A. Mays: What I was trying to say, which was dove tailed with Alex, was that some people have said we need more surveys in different areas and I think Gouldsboro and Cobscook are places that are very uniform compared to the rest of the state. If you want to start surveying in other parts of the state, and Alex said it scares the crap out of him, and I would agree because it is so variable. It could make a big difference in the management.

C. Haycock: Gouldsboro is not as uniform as you may think it is.

A. Mays: It is a lot more uniform than Jericho Bay.

C. Haycock: It very well could be, but when we went back to Gouldsboro, you could tow anywhere and not really get anything in Gouldsboro. Dyers Bay that is another story. There was pretty much one spot in Dyers Bay that you could get scallops and Russell and David could get them easy with bigger boats and different drag gear. We had trouble, well I am not going to say it was trouble as we got them by noontime, but still it was a lot more work than it was previously. But it was pretty much just one area. You

could tow Gouldsboro or Dyers Bays all day long in some places and never see a scallop. I know this because I have towed up and down it. It is not as uniform as you think it is.

A. Mays: If you look at the survey, it was done where the scallops were- in Gouldsboro in the mouth of the bay.

J. West: Some of the surveys were done where the scallops were, but on the survey where they showed where they towed in Gouldsboro, I never set my drag there. I did the first evening I got there, I made a couple of tows really quick at the bottom of the bay and there were only about two boats still fishing and it was late around 2pm. So I went up inside and made one tow and I called my boy and told him to get down here. That bay has changed from 20 years ago to what it is now. It doesn't produce anywhere near the scallops than it did 20 years ago. Not even a tenth from what I have seen down there. There is no body to them. Even where we fished up inside, they are old and there is no seed there.

A. Mays: That is why I asked who was diving that area because sometimes they see them when you don't.

J. West: I saw Steve Brown down there and I talked to him a little bit. That is the only one I saw around. Both bays have changed drastically. Where the hot spots used to be is just seaweed holes now. Where the scallops were 20 years ago are different from where they are now, they have migrated differently. The test tows that the survey did, especially where the big seed stock was, there wasn't even a survey tow there. Like the gentleman said earlier, I understand he was getting his limit by 10-10:30am, he was getting his two buckets and I know a lot of other guys down in Cobscook doing about the same thing. I understand when you get bummed out that you are pushed out of an area that you were getting your limit at 10am, and I know your survey is showing a lot of sublegals or seed. But when you get pushed to the westward and you don't see seed, all you see is big stuff and it depends on where you go and it takes you almost dark to dark to get them. And you go down to Cobscook and a drag comes up filled right to the sweep chain with scallops of all sizes and you're still catching your limit by 10am, to me that is big fishing. I know there is some kind of damage done to the sublegal and seed, but when you are still getting them quick I think you should think about taking them out of some of those areas and leave it open just a little bit longer to take the pressure off other spots and make it better.

A. Mays: So you are talking about two issues. I understand about getting pushed out of an area, but at the Forum, DMR came forward and said we were short, what do you think? And they opened it back up. Now there are people saying it shouldn't have opened back up. What the hell do you want?

J. West: If it had of been me and I had of found that, I would have tucked that in the back corner and wouldn't have said anything to anybody.

A. Mays: That is how everyone in the room felt.

J. West: I am glad that they came forward and said that we have got this and said what do you want to do? I mean, I am a fisherman and I know what I want to do – I want to open it back up. I talked to Trish and I told her where we were fishing and what we were catching and there were no boats around us for quite a while. So I am glad that it opened back up.

A. Mays: So the end result was that there were how many boats between Gouldsboro and Dyers Bays?

T. Cheney: 50.

A. Mays: So 50 boats worked three more days and made a bunch more money.

T. Cheney: Not everyday as one day it blew hard. The first day was the biggest day and it was split between each bay - 25 and 25. The second day it blew and not everybody got back out that day, and not everyone got back out the third day either.

A. Mays: So, we made a bunch more money, it will be back open in two more seasons.

J. West: I made a bunch more money and I was grinning from ear to ear.

T. Cheney: And even with all that effort, these are estimates and take it with a grain of salt, but by the time we closed for good we were at what I figure would be 37%, so within our target range. Before that we were short and the area closes for two more seasons, so we wanted to allow for a little more harvest.

J. West: I do agree with the other gentleman, it wasn't everywhere.

T. Cheney: I did have people call me and say it wasn't such a good idea to reopen it, it was mixed.

J. West: The bay has changed a lot. Mother Nature is changing it.

C. Haycock: I think it was just the fact that there were so many boats there that it didn't seem like there was that many left. The spot that I went to and it is just one spot and you can only tow it for a few days, I went back there the second day and there were 9 boats there. So obviously you are not going to get them for as long.

J. West: My boy was kinda bummed out as he had it all to himself for two days. Then the last day then 35 boats show up and it just doesn't last. There is no body to them.

R. Bauer: I was glad to see a few more scallops. I just hope in the future that when you have an action you can put two words at the end of it – FOR NOW. So I can tell my customers, who knows. When there was the closure, well were all done, see you next year, and then it reopened and here I am again, wanting to sell.

T. Cheney: This was definitely unique and we had never been in this situation before. Some of it was based on some issues that we had in our original biomass estimates and the area was closed down early. Usually what we would do when an action goes in early and expires like it did last year in Addison, we would like Kevin said, come in later and put a blanket action in that would reclose that area, and likely a larger portion of the rotational area or close the whole thing for the rest of the season. This one went into play December 11, which was really, really early, so when it expired and reopened after 90 days I got a lot of correspondence from a lot of people who were not even in state, who had taken their boat out of the water, who were not happy about it. There is also a group of guys in Cobscook who feel disenfranchised because if these areas had of stayed open longer, then boats wouldn't have gone down there so early. We definitely do not want to repeat this, it was a unique situation and we tried to address it in the middle of the season, had a conversation with industry to give them the choice to reopen it, because we had that opportunity to do it. Hopefully the next couple of seasons will run more smoothly and when areas close that will be how it proceeds for the rest of the season. At the same time, if we do find ourselves in the future in a situation like this that we would re-evaluate an area and if it comes up short of its harvest target, we would come to industry and ask for your input again.

D. Leach: When will Gouldsboro and Dyers open back up again?

T. Cheney: That will reopen after two seasons, so in three years.

D. Leach: So if they don't rebound from now till then, there has got to be something wrong.

T. Cheney: Exactly, but it is also why we wanted to have the conversation with industry and we were comfortable with reopening it for three more days, let the guys that are still fishing have a chance at it and then it will have two more years to rebuild. There is seed there and I don't think we have seen a lot of that in the past.

D. Leach: There is a lot of seed there.

T. Cheney: So with what we left on bottom along with the seed, it should be good in a couple of years' time.

M. Murphy Sr.: The other side of that is that we towed up a lot of that stuff and sold it, and it would have been dead by the time it reopens again.

Season & Landings Update [T. Cheney's Slides in Appendix C]

T. Cheney: This past season was our "bridge" year or "lean" year, and we made it through it, but not without a number of closures. It started pretty early this year with the original three closures on December 11 in Machias, Jonesport and Gouldsboro. This was the earliest that I have ever had to write up emergency regulations, and it definitely came to as a shock to everyone in industry. Then we held off for about another month and made another round on January 16 in Vinalhaven and Whiting & Dennys Bays, and then the following week on January 22 we closed Muscle Ridge and Western Penobscot Bay Limited Access Area. But February 5 we had met our harvest target for Cobscook Bay, and did what we had done the year previous and left access to the St. Croix River open for one day per week; in that same action also closed Owls Head. Then after the Forum, we reopened the three areas that had closed on December 11 back up in Machias, Jonesport and Gouldsboro. Then, we closed them back down along with some other areas. So we had some entire rotational areas close at that point, basically all of Zone 2 closed except for offshore areas in Machias and Jericho Bay, along with Casco Bay closing to just the draggers. That was our last action and we are hoping to let the rest of the season run out. There are only a few days left in the calendars, but the idea was when the last action went into play on March 18, we wanted the rest of the season to be able to run out.

Now that we have our 2015 landings data complete, we can take a look back on how last year's season fared. Last year we went from having 2/3 of the bottom open in the previous season to 1/3 being opened for the 2014-15 season in Zone 2. Despite this, it was another record breaking season; we had the highest landings and value since we began collecting trip level data. A lot of that was driven by people finding scallops in a lot of areas they hadn't seen in a really long time as well as with the rotations, the scallops are able to stay on bottom longer, allowing them to grow bigger resulting in a much larger sized meat, or much lower sized meat count per pound. That larger product fetches a really high price on the market, and while a lot of you guys sell run, dealers and guys that sort their catch are able to get make a lot of money on those large U10 sized scallops. We are also landing some of the biggest sized product on the market right now as the federal fishery is in bridge years and the majority of their biomass is locked up in closures, so they are on average are landing a 30-40 count scallop, while our fishery consistently landed a 20 count or under scallop for the first part of the season and 20-30 count overall. So that is definitely adding value to the product that we are landing, and we saw a record price of \$12.70/lb. in 2015. We have also seen an incredible amount of reactivated licenses in recent years and that trend continued in 2015 with a total of 445 license holders actively fishing, compared to 168 in 2009. More people are accessing and participating in the fishery with the majority of the participants being draggers. I have also heard of people buying new boats who are planning on coming into the fishery next season, so this trend will likely continue. There are 635 licenses in this fishery, so more of those latent licenses will come in next year likely.

Legislative Update

T. Cheney: We were hopeful that we would have gotten the owner-operator requirement into this emergency legislative session this year; however, it did not get picked up and carried over. So we are looking to next session when the Department will submit a bill for owner-operator for both urchins and scallops. This pertains primarily to the drag component of the fleet. The Department sees this as the first step towards getting the baseline in place for moving towards allowing new entrants into the fishery. We want to make sure that people behind the wheel are responsible for their actions and are stakeholders in the fishery.

Northern Gulf of Maine (NGOM) Update

T. Cheney: There are a number of NGOM permit holders in the room and tomorrow I have a meeting with a number of you in Augusta at 8:30am. The NGOM is basically the federal waters offshore of Maine waters and it is governed by a Total Allowable Catch (TAC) of 70,000 lbs. Last year for the first time that TAC actually got met; there was a small overage that was taken off this season's overall quota as a payback. What is alarming is that there has been a lot of activity this March. Right now we are already at 22% of the TAC and we are only a few weeks into the fishery. If fishing at this level keeps up we are going to have a closure in the NGOM soon. Because of the bridge years in the federal fishery, a lot of the IFQ guys are moving in to fish the NGOM area and their landings count against the TAC. We have also seen some Limited Access (LA) or Days at Sea (DAS) boats move into the area and their landings do not count against the TAC. This is a loophole that had been identified in the past and we are going to get together to try to identify the issues and try to get them addressed at the next council meeting. Togue and Ben Martens are here as well as our Chair, Alex Todd, and others in the room that hold NGOM permits. Basically, a lot of you guys use this fishery in the spring time before you get lobster fishing, and if the area shuts down early, it shuts down your opportunities.

R. Swenton: Trish do you know where most of the boats are coming from?

T. Cheney: They are fishing off of Cape Ann or Gloucester area; that is where the majority of the landings are coming from right now.

R. Swenton: Some guys out of New Hampshire are fishing too, right?

T. Cheney: Possibly. We have a couple of Maine guys fishing and landings down there as well.

2016-17 Season Outlook

T. Cheney: I wanted to give a brief outlook for next season. We are looking to move forward with swipe cards for the dealers next year. We have the regulation in place for urchins already for this upcoming season and we will be looking to put it in for dealers for this fishery next season. For details about that we have slides in the appendices from the last meeting ([June 4, 2015](#)) from the presentation that Rob Watts of the landings program gave to us. Before we roll this out in this fishery, I might get Rob to come back and answer more of your questions. We are looking to improve diver access in the fishery. We have had a lot of divers reach out to the Department to see if there is something we can do to separate out the two gear types to give divers better access to the fishery. For Zone 1 we are looking at the potential for a new management framework or a new approach. Last year we just took 10 days off the Zone 1 season and shut down basically everything inside. We wish to have discussions this spring in Zone 1, especially in the eastern part of the zone where those guys have been accessing the western portion of Zone 2 and benefitting from rotational management and see if there is a way that we can piece something together in that area. For Zone 2, we are planning to do a spring survey of the 7 rotational areas that are planned to open next year as well as the in-season work. That spring season information will identify any high concentrations of seed that we will want to protect. I am also looking for suggestions for areas that folks may want to keep closed next year in these upcoming rotations. I know the west side of Moosabec Reach was closed this past season as it is commonly considered as a broodstock area. Do you want to do the same to the east side of the reach? Are there other areas that people would like to have as off limits as spat production areas? We will be at the 5 year or midway mark next season and we are planning a full plan review. We have the 10 year rotational management plan written out until 2021, and next year will mark the half way point as well as each rotation having been fished once. We will have all the information at that point for this past year, which only had one year to rebuild and we want to be able to evaluate that as well. It is also hoped that with the swipe card we will also have information on the upcoming season for that review. So, we plan on sitting down and doing a full evaluation of the program next year.

A. Mays: The broodstock closures, 5 years ago I was into it. But at this point we have a lot more scallops everywhere. Is everybody on board for protecting an area for broodstock when scallop larvae are in the water for 30 days and travel 100's of miles?

M. Murphy II: Woah Andy, you cut that stuff out!!!

A. Mays: Those broodstock are not raising those babies! Anyways, I have seen when we first started the closures and I was doing the [Colbert Report](#), I mean picking up the scallops for that research. A lot of us found that season that scallops looked great and then all of a sudden they were clappers. So I am not that big on broodstock areas turning into clapper areas.

T. Cheney: This is more of say a community has a commonly understood area that means a lot to them, such as last season Stonington guys wanted to retain the Deep Hole as a closure and that came through public rulemaking as comments from Ben and Justin. I am just asking if people have an idea of places they would like to keep closed ahead of rulemaking, let me know, but I can also do it during rulemaking based on public comment. In the past I opened the west side of Moosabec Reach by mistake; I forgot that the surrounding community commonly held that area as a broodstock area. I am putting the message out there that if people have an area they would like to see closed next season and they commonly believe that scallops there have more of an intrinsic value being left on bottom that being harvested, I am more than happy to put it in the regulation. Otherwise, all of the seven rotations will be open with possible exceptions of areas that we may identify in the spring survey which contain high concentrations of seed that we want to allow to be able to recruit up to the fishery.

A. Mays: I have an area that a community doesn't want to have completely closed, but would like to have a limited access area in for 1-2 days of harvest a week.

T. Cheney: That is something that we can talk about. The Limited Access Areas did go away when we went to rotations, but some people want to bring in that tool, layered over the rotations, so they have a place that they can go one day per week all winter long in Zone 2. In Zone 2 we let them go because every piece of bottom gets two years off in the rotation, but that is something we can talk about.

A. Mays: The Somes Sound/Greenings Island/Cranberry Island area was a Limited Access Area and it was good. You can fish there in any conditions. Even as a Limited Access Area, it only had 10 or 13 days, that was it. So if it is wide open, it will be over in a week.

T. Cheney: So, I think that is a good point to make. If there are spots like that guys who fish in there want to keep as a Limited Access Area that is easy for me to put back into the regulation if people in your area are in agreement about it.

A. Mays: Ok, they are.

C. Guenther: So for that Rotational Area, you would have a line that would go across the headlands to delineate that?

A. Mays: Yes, we could use the same line that went from point to point to point.

T. Cheney: If that is what your community wants to do with Somes Sound to keep an area to go to once a week so guys in that community can get a pay check, we can do that.

A. Mays: It is such a small area.

T. Cheney: It would also be much easier to separate the access for the divers and the draggers because if it is only once a week, we could allow different days for them to access it. And that would provide a little better accessibility for the divers, which would really help those guys.

A. Mays: Yes.

K. Durkee: Isn't it with Limited Access you will be driving all the boats to one area once a week though?

T. Cheney: Yes, it would.

A. Mays: No Limited Access, then it would be gone...

K. Durkee: I am all for Limited Access. The eastern side of Jonesport there is a lot of scallops in there. Probably half the boats from Jonesport are going to start right out there. They won't bother going to the bay. So I would say the eastern side of the reach will last a week.

T. Cheney: Yes, and that would give you a place to do in the middle of February one day a week.

K. Durkee: Right.

T. Cheney: I think that is the question; we got rid of Limited Access Areas when we went to rotations. But if we are going to do that, people in that community need to come to some consensus on wanting to move in that direction.

D. Black: I think if you have a Limited Access Area, which I think is a good thing to do, I don't think you should open it December 1.

A. Mays: I agree with you Dana.

D. Black: Then we don't have a mess like Blue Hill and every other one. I think it should be January 1 that it opens because that way all the boats are all gone off and done their thing and you would have something to fish on bad weather days.

T. Cheney: I agree. There is a component of the fleet that comes in for the first few weeks in December and then they are done. And then there is a component of the fleet that fishes right to the end. That one day a week you would at least have a place to go.

R. Bauer: I can second that Limited Access Area. I think it is good also for the markets. For us as a dealer, Thursday scallops are a pain to get rid of because they were not getting to the markets until Monday or Tuesday. I just want to throw that out. I know the Monday through Thursday fishing was nice and easy to manage. Nobody wants to fish on a Sunday, but I am just throwing that

out there. For this dealer, the Thursday scallops didn't get to the fresh markets until Monday or Tuesday and then the quality isn't as good. A Friday or a Saturday open day might be nice and a Saturday could open up opportunities to those that have another job during the week or whatever. It may not be workable, but I wanted to throw that out as it was an issue for us.

M. Murphy Sr.: Imagine that – we could open it up seven days a week!

M. Murphy II: Has that even been tried before?!

D. Black: Another thing is that I would like to see the starting time changed. Otherwise we get caught towing 9 minutes before sunrise. I didn't realize it is sunrise Augusta time. So, what is the difference between sunrise Downeast and Augusta? Some guys have to sit there and stare at the sun for 5 minutes. I would like to see a half hour before sunrise for the season.

P. Keliher: That is in law and would require a law change.

D. Black: You can haul traps a half hour before sunrise.

P. Keliher: But it is still based on the Augusta sunrise time.

A. Mays: The other thing in support of that is that we are on a Total Allowable Catch. So, who cares if you start a half hour before sunrise because you can still only get 3 buckets and your day is over.

B. Huckins: The time doesn't mean anything.

A. Mays: Right, the time doesn't really mean anything anymore.

B. Crocker Jr.: Most of us want to get started early in the morning.

M. Murphy II: I heard that the catchability was better after dark.

A. Mays: Ha, in certain areas.

T. Cheney: I believe some of it is based on enforcement and wanting to see where everyone is fishing, but we also want to make sure that there is enough light so if there is lobster gear in the water there is not gear conflict. It would be a law change, so that would be tough to change. I can talk to patrol about it, but for next season it will still remain as sunrise Augusta time. A suggestion made to me this past season is that when I do my outreach meetings this fall I include a hand out indicating all the start times for the season, which can also be included in all the information packets. I was on the water the first couple of days this season and all the radio chatter first thing in the morning was about the start time. It is confusing, I get it, and so next year I will distribute that information to you guys so you have it.

A. Mays: Along with laws, is there any place besides Gouldsboro that has a 4'6" drag limit? That is the only place that it is 4'6"?

T. Cheney: Yes. It is Kittery is 5'6", Blue Hill is 8'6", Gouldsboro is 4'6" and Cobscook is 5'6".

J. West: If you are going to change one, change them all. It should be 10'6' state wide and let us go!

D. Leash: You are limited to the 3 buckets anyways.

T. Cheney: So, each individual area with a different drag size has a history of why that rule or law was implemented.

A. Mays: Yes, but it is ancient history.

M. Murphy Sr.: The history was, "Oh my god there is an 80 foot boat, and we need to get that guy out of here. So let's put in a small drag size!"

T. Cheney: We have thinking internally about this, and all the different drag sizes are scattered throughout the regulation, so we are going to do a re-write of the regulation to clean it up and have all the drag sizes in one section of the regulation together. However, I know that the sizes are steeped in history and I believe that Cobscook will not want to change it.

A. Mays: Probably, but that Gouldsboro one is easy. That could go to 5'6' or the restriction be eliminated because we are on a TAC.

C. Haycock: A 4'6" drag will last you years though.

A. Mays: That right.

D. Leash: How come we couldn't get it changed in Cobscook too? Do they have that much pull?

T. Cheney: That drag size is in statute (law) and it would be hard to change.

A. Mays: So is Gouldsboro.

T. Cheney: No, only Cobscook is in statute; all others are in the regulation and we can easily change them, but they are all over the place. So that is why we wanted to do a structural re-write of the rule for clarity, making them easier to find.

B. Crocker Jr.: Wouldn't it be easier for enforcement if you just had one size?

T. Cheney: They have gotten used to what is used in these specific areas.

C. Wilson: Is there a biological reason for the different drag sizes?

A. Mays: It was to eliminate big boats.

C. Wilson: So it was a socio-political.

P. Keliher: Because it is in rule and law, why don't you put it on the next SAC as an agenda item and we can discuss it further then?

A. Mays: So, a 4'6' drag you use every 3 years for 10 days.

C. Haycock: I haven't even rigged up mine since the ring size change.

B. Huckins: Most drag sizes were put in before we had meat count, size, gallons; they were all put in way back when.

C. Wilson: I just think that everything is evolving with what you are doing with scallops right now.

B. Huckins: The size of the drag really shouldn't make a difference if you can only have 10 gallons, like Cobscook.

C. Wilson: That is what I am asking – does it make a difference?

B. Crocker Jr.: Would you rather make one tow across the bottom or would you rather make 10?

K. Durkee: But some boats can tow a 10'6" drag and some boats cant. So, it doesn't make any difference whether you make one tow or 10; it is the amount of product that you are bringing in that particular day.

M. Murphy II: They are not saying you have to tow 10 feet.

K. Durkee: Right. That is an irrelevant topic. Who cares?

M. Murphy II: Why can't they tow 10 feet then?

K. Durkee: Well, because in places like Gouldsboro it has been 4"6' since I was really young. So, you can change that if you want. But it doesn't make any difference if you are only allowed 10 gallons you are only allowed 10 gallons.

T. Cheney: Exactly.

K. Durkee: If it takes ones guy an hour and another guy 4 hours, it doesn't matter. You are only allowed to take 10 gallons.

A. Todd: The suck is buying three drags.

D. Leach: That is what I am saying. I have something like 10 drags. I would rather knock 'em all down and have one.

A. Mays: I'll come over and help you build the fire David.

D. Leach: So, on the survey drags, I am just throwing this out there, but you should have a set of Digbys for your survey drags.

T. Cheney: If we change the configuration of our drag, we lose our time series. Even though you guys love our drag, tremendously, at least it is the same drag and we can compare it to itself over the course of time.

D. Leash: But on some bottom, the Digby drags work really good.

T. Cheney: I realize this and I know some of you guys really like those drags.

D. Leash: I fished with those Stonington boys and they have those square hung drags pretty tight and they can roll up Mount Everest with them.

R. Swenton: There is not much water up there.

J. West: On your slide it says "Improve Diver Access". I didn't get what that meant.

T. Cheney: We have separated out the diver's access from the draggers access in the past through the calendars, trying to give separate days so there is the least amount of overlap between the two gear types. However, there are not enough days in a week and no one wants to go Sundays and everyone fishes 4 day weeks, so there currently is overlap. We want to figure out ways to improve their access. This year we did a split season in Zone 1 and put a lot of their days in December and then March and April when the weather is better as access the fishery in the winter time is challenging due to visibility and weather. So, we are going to look at ways to improve their access.

M. Murphy Sr.: Well, can we talk about the swipe card?

T. Cheney: Sure, what would you like to discuss?

M. Murphy Sr.: Well, the way I read that slide, it's a forgone conclusion that we have got it whether we want it or not.

T. Cheney: We wanted to implement it last year and we held back as it would have required our federal dealers to double report. We are working on that issue right now and we are hopeful that we can get it resolved so we can move to swipe cards next year. We acknowledging that it would only give us the product that is sold to dealers. It will not capture the peddle product, but it would be one more piece of information that would come to us in real time that would help us to better understand where the fleet is working and where the landings are coming from.

M. Murphy Sr.: I think everybody in the room knows this, but we have been using a tracking device. How do we come up with a system that actually works? Just my humble opinion, but I think we should jump over the swipe card and we can use the hockey puck thing [tracker] and put it on the roof.

T. Cheney: Even though we didn't get the funding to do the study with 30 units, we did find some internal money to buy a couple of them to develop the interface that we look at the information through. We contracted a company called Yellow Brick to take

and develop that user interface so we can see how the information comes in and be able to quantify how much time is spent fishing in an area. That is the tool that we want. We would like to have the swipe cards for the dealer side of things and we can get rid of paper reporting, have the tracking units so we can spatially see how you guys are using the resource and eventually, an electronic app so you guys can get rid of your paper reporting. Then, with the three together, we will have a much better idea of how the fishery is performing in real time.

A. Mays: On that topic, I stopped at the licensing kiosk at the Forum, which was very underutilized. Under the new LEEDS [Licensing Enforcement and Environmental Data System] program, you can do your reporting. So, you can forget about the paperwork directly. You can put your information down in your LEEDS account that day. The swipe cards I don't really follow how in a fishery that you can sell to so many people just a gallon, how it will help you to collect your data, your snap shot, if so much of the product is not going to go through your swipe cards.

T. Cheney: The majority of the product comes through dealers. We do acknowledge that 30-40% is peddled, so we won't get a full accounting or accurate picture, but it will take the dealers stream of data that we get already and it will make it come to us in real time. Right now, I am not even able to report out how this past season went because I have to wait for the paper reports to come in at the end of the year in December. So it would improve upon what we have, but the end game is have you guys report through a LEEDS app or something like that with the idea being that we have the swipe card at the dealer so we get the dealer data coming to us in real time, eventually having a tracking unit and tie it in with a harvester app so that stuff gets to us in a much quicker fashion and I don't have to sit here and only be able to now tell you how the season went.

D. Leach: So we won't be able to get rid of logbook?

T. Cheney: With the swipe card the dealers will be able to get rid of them as it would replace the logbooks.

D. Leach: I wish we were able to. That is one of my biggest aggravations is filling those out.

T. Cheney: And that is where we want to move to. You could do it on your phone to fill it out electronically on your way in instead of in December when you go to renew your license and try to remember back to the previous season and what you landed, which a lot of people do, months behind.

M. Murphy II: Does that mean we are going in three different directions? You don't think LEEDS will take care of it?

T. Cheney: LEEDS could provide the interface that the harvesters could report with, and then you could get rid of your logbooks.

A. Mays: What are you going for the excellence award or something mister?

M. Murphy Sr.: It just kinda cramps me Andy, that's all. You bring scallops home for supper and it is against the law because I don't have a swipe card machine.

A. Mays: No, that's shrimp.

T. Cheney: No, we would not be preventing that at all.

M. Murphy II: So, we can eat a pound of elvers then?

T. Cheney: That is a problem.

A. Mays: James can, but you can't.

M. Murphy Sr.: We went through this last year Trish and I still don't see how you can do this for the entire industry.

T. Cheney: I can see that obviously there are a lot of questions around the swipe card. We had Robbie from the Landings Program come last year and do a presentation that provided an overview and a lot of people got their questions answered. So, I think it is safe to safe that we could bring Robbie back around in a future meeting.

A. Mays: I don't remember Robbie being very well received.

M. Murphy Sr.: It was because he was giddy; just think of what the Marine Patrol can do with that information! David Leach had 137 pounds on his swipe card - by Jesus get down there and write him up. This whole thing is bad in my mind.

T. Cheney: If you are selling that amount to a dealer anyways, he is still reporting that information; it is not any new information. It is just taking the format of how that information is delivered to us from paper to electronic so there are no errors in transcription and we get it right away. It is nothing new; it is just the format of the data.

D. Leach: You know what upsets me Trish? That some days that I didn't have 135 lbs., maybe I had 90 lbs. because it blew or I broke down. At the begging of the season I lost most of December. What if I brought 137 lbs., 2 pounds over? I have already lost. You know what I am saying? Or gallons or whatever.

J. Boyce: The law goes by gallons, the dealers go by pounds.

D. Leach: I keep my buckets down like they say and I have seen 137 lbs.

T. Cheney: I realize that, as long as your scallops are down an inch or so from the top of the bucket and you can put a cover on there you are fine. I definitely hear your concern. You are worried about us using that data as the one sole indicator of how the fishery is performing. However, it would just be one of the many indicators I look at. It is not the only thing, but it would reveal a part of the fishery that I don't have access to right now. It would give me a better understanding of what is going on in the season. And that first year it will probably be more trying to understand what does that new information that is coming in mean.

M. Murphy II: That scares the crap out of me! I have only fished Machias Bay 27 days in 5 years!!!

J. Boyce: Trish, your saying by doing this swipe card thing that it is going to tell where people are fishing. You guys know now where we are selling.

T. Cheney: Correct, but it doesn't give us location or where the scallop were harvested from, or other effort information. But it can give me an indication of what is going on. So let's say I see that people are coming in with 90 lbs. and they are selling to Carver, Doug Wood or Randy Ramsdell, it is pretty safe to say that product is coming from Cobscook Bay. I may able see what is coming in through the dealers versus doing boats counts and estimating removals, compared to the rest of the fishery.

J. Boyce: You get that information now by the week.

T. Cheney: I won't be able to get that information until March next year.

J. Boyce: They have to report once a week, don't they?

T. Cheney: They have to report once a month, the 10th of the next month. However, we don't always get it on time.

C. Haycock: So what is keeping us from buying a dealer license and getting our own swipe card?

T. Cheney: You guys could totally do that if you wanted to.

J. Boyce: But we would still have to do the logbooks.

T. Cheney: Yes, because that is how we get the effort and location information. There is information that you report that doesn't come through in the dealer reports. So we need the two reports to cross reference once another and tie the reports together with your landings number. Then we can do double checks on how accurate that information is.

M. Murphy II: You still won't have that effort information then?

T. Cheney: No, but I will have more information than I have right now.

B. Crocker Jr.: If there were 100 boats fishing in one area, you would be able to tell how much is landed more accurately instead of just guessing that everyone got their limit in that one spot.

C. Guenther: Not if they partially peddled.

T. Cheney: Right, we won't have that full picture.

D. Leach: Let's just say some guys are not getting their limit with the swipe card, are you going to do what you did with elvers where one guy only gets 2 pounds while another gets 15. You know what I mean?

T. Cheney: No, elvers are a jointly managed fishery with the other states and it was required to go to a hard TAC, so they split it up based on people's history. We don't have any state only fisheries that are managed with a TAC.

R. Leach: Can any of this benefit us to be able to fish 60 out of the 70 days, instead of 35 out of 70?

T. Cheney: The hope is that this can lay the foundation to allow you guys to be able to pick your days. I can't say that it is going to give you 70 days because we do factor weather in to that. But what it could offer is that you don't have to be out on those bad days. It seemed like this past season every Monday was blowing.

R. Leach: I just moved to Bucks Harbor and I just fished one day in two weeks.

T. Cheney: I can't guarantee, but it would be a number somewhere in the middle if we were to go to picking days and using this system to verify that. It could help us to move away from not having to fish on set days with really bad weather, and then you could maximize the number of days. However, it will likely not be 70 days.

T. Brawn: I know you guys are concerned about what they are going to do with all this information. But keep in mind that they already have this information, but she will get it faster. Right now Trish has to make decisions with incomplete information. Wouldn't you rather she make decisions with better information? If she doesn't have the information she will err on the side of caution, so this is far more likely to help you than harm you.

R. Leach: She gets enough text messages that she knows what is going on.

M. Murphy Sr.: She will get a report message on Monday night that the Murphy's Law sold 135 lbs. of scallops to Randy Ramsdell. She is going to assume they were caught in Machias which is closed, not Stonington!

R. Swenton: You're missing the point.

M. Murphy II: The assumption is that we dragged in Machias Bay because that is where we sold.

T. Cheney: But I would be able to verify that with you because we keep in constant contact.

M. Murphy Sr.: Say you don't though. It is just ridiculous! It is just another unnecessary means of aggravation!

T. Cheney: But it is the same information that we get right now. The trouble is that the information comes in with a big lag time.

M. Murphy Sr.: Because we have two people in the Landings Office.

T. Cheney: Because it is on paper and needs to be transcribed and entered into our data base.

M. Murphy Sr.: The tracker will fix all of that and you'll get your data in a timely fashion.

T. Cheney: It won't fix all the problems and issues associated with the dealer data stream.

R. Bauer: One question I have is for a dealer with a truck; how will they utilize the swipe card?

T. Cheney: These units are mobile and that is how the urchin fishery operates. As long as the unit get hooked up to an internet connection at the end of the night so they can sync, that information will be transmitted to DMR. You just need to hook up to an internet connection within 24 hours.

M. Murphy II: And if you don't, the wardens will be there within 26 hours.

K. Durkee: How are these cards going to be issued and is there a price to them?

T. Cheney: There is no price to the harvesters for the cards. Just like elvers, we give those out to the individual harvesters for free. It is just like a credit card. There will be a price to the dealers for the swipe card units.

B. Crocker Jr.: Is that going to be like the lobster tags that are never going to be above 10 cents apiece?

M. Murphy Sr.: I still don't see any benefit to this.

C. Wilson: To a point I think your right; it is an incremental benefit over time. It is an ease for the dealer; it is a swipe on your behalf. It is not the be all and end all. It is a little bit timelier piece of information. I don't think you're going to find that this will revolutionize this fishery. As far as the trackers, we get far more information that really matters of where the resource is and where it is being removed. But that is the next step. We would like to have it [swipe cards] in scallops and urchins in the coming year. It is coming to a fishery near you.

M. Murphy II: Is it going to be for lobsters in the following? [silence] Oh, nobody wants to deal with that issue! There are too many licenses in that fishery.

D. Leach: You will swear an oath that the swipe card won't be part of a quota and a hard TAC?

C. Wilson: I swear on my grave that the information that the dealer's area already reporting is going to be the same information that the swipe card will collect.

D. Leach: Ok, now are you going to swear that you are not in control of the market price for dealers with this?

C. Wilson: I swear I am not going to control the market price.

D. Leach: Do you swear at all? [laughter]

K. Durkee: This year right here you got areas shut down and you didn't have no swipe card!

R. Leach: I would like to know why you go out on boats who have a lack of interest in the fishery. I heard you went out on a boat in Gouldsboro Bay who in my opinion has a lack of interest in the fishery.

T. Cheney: I was on a Marine Patrol boat at the first of the season.

R. Leach: Well someone else from the state was out too.

T. Cheney: You mean our sea sampling program.

M. Kersula: I went out with Galen.

M. Murphy II: We wasn't using names.

M. Kersula: I went out with him because we have been out on his boat before and he was happy to have me come on the boat. I didn't see it as bias to go with one person as opposed to another. I went with him twice because I thought it would be better to compare the same person to the same person.

D. Leach: Did you go with him the last three days?

M. Kersula: I went out with him on Monday, March 14th in Dyers.

T. Cheney: The reason we use some of the boats that we do it that we want to pick someone who is going to stay in the same area because some of your guys are nomadic and move around the state and Galen doesn't really move. We know he is going to be there from the first of the season to the end.

C. Haycock: He knows what he is doing.

R. Leach: Maybe you should jump on with somebody who does the whole season instead of the gravy fishing. It is a boat that has a lack of interest.

T. Cheney: Ok, we can take that into consideration. The intent was to have a consistent vessel.

C. Haycock: What is the problem with him?

Audience: Sounds like they just volunteered.

R. Leach: Is it to see what time he gets done?

C. Haycock: You was right beside him, he could see when you got done.

M. Kersula: I am looking at the scallops.

R. Leach: I just heard stories that he was one of the ones calling to get everything closed down.

C. Haycock: I don't think so. I talk to him on a regular basis, so I don't believe he was.

R. Leach: I talk to a lot of people too; they lie right to my face.

B. Crocker Jr.: He called me and thought that we could fish Thursday.

T. Cheney: That was my mistake. I had sent out a bunch of text messages with the wrong date and had to follow up with guys.

B. Crocker Jr.: If he was serious about it he would have known.

J. West: When you guys go on a survey with say Galen, I have even taken a guy in the past, when you put a state guy on a fishing boat, what are you looking for? What would you use that data for? Would you use that data if someone caught them in three tows and got done? Because I think I know what Russel and David are coming to. Or if took you 15 tows to get them. Would you look at that to make a decision about leaving it open longer or closing it down? That data from that one person fishing, does that go into your criteria?

C. Wilson: That is why we started to move away from putting sea samplers on the boat because there is variability in some guys catching them in two hours or three hours.

J. West: So you don't base it on what is being caught?

C. Wilson: That data which is catch per minute, it goes in the conversation. But three years ago that is when we said that is not very objective to characterize the resource, to go with one person and have the fate of the fleet resting on that one guy. So

objectively it is better to do a survey that is consistent and move from there. I think in this case, which was exceptional in that it opened back up, we wanted some additional information coming out of that area. We already made the decision that it would be open for only 3 days, and that is what Trish talked about at the Forum, but it was just that - we were curious too.

R. Leach: That is why I brought it up because a few years ago down in Whiting River the way you were doing the sea sampling I went up to give my information and she said "it looked horrible, didn't it?". I said "I don't know, I made 4 tows with a 4'6" drag and got my limit". She said "we were out and we were doing a basket a tow". Come to find out it was her husband's boat.

T. Cheney: In the early days those were some of the metrics that we used to help evaluate closures. Since then we have expanded our assets; we have patrol on the water, a lot of people are now communicating directly with us, the in-season surveys. With the reopening we wanted to throw people on boats to get a better look at things that week.

M. Murphy II: So what about biomass. Are we sticking to that now?

T. Cheney: No, we have been moving away from using the biomass estimates.

M. Murphy II: Then why are we going to real time reporting? What good is that information?

T. Cheney: It is just another piece of information that we can look at.

M. Murphy Sr.: But you already have it.

T. Cheney: Yes, we already get that information, but it is too late to help in season.

C. Guenther: I think it would help if you just told people you are not going to use it.

T. Cheney: No, we are going to use it.

C. Guenther: You are?

T. Cheney: Yes, we are planning on putting it into regulation next year.

J. Boyce: No no no no. She [Carla] is saying not to use it for in season closures.

C. Guenther: I think all this conversation ends if you were just to say that.

J. Boyce: If it were just to be to get the data electronically and get rid of the paper it would be easier.

T. Cheney: I can't say that. I am going to be curious and will want to look at the data because I think it would shed a more light on the situation of what is happening on the ground.

M. Murphy II: When we signed up for rotational management, open areas meant open areas!!! And now all the sudden they are managed by a trigger!!! And then they draw these funny little lines that you can't fish in.

M. Murphy Sr.: No reduction in days, no reduction in poundage is what they said!!!

M. Murphy II: No sir!!!! Now we are down to three buckets!!

R. Swenton: Aren't you guys better off than you were three years ago?

M. Murphy II: 27 days in 5 years [in Machias Bay] – absolutely!

R. Swenton: Isn't the landings higher than they were, the value higher than it was??

M. Murphy Sr.: How would you know?

R. Swenton: Well, you could take a look at the data. Your landing more scallops than ever. The value is higher than ever.

K. Durkee: There are more boats in the fishery now!

M. Murphy Sr.: The data is not even acceptable! I watched Danny Rodge standing up in front of the DMR one night, I don't even know how long ago it was, it was when it was the lowest and he said here are my records. I have an additional 100,000 lbs. to add to that. They looked at him and said no no, that can't be right. It can't be so and they went off into the sunset. What we are trying to tell you is enough is enough. It has just gone to the point that we have got to stop, slow down and look the situation over. The unnecessary stuff, a swipe card or data from 30 years ago really is not perfect. We already had that information. Where are we going next?

M. Murphy II: Really, over the last five years all we have had is the biomass dropping.

T. Cheney: I would disagree.

M. Murphy II: You was there, you seen the numbers too. They make me nervous. How many you got left in Whiting Bay?

T. Cheney: Right now? Do you really want to talk about biomass estimates?

M. Murphy II: Well, if you are going to talk about swipe cards and biomass estimates I guess we are going to have to keep talking about it.

T. Cheney: That is what we are trying to move away from.

M. Murphy II: That is why we are worried then.

T. Cheney: I would agree with you, we are trying to move away from them.

M. Murphy II: That is just one other thing that fishermen have to take care of. If 50 of us on the first day lose our swipe cards, what is going to happen? The wardens are going to have to swipe their cards.

C. Wilson: Mike do you really think that would happen?

M. Murphy II: Yes it will!

C. Wilson: You really think that this is going to be so unreliable that you swipe your card and it doesn't work?

M. Murphy II: I think it will be dropped overboard.

T. Cheney: Right now I am using a rudimentary idea to track the fishery and it is the number of boats times the poundage in a certain area. This past year we landed just under or shy of 300,000 lbs. from Cobscook. Last year I estimated it was 222,000 lbs. The year before that is was 343,000 lbs..

Audience: That was the overshot year though, right?

T. Cheney: Yes, that was the overshot year. So, the entire fishery 10 years ago in 2005 landed 33,000 lbs.. So how can you say we are not moving in the right direction when this one bay, one Zone, is landing 10 times that?

M. Murphy Sr.: 10 years ago, we would ride all day long and we would see a boat off in the distance and we would say who the hell is that? It might be little Benny, don't know. Couldn't be Adam!

T. Cheney: I totally agree, there are more people in the fishery now.

M. Murphy Sr.: This fishery has exploded!

T. Cheney: And the data supports that as well.

R. Bauer: Help me understand why you didn't anticipate the swipe card being such a big issue that it would chew up this whole meeting on this whole issue?

P. Keliher: We didn't have to anticipate it. The fact that we are having this conversation is part of the overview of next season. You were at a meeting with lobster dealers who were begging me to put swipe cards in for that fishery.

R. Bauer: I know that but obviously these guys are giving you feedback that this is not going to be a simple issue.

P. Keliher: So give me some better reasons other than we don't like it or like losing 50 of them in one day which is a load of bull.

C. Guenther: They can't sell their catch.

P. Keliher: Let's just move this along.

T. Cheney: So, let's go around the table and every let us know how they thought the season went.

C. Guenther: Before we do that Frank has something to say. Was it on swipe cards or something else Frank?

F. Jones: I was just going to ask now that it is 5 years in this program and it seems like you are getting data that you want and you need with the logbooks and everything. What is in the crystal ball at the end of the next five years when we are at the end? We might be sitting in this room and the 10 years is over. Can someone tell me half of what they think is going to happen? What is going to be the norm for us? On the books we have a season from December 1 to April 15; are we going to have a season, a limited amount of days, and a certain percent of the poundage that we show in these logbooks? Give me an idea.

T. Cheney: I think that is an excellent question. That is why we want to sit down at the midway mark which is next year, which is five years in.

C. Wilson: From the science perspective I think we want to see where matching our understanding of what the resource is to what the fishery is doing. Whether it is big areas, small areas or whatever it is. We would hope in five years that we come up from estimates that people are on board with.

T. Cheney: What are your thoughts Frank? What would you like to see?

F. Jones: You have the younger generation that is coming out of high school and have a lobster license and that is it. For 10 years they have been shut out of a fishery, there is no shrimp fishery, no groundfish anymore.

T. Cheney: We are hoping that when we get to the end of those five years that we will have a re-entry mechanism set up for this fishery.

D. Leach: What are you talking, apprenticeship?

F. Jones: If I wanted to get rid of my licenses, the feds can do it with federal permits. Why can't the state do it?

T. Cheney: Because it states in law that none of our licenses are transferable.

F. Jones: Can we change it?

K. Durkee: If you can change everything else, why can't you change that? Our licenses we buy every year, so I feel we have a little bit of a say for what we do with our licenses. I got a cousin who is 79 years old and has a lobster license. He will be lucky to fish

one more year. He asked me if I was going to come back and fish with him and I said no, because it doesn't do me any good. He is so old that he can't fish and I am not making any money with him, but I can't get a lobster license. But yet a kid can go in school and get 200 traps right out!! Why can't I get 200 traps?! That aint fair! None of its fair!

A. Mayes: You just said laws can be changed. It was a hell of a lot of work to try to change that and where did it go? It made it so the students now have until they are 23 to get a license versus 18. So you need to be careful what you wish for when you go down the law making path.

K. Durkee: Why can't I buy my cousins license?! Why can't you change the law so I can buy his license? They aint puttin no more licenses on the table. It is just transferring his license to me.

T. Cheney: If you were to take and make all these licenses transferable you would be gifting this entire room, this entire generation that right, that access.

K. Durkee: Exactly, but it is going back into a fishing industry, a fishing family. You take someone who lives in Bangor, they are not going to come down and go fishing. They don't know nothing about it.

T. Cheney: What about someone with deep pockets from out West? What if someone wanted to come in a buy up a whole bunch of licenses, make a corporation and make you paid by the hour?

A. Mayes: That's what Canada has done.

T. Cheney: I am just saying that transferability is a slippery slope. You need to be careful what you ask for.

K. Durkee: I hauled bait for 15 years for lobstermen. That wasn't fishing related but then again I can actually show that I was in the fishing industry. I can't even get a 200 trap license to make a little bit of a living in the summer and the fall.

P. Keliher: Did you just come to the legislature this year and argue all those points?

K. Durkee: No I didn't.

P. Keliher: Then you should have.

K. Durkee: Are you the commissioner?

P. Keliher: Yes I am.

K. Durkee: I spoke to you on the phone and you know what you told me? You told me that you was gonna give Trish my name and put me on a list to do the survey. You know what? My boat aint big enough to go and survey! If I get an 8' drag like he said, it would be an anchor. It just aint fair the way the fishery is going I believe.

T. Cheney: There are two points here. One point that Frank was making was for the younger generation. If the intent is to allow new people into this fishery, that is a different mechanism. We have been discussing some limited entry either with an exit ratio and apprenticeship. That is very different from transferability, which is commoditizing, or putting a value on, a license which we have seen those values in other fisheries get out of reach for any young person in a community along the coast.

D. Leach: I am 48, he is 65. Yes, I have a son, there are a lot of guys that have nephews. I really do believe that you have to have apprenticeship for the next entrants even if there is a 50 year old guy who wants to go.

T. Cheney: If you look at the summary from the fall meetings I discussed this at every single local community meeting and generally people want there to be some type of mechanism for the next generation or people in their community to come in. Generally, people want to give that first crack to people who are currently working in the industry or live in a coastal community; not someone who is living up north and it is going to be another latent license. Generally as a whole, I think this industry wants to allow new people in, but for people who have a vested interest in the fishery or who are already working on the back of a boat.

R. Leach: Maybe the first thing you look at is the latent licenses.

P. Keliher: I think Frank brings up a good point about where we go in five years. It is a conversation that I had yesterday with Carl and Trish about the Fishery Management Plan (FMP). We keep talking about FMPs for our fisheries, but the fact is that the Department has not set any goal of where we want this fishery to go. The conversation ought to be what are going to do when we get to the five year mark and what is the goal at the 10 year mark? I think that would be a good conversation to have.

D. Leach: There are latent licenses in lobsters too, but they had to do the apprenticeship.

P. Keliher: That could be part of the conversation. If we are going to have an entry program, what does it look like? Those are things we can all consider.

T. Cheney: We have all been trying to just guide this fishery in the right direction. I think Frank makes a good point; we need to take a step back. We have got the fishery going the right way, but where are we going? Where do we want to go in 10 years when the rotations run out? Just open everything right up to the current members of the industry? Do we want to open it up to new people so they can come in? Do we want to increase the number of days, increase the pounds that you guys can take? These are questions that we have to ask. I will be honest; the FMP has gone to the back burner because I have just been trying to hold on tight trying to manage this fishery in-season.

D. Leach: You have heard some yelling.

T. Cheney: I have. I have been cussed out quite a lot. My skin has gotten thick. You guys are usually pretty good about following up and tell me please don't take it personally, and I try not to.

D. Leach: I know I have been a prick.

T. Cheney: There are some good quotes that you always add to the conversation.

D. Leach: I just have feelings about the swipe card and stuff.

C. Guenther: You know David we have a running list of Leachisms.

A. Mays: I would like to hear what Alex and Brian have to say about Casco Bay because we haven't talked about that.

A. Todd: We haven't done the whole season right around the room yet.

T. Cheney: Curtis hasn't even had to chance to say anything.

C. Haycock: Why you gotta start with me? I don't want David yelling at me!

T. Cheney: You won't be the only one.

C. Haycock: There is a group of us that like to run around and we started out in Gouldsboro first day. Things looked pretty good. We stumbled on some in Dyers Bay and got them really, really quick – it was awesome. I got all seven days in, most in Dyers Bay. When we got done in in Dyers Bay it looked good. Then we smoked her to Pembroke after much debate as to whether we would be able to stay there. But thanks to the boys from Bucks Harbor who straightened everything out, we went.

M. Murphy II: Don't know what you're talking about.

C. Haycock: I only missed one day down there because I had the flu. As far as the season goes, the weather was awesome, somewhat warm. Then we came back home for those last three days in Dyers Bay. Scallops in Cobscook were unbelievable, they were everywhere. We thought it was going to be a small year, but they were dense and spread out. We towed spots that nobody would tow. They look really good down there.

J. Boyce: Our season overall was really good and we supported a lot of boats, more than what you guys thought we could with the surveys. The surveys, as usual, don't show hardly anything of what is there. I am glad we opened up that small triangle from Swans Island to Naskeag because that is where a lot of them fished. They didn't come down the bay at all until the very end of it. I was disappointed at where the line ended up [Jericho Bay Emergency Closure]. I don't think there was any data that went into where the line was. It closed off a lot of bottom off that hadn't been fished at all. It was ridiculous as down below Marshalls Island is hard to get to on even a nice day. Overall, it was probably the best season I have had since I started, so in that sense I think it was good, especially for a one year closure. Also, I would like to point out for what we had for landings; the only three seasons you can compare are the past three from 2012/13-2014/15 as they are the ones that have the closest number of participants in it. The first two years that we had bottom that had never been closed were good years, but the year that we had the bottom closed for two years we didn't really have an increase at all. I would be more of a proponent for a one year closure rather than two. I think it would spread the fleet out. I think right now we have the same problems every year – there are too many boats in an area and then they close an area and then the boats will go to the next. It will not change; this is just the way they do it, unless you give us a bigger area to fish. Scallops don't go everywhere, I know that is the plan, but they just don't.

T. Cheney: I think it is interesting that you are looking at the last three years.

J. Boyce: Technically, last year should have been way up. I don't care if you say it was a lean year; that was good bottom.

T. Cheney: That last year was the season before. We don't have complete data for this season yet.

J. Boyce: But that season before should have been way high compared to the two years before.

T. Cheney: Those two years were driven by the Limited Access Areas at that point.

C. Guenther: I think you could reconfigure your data.

C. Wilson: In our five year review we can almost take each rotation and look at what is the history of what has happened in each area - what was the action, what was the reaction. How did the surveys change, how did the gear change. It would take a long time, but as a group we could probably march right down the areas and start to have that conversation.

P. Cox: I think things went well. I think we are gaining bottom down there. Scallops are moving out further. Even the Calais River showed promise. There were a lot of places that we shut down, a lot of bottom that was cleaned up a little more. It was time. We had a really good season.

T. Cheney: Just to follow up on Cobscook, I actually got some calls saying that we closed a week late. That is the first time that I have had that.

P. Cox: I didn't.

T. Cheney: No, you didn't, but I did have other people say it should have closed the week before, but we had committed to keeping it open until when we did with the survey schedule.

B. Huckins: Some places were late.

P. Cox: But overall picture of it, I think it was time.

C. Haycock: It almost seems like you can never make everyone happy all the time. [laughter]

T. Cheney: Welcome to my world! I am better at making everybody upset.

A. Mays: Keep doing what you are doing!

T. Cheney: My indication is when some people say you did it a little late, others say a right on time, this year was probably just about right, and it was 30 days.

C. Haycock: I want to say it was just about right.

G. Freeman: Casco Bay was pretty good this year. Best year I have had in two years. I would say that the Limited Access Area is an absolute disaster; there is nothing left in there. We save those for three years, opened them up one year and it got cleaned out. There is not a dragger that has gone down in there and had their limit for what, two years now? I don't know if it would be worth us going to Rotational Management rather than Limited Access Areas, but it is just not working for us the way it is set up now.

A. Todd: You mean the one off Whaleboat?

G. Freeman: I fish that a lot. As for as Limited Access Areas, there is hardly anything left in them. We need to jump into rotation.

A. Todd: Well, Whaleboat is not in the Limited Access Area.

G. Freeman: I know, that is what I am saying. They left that open so they would have a place to go drag to always get scallops. If that was closed and Eastern Casco Bay was open, there would be very little fishing.

J. Wotton: I don't fish until early February and March. I jumped in and got the limit. The places that have been fished, where everyone has gone to, there is not much there. There are a lot of good signs; there are scallops in places that there has not been in 10-15 years and I think we have got some good times coming if we don't squander it. The Access Areas are a waste, they don't work. They worked the first time to build up what was there and let them grow, but now there is nothing there. I am more worried about where we go from here. We have an opportunity and I don't want to waste it.

T. Miller: I agree with Jimmy. Start of the season we had a really good kick start by fishing Vinalhaven and we benefitted from rotational closures. I agree as well we are seeing scallops in places we haven't seen them in a long time. We shouldn't squander this opportunity. As far as next year coming, I would say we used up a lot of our inside bottom. We are going to have to fight weather next year to make it happen. I expect next year is going to be a little bit off. I said the same thing about this year, but we had a few places come through for us.

R. Swenton: From a buyer and processor, this is the best year we have had for Maine scallops in 12 years. Last year was ok, year before was blah, before that was nothing. I am getting offers for scallops from places that have never wanted them before. The counts are better, the quality is better. This is the best year we have ever had and the most scallops we have even bought. From a buyer/processor point of view, it was a great year. And all your Thursday scallops [Rob Bauer] send them to me. I'll take them all.

A. Mays: I only got three days in this year in as my oncologist frowns upon me diving when I am passing out. Just about the time that I got healthy enough to go Trish pulled the trigger on me. I was going all the time when there were only 100 of us going. In the big picture, although scallops overall are a lot better, we are kind of being hobbled because we are only getting 27-30 days. But I like the fact that people Downeast are making a lot more money and it is good for the economy. So, overall I am happy with that.

M. Murphy II: That is a questionable statement. It used to be 30 days, three buckets and everyone would go home happy. Now it is 30 days and two buckets. How do you make up for that!?

A. Mays: We are hobbled by the five year plan, the ten year plan that there are not 100 of us doing it, there are 400 of us doing it and there may be five hundred and some doing it. I think the three year rotations; I think the scallops certainly benefit from not having the mortality on them. But I wonder what the tradeoff is now that we are not in the same position that we were five years ago. There are a lot of scallops around in a lot of places. I would like to see cautiously, but I am with Justin, more bottom opened up and maybe on a two year rotation because I think there are places that would do well on a two year rotation. Since we have the triggers and emergency closures in place, it is not like it is wide open anymore.

J. Boyce: I have been talking about the one year closures for a while. They are telling us that if we were to go to that instead of 30% it would be a 20% trigger, so basically you can catch 1 out of every 5 scallops. It seems to me pretty ridiculous.

A. Mays: I am with you on that. It is just something to weigh. I look forward to that because it is crunch time when everyone is compressed in such a small area, whether it is the dragger-diver interaction or the dragger-dragger interaction. It was expected on opening day in Gouldsboro Bay 15-20 years ago that it was going to be a circus. Now it is that circus type mentality all the time because they are such small areas. But you know, I am just happy to be alive, so I don't get really worked up about things like swipe cards anymore. Sorry you guys.

A. Todd: I don't start the season right off the bat, so I guess the gravy might be cleaned up. But everyone I spoke to overall is happy with the way it is going, but happy is a relative term. I am happy with the Limited Access Area and I don't think rotations would work in my area. It breaks up the pressure day wise on certain areas. Everyone I know is happy with what they have gotten in there, relatively speaking. One thing that I want to point out is the price is what saves us. In my area we haven't increased the stock dramatically, I don't think we can; we are limited in what we catch. One guy that I will call a new guy started going when you opened the closed area the first time. He was saying at least now we have gotten it up to where we can get 100 lbs. most of the time. But the reality is that he just couldn't get 100 lbs. most of the time before. Now he has started to complain about an even newer guys starting to follow him. Now with the two areas that we closed last year going to open next year, you have a handful more people talking about rigging out. I really don't think you can make my area produce an incredible amount of scallops to support the latent activity that is on the bank. So I think what is going to screw us in the future is all these little closures that excite reactivity, but they don't look around. They beat the same spot, over and over.

J. Wotton: That is exactly what has happened.

C. Guenther: That is what we have too.

A. Todd: I really think we have done good at bringing the stocks back, but from my point of view I wish we had done nothing, ever. As far as the community, I guess we are doing something good. But it comes at the price of some of the core fishermen.

J. West: I fished quite a few days. Got our limit almost every day. Started out in Gouldsboro Bay, from there I went down to Blue Hill Bay, then to Jericho Bay, Eggemoggin Reach. When I got over there it was a little bit different. With my seven foot sweep it didn't pan out quit so good. Broke my gallast ring. The bottom over there is a lot different. So I had to switch drags and had to use something different to catch anything. The price is what has saved us for the last 4 years. Anything over 10\$ is big money. I went for years at \$5. If we were getting that price, the 10 year plan would not appeal to anybody. Like Alex, I wanted to go with what we had. Everything goes in cycles – lobsters, shrimp, scallops – Mother Nature will let it come back. I like to go fishing.

B. Crocker Jr.: I thought we had a pretty decent year. Got out limit pretty much every day. There were only two days I didn't get my limit. I am with Justin I think the areas are too small. It should be opened up a little bit more and we don't beat the hell out of places.

J. West: I agree with that too.

B. Huckins: I had a decent year. Weather wasn't great at times. I think they shut down Whiting & Dennys Bays too soon; all those scallops are getting old and we are losing year classes of scallops up there every year because we only had 9 days. When you can get your catch in 45 minutes and the meats are going to pieces. That used to be the best tasting scallop that I ever tasted; now it isn't. It is getting bad. The last two Wednesdays that we had up there, there were 39 boats on the hook in Edmunds and ¼ of them went to South Bay because they can do better down there. The can shuck them out better because the meats are not sticking to their bellies; you throw the bellies overboard and the meat goes with it. They are just dying off because it is not getting turned over. I think they should have that area open every day Cobscook is. If so, most of the boats moored up there would stay there and the other boats would never come up.

T. Cheney: What do people that fish that area think of having Whiting & Dennys Bays open next year with the rest of the bay, but have another area closed and having that as a Limited Access Area instead?

B. Huckins: When I was on the Scallop Advisory Council before, I said that Whiting & Dennys Bay should be open one year and South Bay closed with East Bay and then you could have 2/3 of it open at one time, but only for one year. It is ridiculous to let all those scallops die off; that seed aint going down below to help the lower bay out. I have fished there for 40 years now and I can remember back when it was 10 boats and you would be lucky with 10 feet of gear to get 60 pounds. It wasn't overfishing that

caused it, there was something else. I think that is going to be the problem here before long, those scallops are dying off. We didn't have a lot of clappers, but we still had a lot of gray meats and scallops that are not looking good.

P. Cox: I am just the opposite. I think Cobscook is the best that it has ever been, the way it is operating. I think spat floats down through. We get 30 days; it is the best bang we've got. It is going to stay there the longest. As far as the meats, I think we cleaned up the center really good, there was a lot of scallops in Cobscook left. I think we could have fished it a few more days, but I think it is working.

B. Huckins: But if you had it so each section was closed every year.

P. Cox: South Bay is a big bay to close. Cobscook is a lot smaller. To me it is our best bet, if there is spawn. I just think it floats 30 days and if we need to close something that way, it is our best chance [keeping Whiting & Dennys Bay as Limited Access]. I could be right and you could be right, but we will never know the difference. But I think here this year, the scallops were the best up there. The meats were good up there, no clappers.

B. Huckins: The size was good way up or the deep hole.

P. Cox: I thought they were bigger scallops than South Bay because the scallops are bigger because we haven't towed it much.

B. Huckins: If you get over to Razor, they are small scallops with small meats. Over by Red Island they were big meats.

P. Cox: It was good over there, but the meats were not as big as the back bay.

B. Preney: Obviously this season was a lot better than last year because coves were frozen up and you couldn't even get into a boat landings. A lot of the Wednesday Limited Access days still ended up being foul weather. But I have been getting out a lot. As I predicted in the Boothbay Area it took me four days to clean up what was open on that side. The Limited Access Area over there is irrelevant; it has been hammered the past couple of years. I went over to Casco Bay and quite frankly I am loving it. I have gotten 10 days over there and I only saw 2 other boats, one was Soper and the other I couldn't identify. I worked all the way from the marina to Portland. But it is all these spots, like Alex said, it is spotty. You can hit a lot of perfect scallop bottom but there is nothing. If I dive really hard with six tanks I can fill a bucket at the end of the day, about the same that it was 30 years ago. Meat quality is excellent. In Boothbay area the most important thing would be to get the Damariscotta River open next year.

G. Freeman: And Ocean Point.

B. Preney: It is a must because we have killed the rest of the Limited Access Area which is really too bad because it used to be one of the most productive areas in the state and there is literally nothing over there. I think it should be a high priority. I didn't really want to get back on the swipe card conversation but I did want to mention that I was a proponent of the swipe card in the urchin fishery because I saw the promise of being able to get away from the days on the calendar. We could have a Days at Sea program instead of having to pick days on a calendar. After listening to the conversation I am more discouraged here because I can see if will never happen in the scallop industry. I don't see, especially for me, how I would ever have a swipe card that would allow me to pick day, unless I had my own machine I guess.

T. Cheney: Because you peddle?

B. Preney: Right.

T. Cheney: We have had conversations internally how to allow that to continue to happen. We have thought of putting an endorsement on your license that would enable you to do just that; have your own swipe card machine, report your own product and send us the information that way.

B. Preney: Yeah, that would work. I don't want to get into that too much. It is just like a day like today; it is blowing nearly a gale, plus there is a fisheries meeting at 3pm in Brewer. So it is a day lost as it is a picked day on the calendar. I would like to see both fisheries, urchin and scallop, get away from the calendar days. Other than that, it has been a great season so far.

C. Wilson: So Brian, for pick a day, how would you do that? Say for the first two weeks you say you are not going to fish an area, but everyone else picks to go into the area and that ends up getting closed. How do you avoid the derby?

B. Preney: I would say that I am against the closed areas because it concentrates effort. Maybe not so much in Zone 2, but in Zone 1 we have vaster areas. As Alex said, in Zone 1 we don't have areas, we have spots. For the Boothbay Limited Access Area, everyone knows where those spots are. So you open it up once a week and boom they have cleaned all the spots. It is not like you move 300 yards over to go fishing, it is just not there. Once those spots are gone, it is gone. So I am against those areas period. I would like to see even a 50 day season, but open it up December 1 to April 15 and we can go 50 days with a call in system, swipe card, whatever. Something that lets us go the days we want to go. I see how in Zone 1 anyway, that the Limited Access Areas and the closures have resulted in the concentration of effort and has hurt spots instead of helped them. If that makes any sense.

C. Wilson: Yes, it does. We are thinking through some of these conversations with urchins right now, especially with Blue Hill.

B. Preney: I know you are thinking of it in terms of the big industry in Zone 2 for draggers, and I understand how it all works down there. It is just Zone 1 is such a different animal.

C. Wilson: What we are thinking about for urchins, different fishery obviously, but trying to do something in the Blue Hill Bay Area and have a tracker and then you could pick your days with the tracker. So there are 38 days for urchins, but there are actually 100 days that the fishery is open.

B. Preney: I am all for that. We are going to get that with the swipe cards in the urchin fishery. We have to sell at a dealer and they will have a machine. It will work for urchins. Haven't quite figured out scalloping yet. I would say call in; call your warden every day.

C. Wilson: With the trackers you can see everything. You would get an email.

B. Preney: Yeah, email, any notification.

P. Cox: How would it work if I have 3 licenses on the boat?

J. West: You will have to give up two.

P. Cox: No! [laughter]

B. Heanssler: I fished Jericho Bay. We had enough scallops. I wish it on everybody that they could have a local area to work. I didn't steam over a half an hour. The scallops after the 2 year closure are 10-15 count. I hate to see us have scallops dying with the three year closures. The fleet was spread out. For the exception of a few days I couldn't read the names on people's boats. I think that was great. I really like that the Department removed that triangle. It gets really discouraging to go to all the meetings and have people make suggestions and not have anything come out of it. So that was really encouraging and it made it so I didn't have to unhook the drag. I go back and forth through that triangle. I would like to see the industry say what the changes are instead of the Department. There is a board here. The lobster industry is strong and most of those changes came from the lobster industry, not from the state. I would like to move forward with some of these suggestions. I really like the idea of a swipe card and choosing your days. A lot of the problem is when we get dragging in the lee. If you could pick the good days, you could spread out the dragging so that the lee wouldn't get dragged too much. I think with this recent closure, there was a lot of bottom in the middle that didn't get dragged. To close it for three years it is going to be too bad to see that all die off. Up til two weeks ago I thought it was a really good season.

C. Guenther: Ben can I ask you if it is about picking the days, would you be willing to put a tracker on your boat to get that or do you really prefer the swipe card idea?

B. Heanssler: I would prefer the swipe card for picking the days. I have an idea they know where I am fishing anyway, tracker or not.

C. Guenther: Ok.

B. Heanssler: I don't like big brother.

K. Durkee: I feel like you have to want it that close to keep everybody honest though. If you were going to pick your days you would have to have something that would tell the state that you were out fishing that day. With a swipe card, you don't have to sell it to a dealer, you can peddle it yourself.

B. Heanssler: If I had to choose I would prefer the swipe card to pick your days.

M. Murphy II: I am all about picking days.

B. Heanssler: It is better for the resource. It is healthier and safer.

D. Jones: Had a good season; the most I have ever had, until that last stuff was added. We have got to be able to pick our days. We need to be able to open up some areas because if not, we are out there in the weather. You can't hide behind an island because it is closed; you guys are going to get someone killed. It hasn't happened yet, but it can.

F. Jones: I just want to go along with what he is saying. If the swipe card is working for the elver fishery, they are not getting away with anything, I would even go in agreement of going less days, even going 50 days and be able to pick the 50 days.

A. Todd: When you are writing it down, make sure you put 150 instead of 170. [laughter]

F. Jones: The concentration of boats in the areas, that can be tweaked into bigger areas and maybe try it for the last 5 years. It is working Downeast every other year. I don't know why we are stuck with the three year.

K. Durkee: No, we are in the three year as well as you.

T. Cheney: The whole zone is in the three year rotations.

F. Jones: What about Cobscook Bay?

T. Cheney: They have a lower daily limit, only a 50 day season, and a Limited Access Area.

F. Jones: If we could have 50 days and you could pick your days, you would probably only get 30 out of them or 40, you have a 4" ring, a poundage limit. I mean we have given up a lot. If you could just simplify when we could go. If we could go where a fishermen should go where he wants to go. That can be solved. You can't say that it can't, because it can. We don't need trackers. It can be solved another way.

K. Durkee: I feel I had a good year, I can't complain. They said it was going to be a slack year and I had to travel for scallops but I managed to do alright. I think the fishery is overfished due to the Limited Access Areas and inactive licenses; I think we have increased by over 200 fishermen now.

T. Cheney: It was 168 in 2009 and now it is 445 in 2015. So an increase of 277 vessels.

K. Durkee: What you have done is your making the resource so it is getting depleted quicker and quicker every year. Next year it looks like it is going to be a good year down our way [Jonesport] and there are other boats rigging up. So there is going to be more strain on the bottom.

R. Bauer: It was a good year. Scallop quality was great. We are trying to get the best buck for the boats, so we ship our scallops a little further down the road and why I mentioned the Thursday thing. Trucking for us is a big thing being in Downeast Maine. It is not like there is a UPS truck going to Portland every day. I got no complaints. The Gouldsboro thing was nice, but it was a little bit of a surprise after I had told them it was done for the year. But they still liked the scallops. It makes it hard for any of the dealers to reach out to other customers because there is a lot of uncertainty in our supply and I don't know how to fix it. It is a great product and if you are moving it fresh and trying to move some volume and someone asks will you have it for me? It makes it hard because I am not sure. I don't know what the answer is to that, but those are some of the challenges of trying to move a fresh

scallop. Some people are doing it better than others, but we are still trying. I could have used more scallops. If we had scallops every day, we could orient our sales and logistics around that. Because we had that Monday through Thursday thing and customers were expecting them, but Thursday scallops we don't get them all sorted until Friday and we don't get them to Boston until Monday morning.

A. Mays: Raise your prices Rob and more people will come to you.

R. Bauer: We gotta sell them for more than we pay for them Andy.

M. Murphy II: Good season. I'll keep my opinion to myself; nobody is listening. David you want a shot at it? How was your season?

D. Leach: We know why my season was lousy, but anybody is going to go through that; it is just a matter of time. As far as 50 days, I want it left at 70 days and I don't want a swipe card and I don't want a tracking device. I am happy I got to go to Stonington, which did save me, now we are down in Bucks Harbor and dealing with weather, tides, Mike Murphy. [laughter] I am just happy to go to work. Dyers Bay did save us. The first day I got them in an hour and 10 minutes, the second day it was til noontime because it was rough and the third day I was bouncing like a fart in a rubber glove. [laughter]

A. Mays: There is your Leachism right there.

D. Leach: There was still a lot of stuff driven up in the rocks that was still there. What I don't understand is they seem to be from the reef to the Castle and that is it. I wish we could look into some reason why the dragger bottom where there used to be scallops, why they aint taking out there. I mean this is the science job, to find out why.

J. West: Too many lobsters.

D. Leach: That is what I was thinking, or crabs. James is right about that area, there is not much way up inside there, nothing. It is weird. I am still happy to be here, like what Andy said. But, I do not want no swipe card.

A. Mays: Just in case you didn't get that down the first of the seven times.

R. Leach: It wasn't my best year, but we did decent thanks to Stonington and rock drags. Maybe those guys will show us how to hang a chain sweep over there next time.

J. Boyce: Big gaps, big gaps.

R. Leach: I feel the same way as David; it would definitely help a lot if stuff would start showing up outside the islands, because that is what is killing us. Everybody is behind the islands. People used to go look for a dragger that was 40 feet or bigger. Now they are all looking for 35 footers and why is that? Because you're in the rivers and you don't need a big boat for outside because there are no scallops. But hopefully someday the water will change or whatever is happening, they will come back outside.

D. Leach: And we don't want a swipe card.

R. Leach: A tracking device because I would like to pick my days; I am a fair weather fisherman.

M. Murphy Sr.: We had to chase them a little, but it was a good season. I still say thank you for opening up those areas those three days. If we kept them closed that stuff would have died. I am grateful for that. A word of caution: don't eat scallops out of Blue Hill Bay. I have had the gout ever since. [laughter]

A. Mays: That didn't do it.

J. West: I am not for the 50 days, just so you know that. Picking days and a tracker – I don't mind putting anything on my boat, but set the season, I don't know how you do it or whatever, but I want more days, not less.

D. Leach: I have got one more thing to say and I am going to speak for everybody; we are happy to see Andy Mays still on the council.

A. Mays: I appreciate that; thank you.

D. Leach: Happy to have you here.

M. Murphy II: And he is still full of piss and vinegar.

T. Cheney: Yes and Andy was awarded with our first Award of Excellence at the Forum this year by Pat. Congratulations for giving me a hard time. [laughter]

A. Mays: You're welcome.

M. Murphy II: Good man Andy! [applause]

T. Cheney: Any thoughts for next year?

J. Wotton: I will bring up Zone 1 again. I think we really need to address Damariscotta River. If we let it go another year it is going to go by. And we really need to think long and hard about a plan to avoid what happened last time; all the boats piled in.

T. Cheney: Yes, there were 25 boats in that tiny river.

M. Murphy II: We could go with green Novi boats only.

J. Boyce: How are we supposed to tell you guys apart?

B. Crocker Jr.: They are all a different shade.

J. Boyce: I couldn't tell you all apart from a distance.

C. Haycock: Russell is always the first one done, so you can tell him.

C. Guenther: I just have a suggestion from one of the Stonington guys for next season for the calendar. Same thing, same start date, but that can be up for discussion, but going every even or every odd day during that period of time.

T. Cheney: So non-consecutive days?

C. Guenther: Correct.

Audience: Throw that out the window.

A. Mays: Duly noted.

T. Cheney: Any other thoughts?

A. Mays: I think a lot of thoughts for next year got thrown in here already.

T. Cheney: I agree; they were integrated into conversation already.

Other Business

T. Cheney: Mr. Bauer asked to address the room at the end of the meeting.

R. Bauer: I wanted to address this crowd because I am assuming a lot of you guys do not have lobster licenses. How many of you here do not have a lobster license? [show of hands – 3]. Huh, not that many. Well, I am looking to buy squid this summer, there is a lot of squid that is worth anywhere from \$1-2/lb. in the summer and there is a huge fishery that is being left untapped. It is an easy fishery to do. It is at night with automatic jigs that are out there that you can buy. You can purse seine it; you can pair trawl it. You can midwater trawl it. The squid is here because of the warmer water. They have been in the Bay of Fundy for the past three years and they were catching them up in Saint John, New Brunswick last summer. These are the big Loligo squid that come in during the summer. So I just wanted to let people know to call down to Beal's if you are interested I can get you going on what you need to do to go fishing. It is a very simple DMR license – there are no quotas, there is no swipe card. It is the last unregulated fishery that I know of on the coast of Maine. All you need is a light and a couple of people jigging, you could probably jig 5-600 lbs. a night. Why we are interested in them is that you cannot just get them and drive down the road. We have a good ice machine and a truck that goes to Boston. So we are interested in buying squid. It could be a summer fishery for those that do not have an activity in the summer.

K. Durkee: I will take one of those.

J. West: How many can you buy?

R. Bauer: I can buy 100,000 lbs. a day. There is no limit on the amount of squid we can buy. The market for squid is huge.

J. Boyce: You just made a regulation next year. [laughter]

R. Bauer: I am just saying that there is no upper limit on how much squid we can buy.

J. West: You just turned one of my boats into a purse seiner.

R. Bauer: So, if you know someone who wants to go fishing in the summer that doesn't mind fishing at night and can stay sober at the same time, give me a call down to Beal. It's pretty simple. I can tell you how to set up your lights, if you have a purse seine you can do that. There are automatic jiggers out there as well. It is crazy that we are not harvesting these squid because they die after 2 years.

J. Boyce: There is no regulation on seines?

R. Bauer: No, state of Maine has no regulations on squid.

J. West: Can I fish in Canada too? [Laughter]

R. Bauer: No. Stay on our side of the line. They were here last year until November.

T. Cheney: So if you are interested in that opportunity, talk to Rob. Also, I don't have any meetings planned for the near future as I need to take a break and do urchin rulemaking. And then we will have a discussion with the NGOM permit holders right now with Ben and Togue as well as tomorrow.

Meeting adjourned at 6:00pm

Next meeting has yet to be scheduled

Appendix A

Fall 2015 Local Meeting Summaries

November 2015 Scallop Season Outreach Summary

A series of local meetings were hosted by DMR staff to review the upcoming management measures for the 2015-16 scallop season, which starts in December. Charts, calendars and other information were provided and reviewed at the meetings. In addition, other topics related to the fishery were also discussed and are summarized below.



NOVEMBER 12 · Machias

Attendance: Jim Ackley, Harris Norton, Owen Moody, Maurice Alley, Rocky Alley, Curtis Haycock. Leigh MacKeen, Mike Murphy II, Ben Crocker Jr., Tracey Sawtelle, Larry Wood, Preston Alley, Paul Molyneaux, Trisha Cheney, Mark Murray, Jason Leavitt and Brian Brodie.

Summary:

- Jonesport Reach closures western boundary line too far west. It should have stopped at Cummings Creek and not gone to Lobster Lane.
- Request to convert rotational area boundaries from Lat/Lons to TD numbers.
- Open up Whiting & Dennys Bays next year as Open Access, not Limited Access.
- Fishermen observing ~2.5-3" scallops in deeper Federal waters in lobster gear with thin shells.
- Broad discussion about licensing/entry:
 - New entrants should be working/living in coastal communities.
 - Support a 2:1 exit ratio until at ~500 license holders.
 - New entrants should be active; if not using license w/in a year, lose it.
 - Support for an apprenticeship program: safety & vested interest in fishery.
 - Should be a points system for new entrants: working in fishery, own a vessel, once held a license, etc.
 - Some participants would like to pass license on to family members (bloodline transfer), or at least be able to designate a person who they could transfer their license to.
 - Support for a student license, owner-operator and eliminating latent licenses.
 - Have a summer hand harvesting license for low draining tides in the summertime.

NOVEMBER 17 · Augusta

Attendance: Alex Todd, Ray Swenton, Jim Wotton, Ross Paasche, Trisha Cheney, Mike Kersula, and Jon Cornish.

Summary:

- Discussion about Dec 15 start date and that the majority of the scallop fishermen in Zone 1 won't even rig over until January to start fishing.
- Discussion around origin of Kittery Area drag size restriction (5'6").
- Reviewed upcoming NGOM survey panned for May 2016 with 400 tows. Information used to update the NGOM TAC.
- Reviewed how scallops move through dealer chain from Downeast to markets in the west and south.
- Fishermen observing ~3" scallops in deeper water in lobster gear with thin shells, similar to what fishermen in Machias have been observing. May be a good set of scallops in the deeper water, giving hope that they may seed inshore areas.
- Discussion regarding the future of the Zone. Currently, some harvesters feel that the resource is in worse shape than it was even before the original closures where implemented in the 2008-09 season. All the measures that have been into place (lower daily limit, cut in season days, implementation of closed areas) have made it worse for the core guys who always had participated in the fishery. When original closures where reopened, the localized rebuilt resource combined

with the high price, closure of the shrimp fishery and economic recession at the time that caused the price of lobsters to plummet attracted a large amount of newly activated effort in the Zone which has resulted in the resource here becoming depleted. Current measures of 10 day reduction and targeted closures are only a temporary fix and a longer term strategy is needed, but not sure what that is for this Zone. How do you open the currently closures back up without having them be a target of a fleet where a large component of the harvesters are willing to fish all day long for one gallon of meats? Price is so high that it creates an incentive to fish for really low catches, depleting any scallops in area, legal or sublegal. Closing the entire Zone was discussed, although not a palatable option.

- Smaller, longer term closures
 - Lower Muscle Ridge Closure Project could perhaps be a model for what may work in zone – a series of smaller closures that would protect spat producing scallops. Areas would need to be positioned where larvae could be carried by currents to adjacent fishing areas.
- Scallop shells
 - Discussion of requiring shucking of scallops over current scallop beds as discarded shells provide habitat for settling scallop larvae to attach to.
- Discussion on entry to the fishery:
 - Support for an apprenticeship program.
 - While a lottery is not best idea, how else to you let folks in?
 - Support for an exit ratio of 2:1 to a goal of 500 licenses for the fishery.
 - Need to address latent licenses.
 - Any new licenses should be used within the first year or be relinquished back to state.
- Discussion on price – won't be seeing a \$7/lb price in future. In 2017 when huge year class of scallops recruit up to the Federal fishery in the rotational areas, price may weaken, but only to \$10.50 at the lowest.

NOVEMBER 23 · Ellsworth

Attendance: Cecil H., Chris Gross, Chris Urquhart, Togue Brawn, Ed Guptill, Rick Guptill, Tony Wood, William Soukup, Shirley Soukup, Forest Dow, James Damon, Zack Damon, Rob Bauer, Dana Black, Scott Keenan, George Bamford, Dana Mitchell, Alex Todd, Jeff Turcotte, Willian Hardie Jr., Walter Kumeiga, Carla Guenther, Victor Doyle, Caitlin Trafton, Bill Anderson, Donald Havener, Ray Swenton, Trisha Cheney and Brian Gordius.

Summary:

- Clarification about mooring closures and the need to “unshackle” and stow gear when transiting.
- Discussion on mooring fields being “frozen” in Lubec.
- Review of the port and the sea sampling programs as well as the in-season surveys that are planned for Cobscook, Machias, Gouldsboro and Vinalhaven for upcoming season.
- Discussion on latent licenses & entry. Question was posed as to why the Department does not see the latent licenses as an issue for the fishery. Some fishermen stated they are holding on to their licenses in case there are lean years in other fisheries, so they have another option to diversify their income.
- General support for an apprenticeship program, however, it would be hard for people living on outer islands to be able to participate in such a program if there is not a license holder living there. If an entry program was established, the SAC would make a recommendation to the Department for rulemaking; after approval by the DMR Advisory Council, Representative Kumeiga stated that it would have to go back to the Legislature for final approval. One participant mentioned that this fishery used to support over 1000 scallop vessels, however, it is likely that an exit ratio would be needed as part of a reentry program while the fishery continues to rebuild.
- One participant asked about collecting scallop spat and dumping larvae on scallop beds.

NOVEMBER 30 · Whiting

Attendance: Mike Murphy Jr., Barry Huckins, Joe Sawtelle, Avery Kelley, Deriek Kelley, Jeff Smith, Billy Moore, Adam Troublely, Carol Dennison, Ralph Dennison, Mike Murphy Sr., Jim Ackley, Lisa Leighton, Tim Sheehan, Adam Boutin, Earl Small, Ellery Mahar, Janet Weston, Mary-Alice Look, Justin Maker, Danny Jodway, Trisha Cheney, Mike Kersula and Joe Wodjenski.

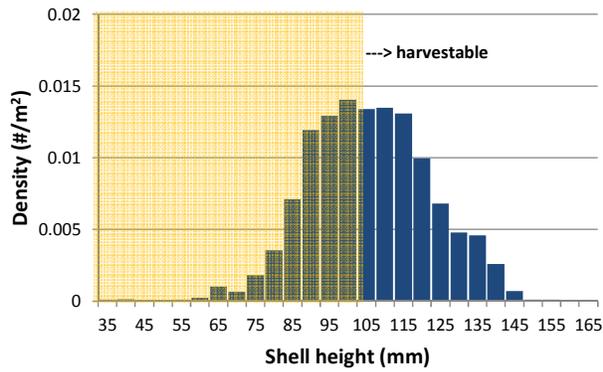
Summary:

- Review of estimated biomass available for coming season, which is 346,000 lbs and is 40% compared to last season. Approximately 29% of all scallops are legal, so the majority is sublegal and just under the measure. Last season harvested ~220,000 lbs. or 37% of what was available. Meat sizes in fall survey also looked 15% smaller compared to last season. Whiting & Dennys Bays has ~30,000 lbs available, which is 26% less than last season. May be looking at a lower amount this year, however will be using the in-season surveys again this year to monitor changes in abundance.
- Discussion regarding the Pembroke Mooring restrictions to fleet from the outer shore as request for Commissioner or Governor to step in if possible to help retain access by this component of fleet.
- Review of upcoming sea and port sampling programs planned for Cobscook Area.
- Meat count should be updated and based on current survey data as based on old 3.5" shell size.
- Question regarding how someone can get a certified bucket. Folks can contact Bradford Bacheldor at (207) 287-3841 to get their buckets certified at the cost of ~\$40 or have a patrol office do it for free.
- Discussion regarding new entry to the fishery and that there needs to be a program for young people to get in.
- Support keeping the whole bay open again this year like last, with access to St. Croix if possible.
- Discussion on clappers in Whiting & Dennys Bays last year and possible predation by green crabs and sea stars as well as some folks shucking with shell on as possible causes. Highest amount of clappers was observed in 2013, which was a big sea star year.

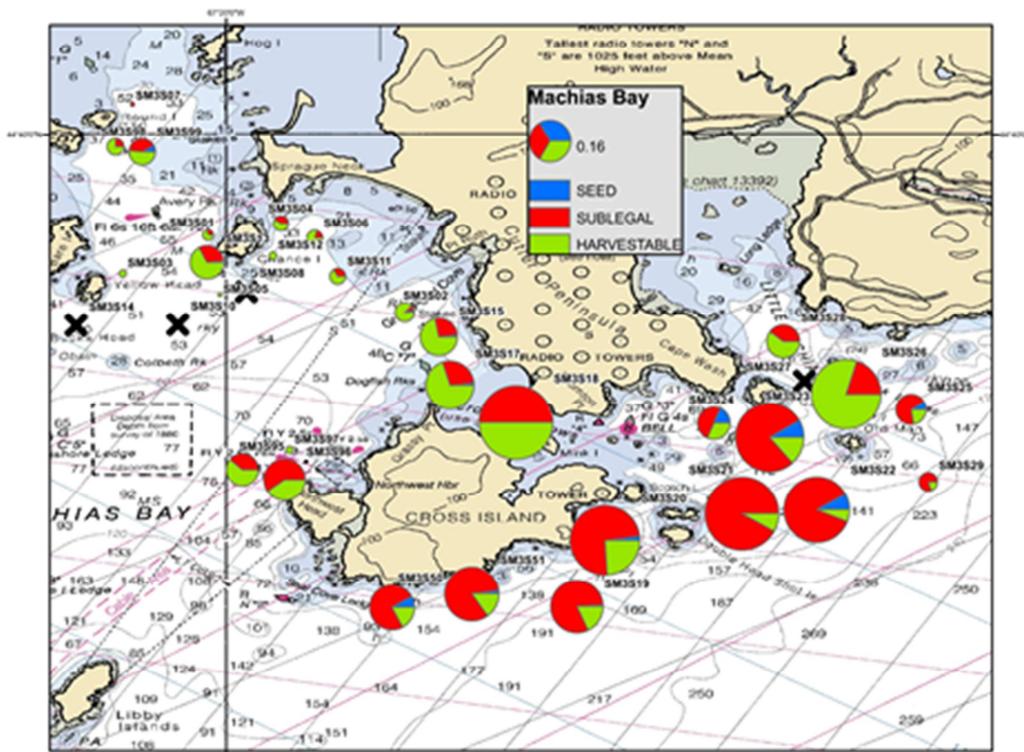
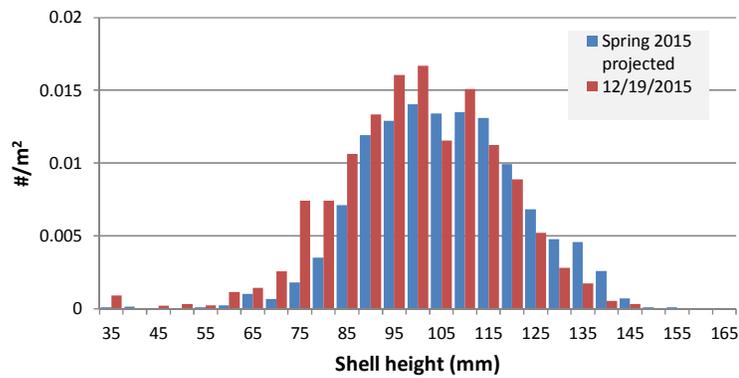
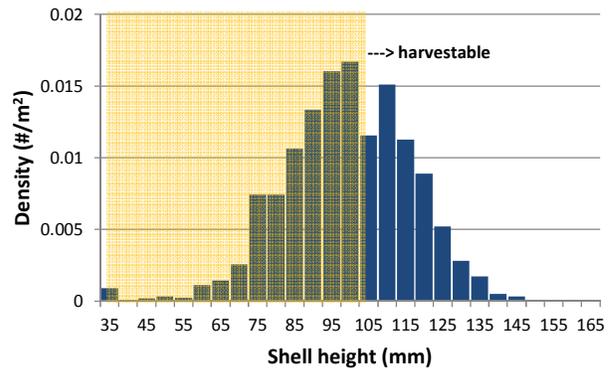
Appendix B

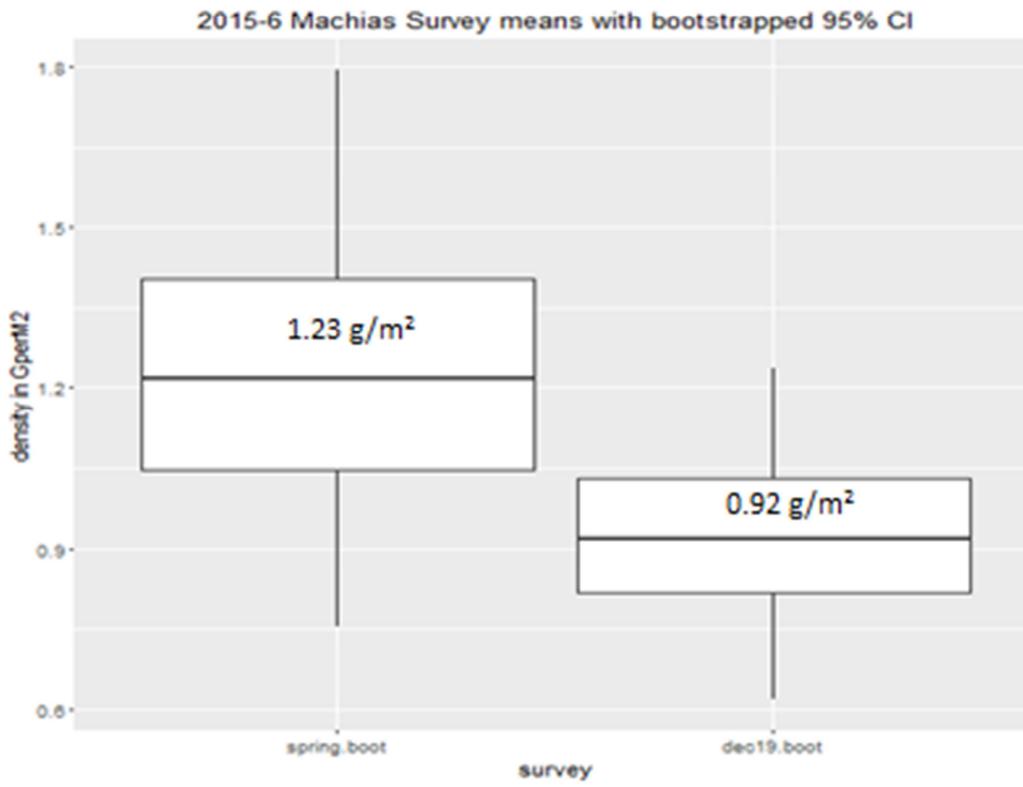
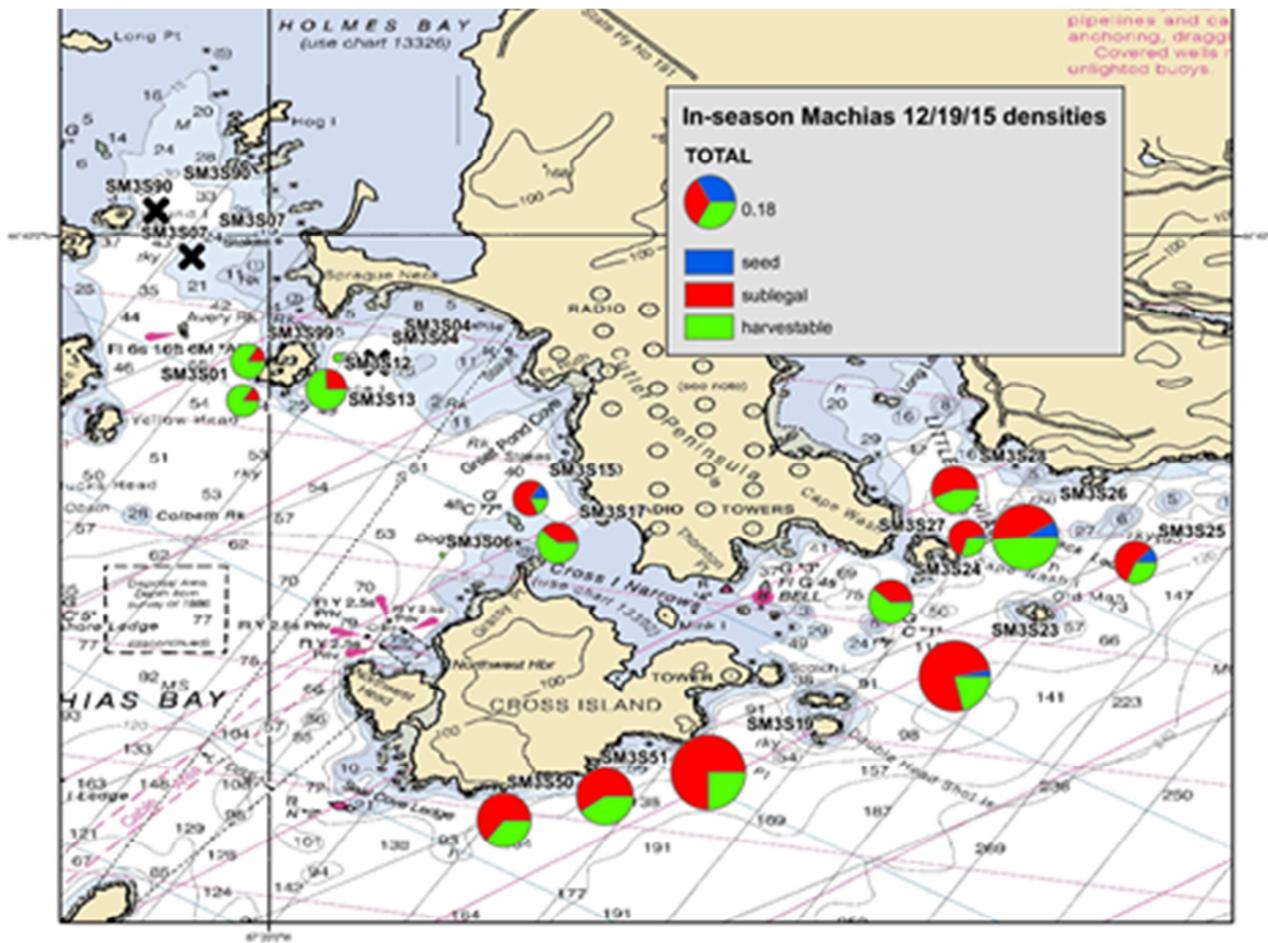
Mike Kersula's Survey Slides.

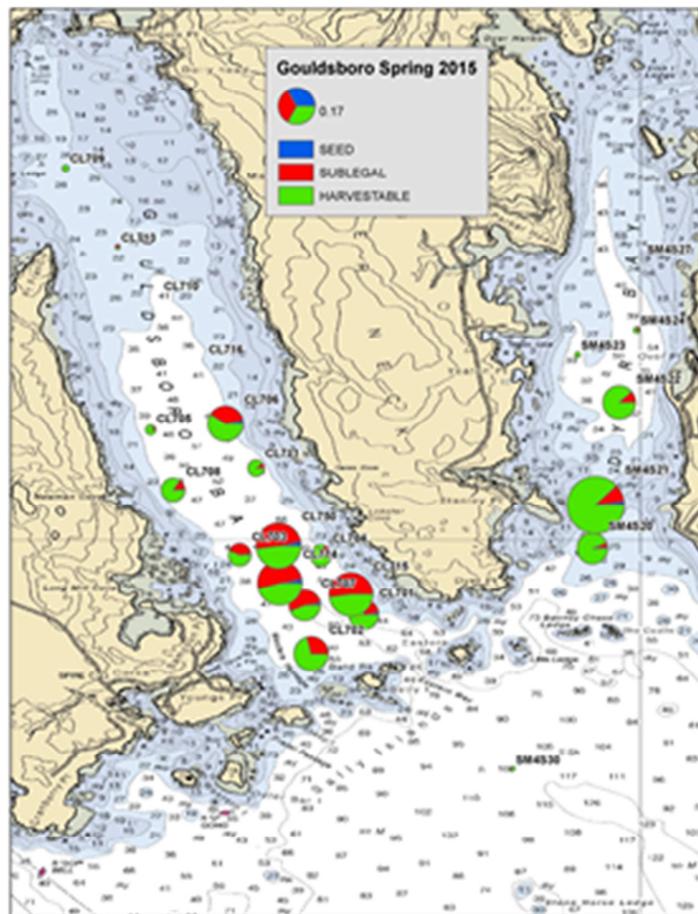
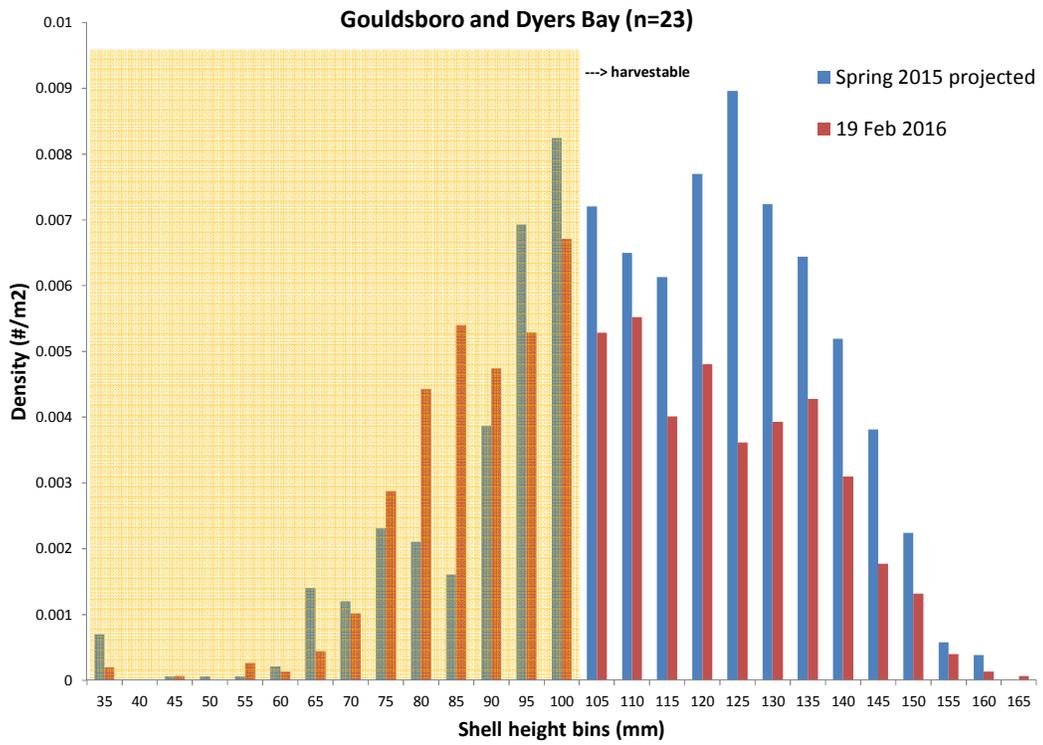
Machias Bay projected scallop densities (n=1470)
2015 34 stations

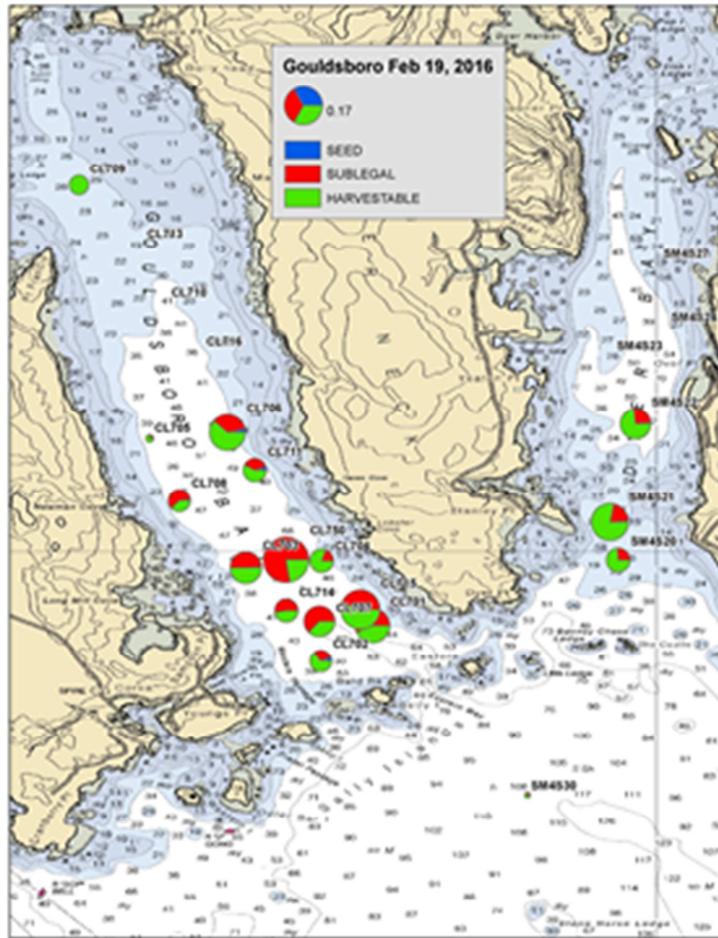


Machias Bay in-season scallop densities (n=1167)
12/19/2015 19 stations

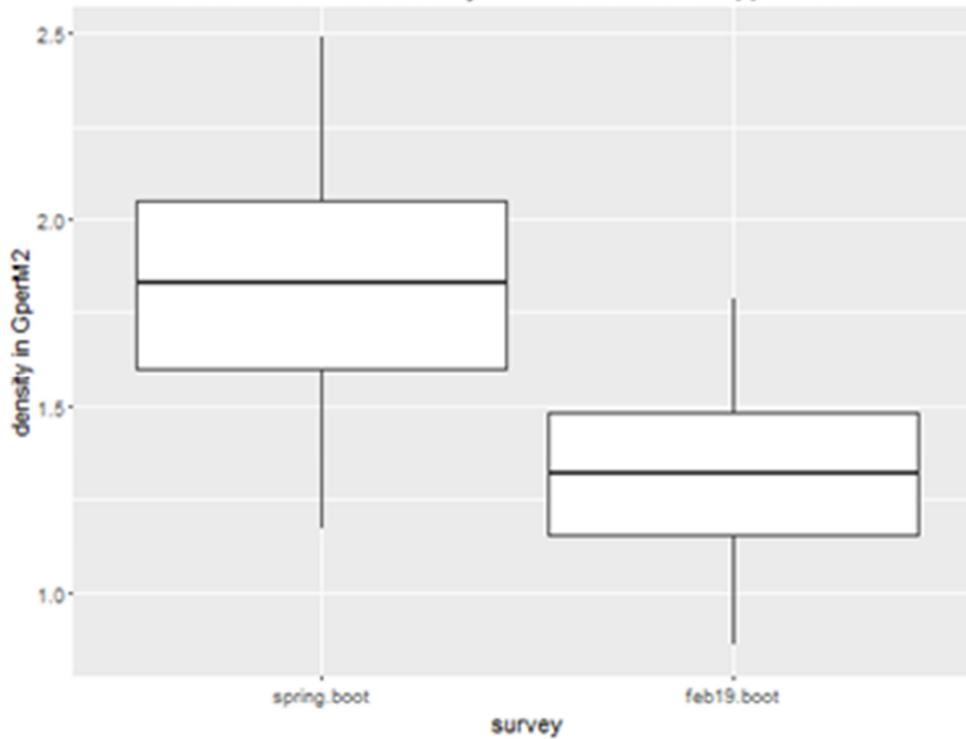


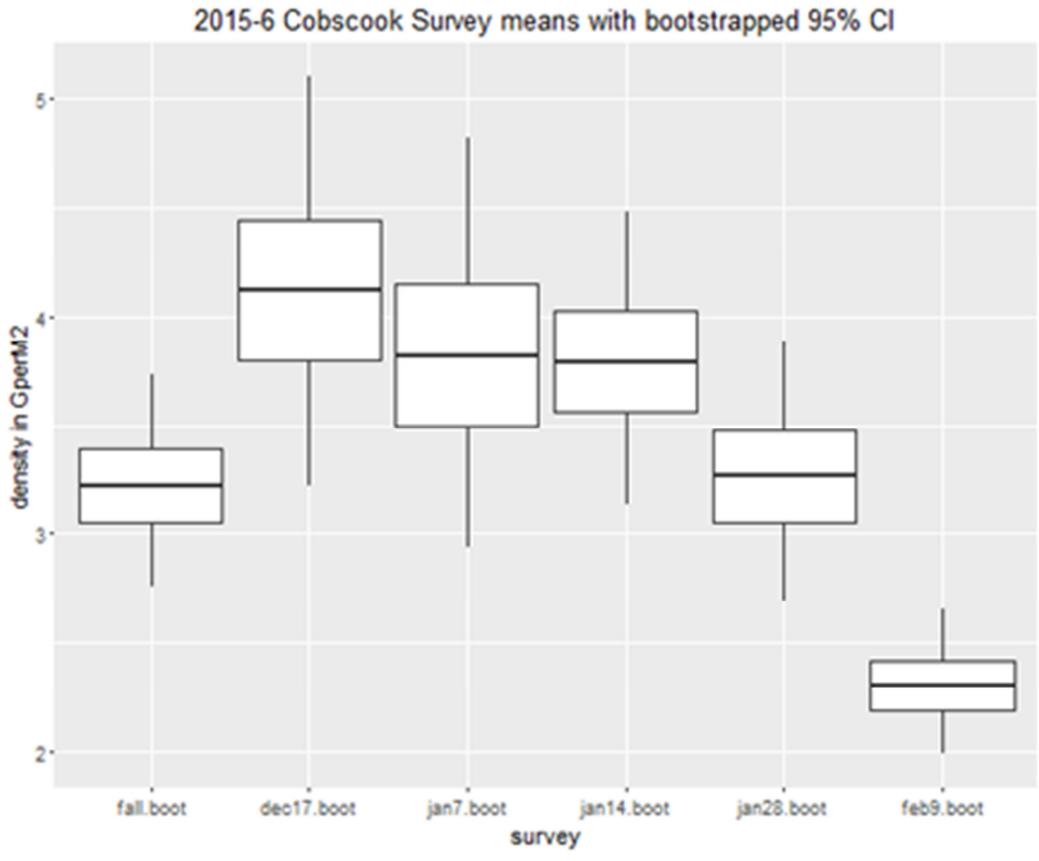




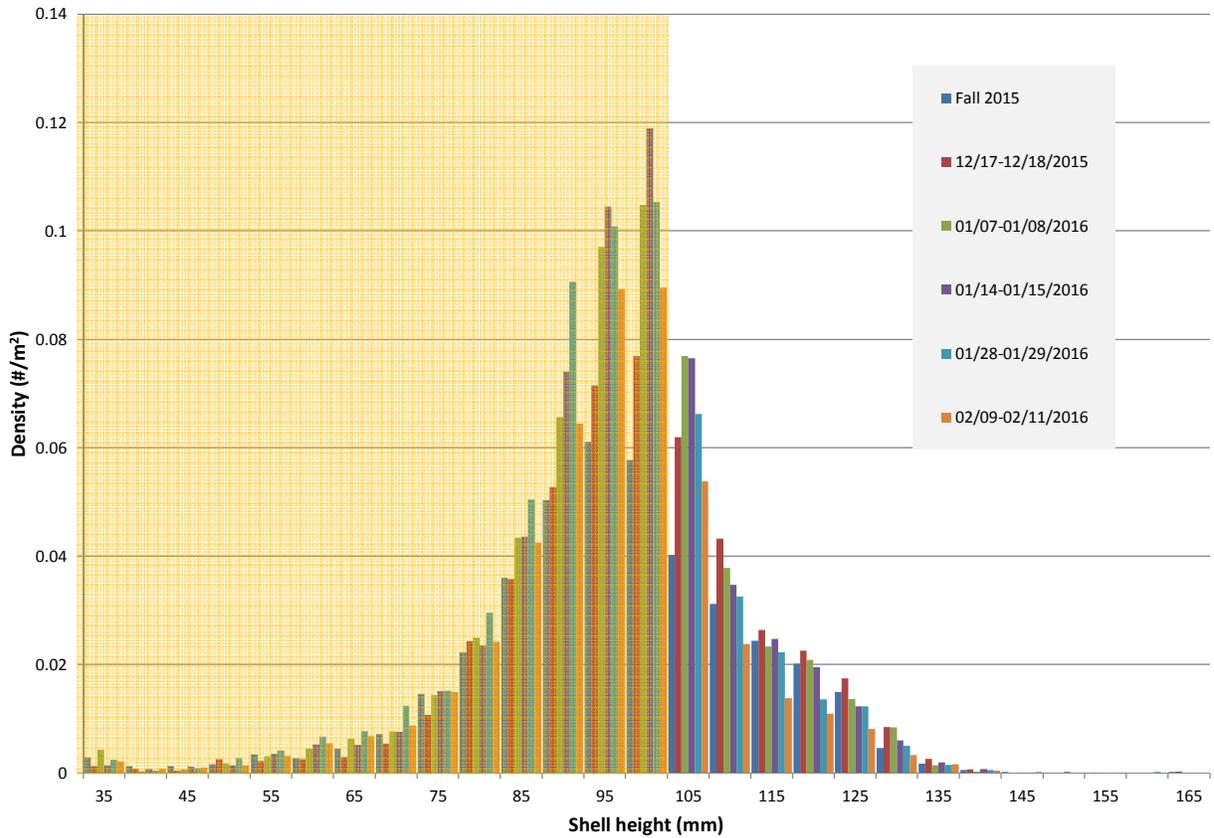


2015-6 Gouldsboro Survey means with bootstrapped 95% CI

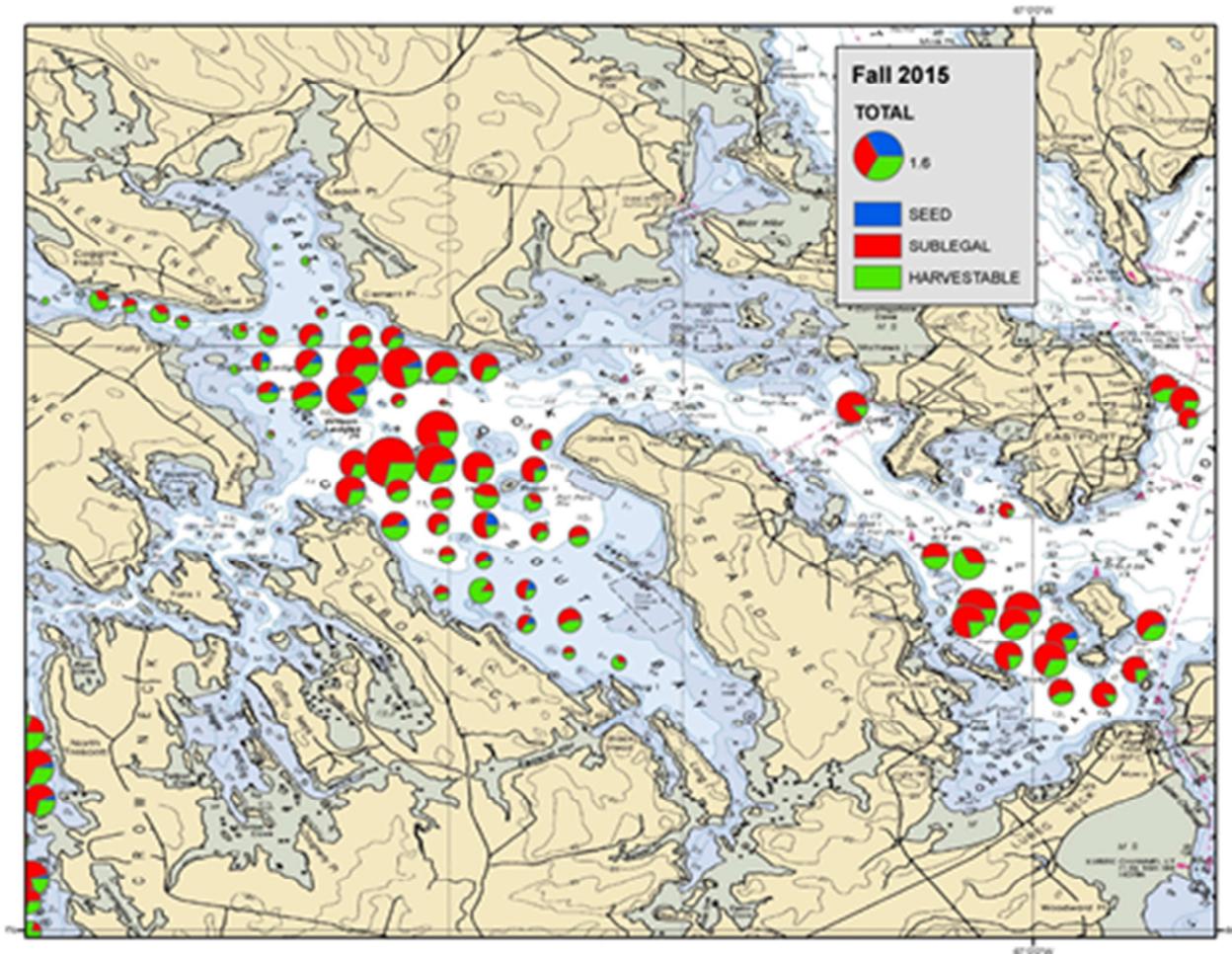
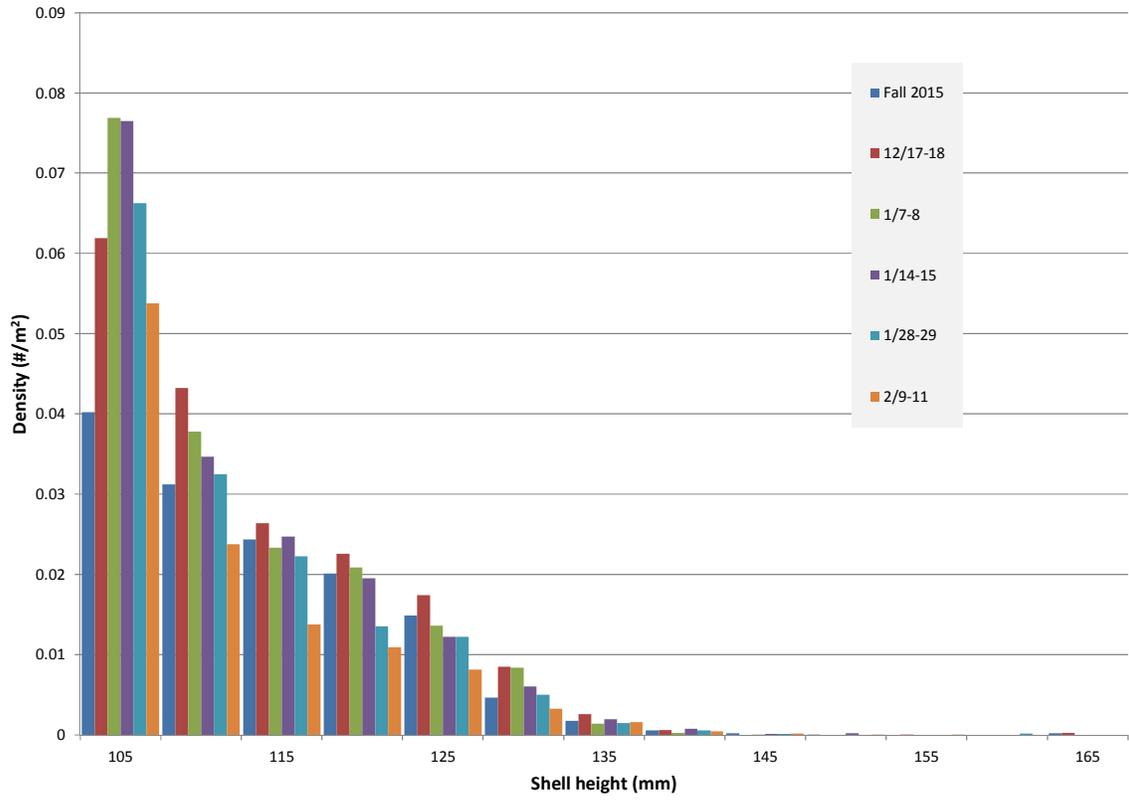


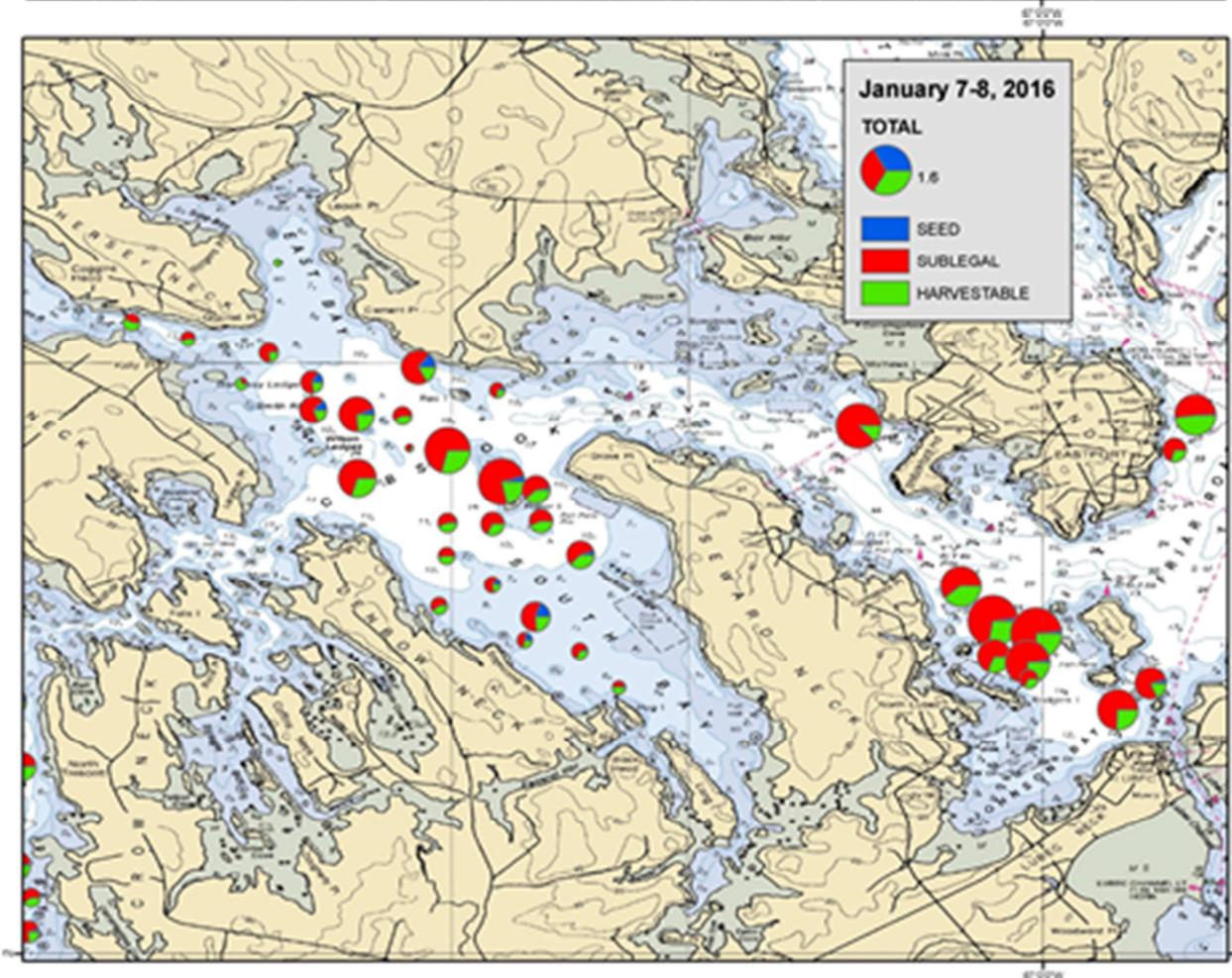
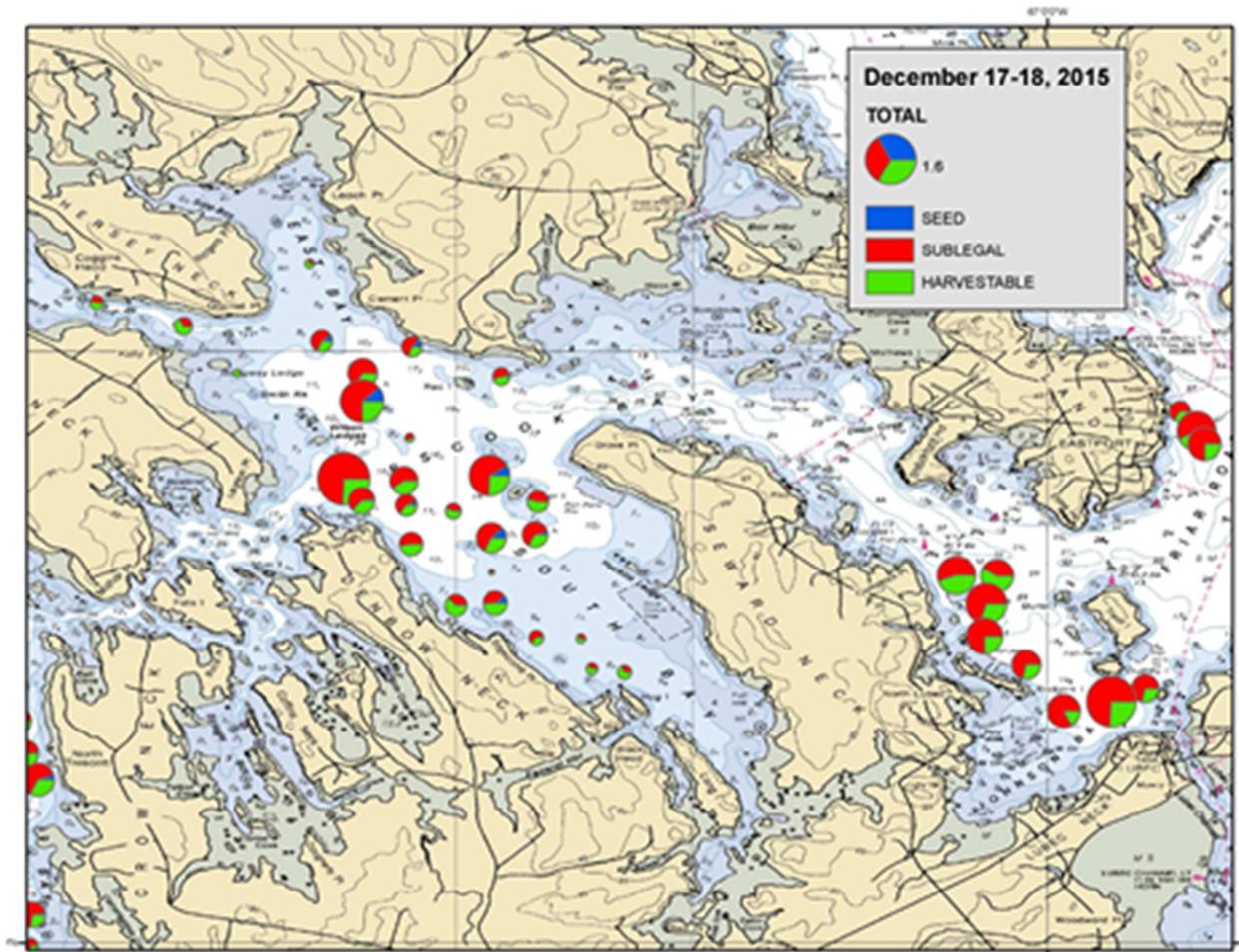


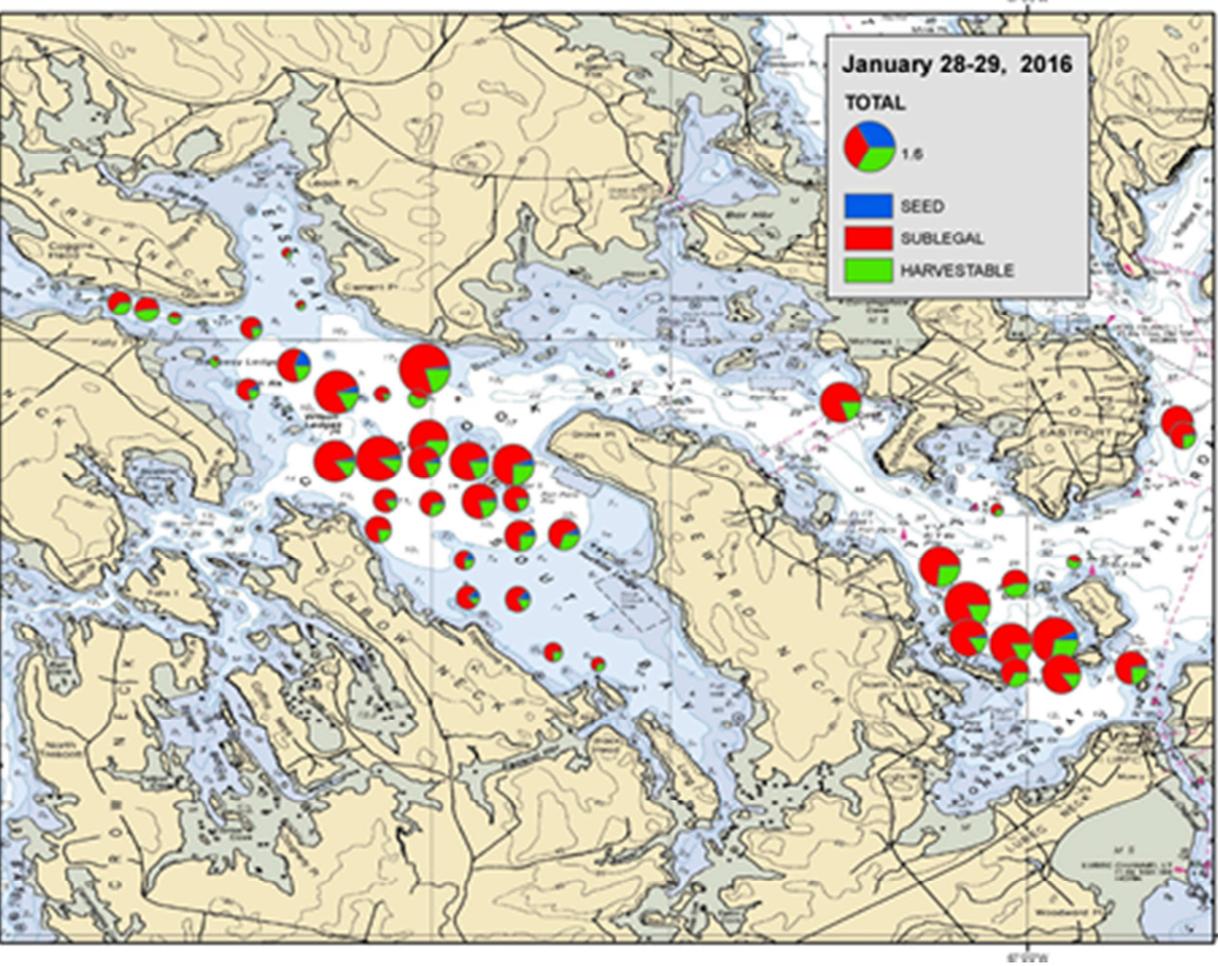
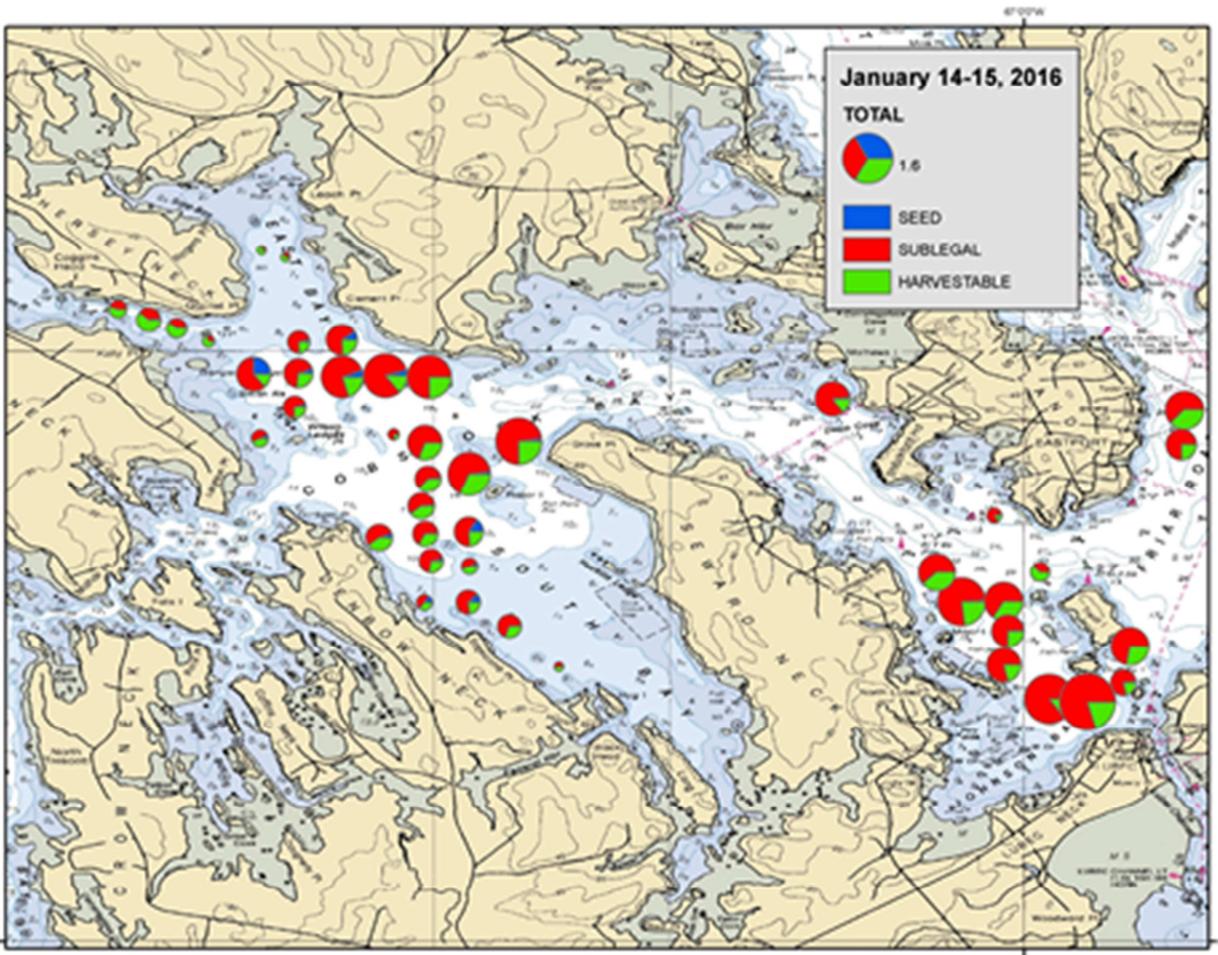
COBSCOOK

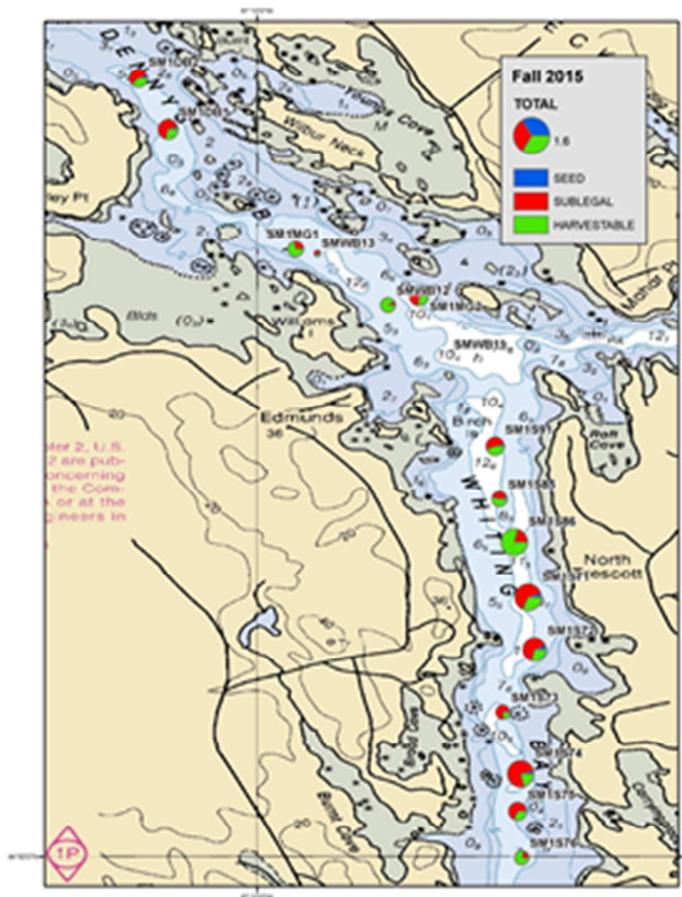
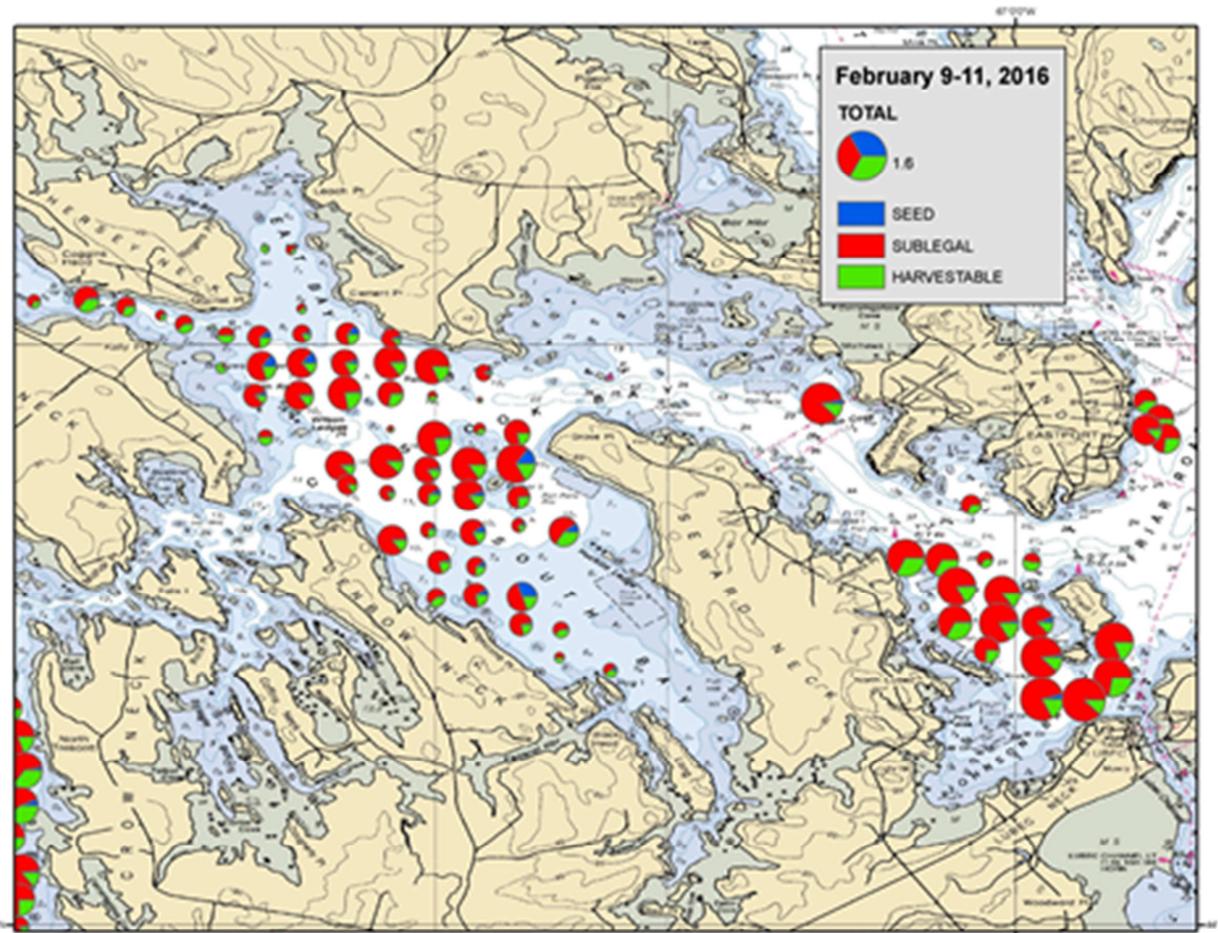


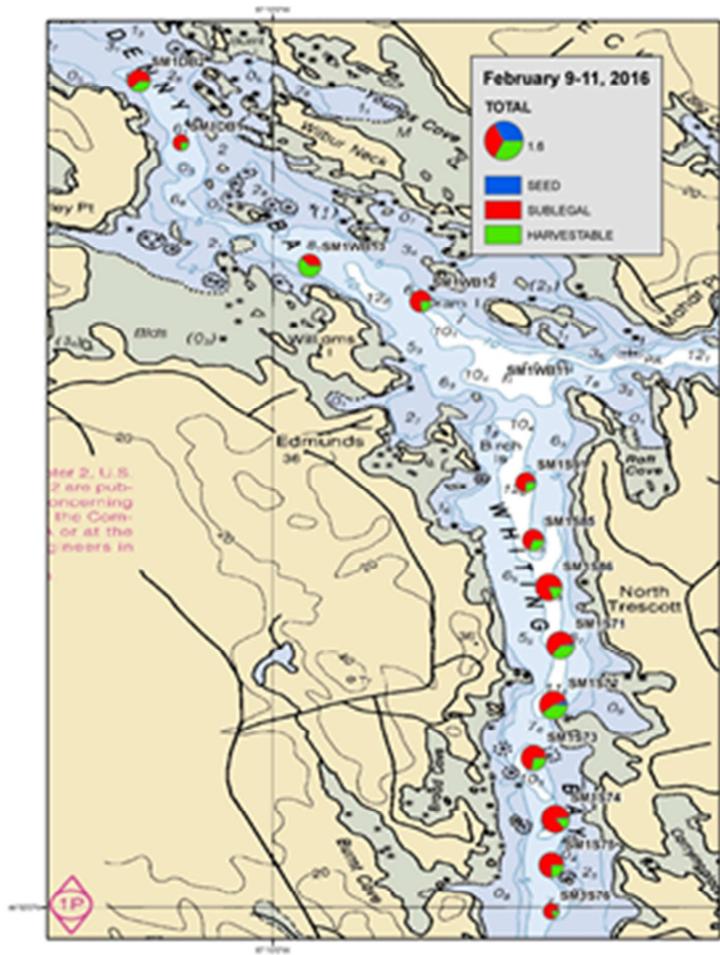
COBSCOOK



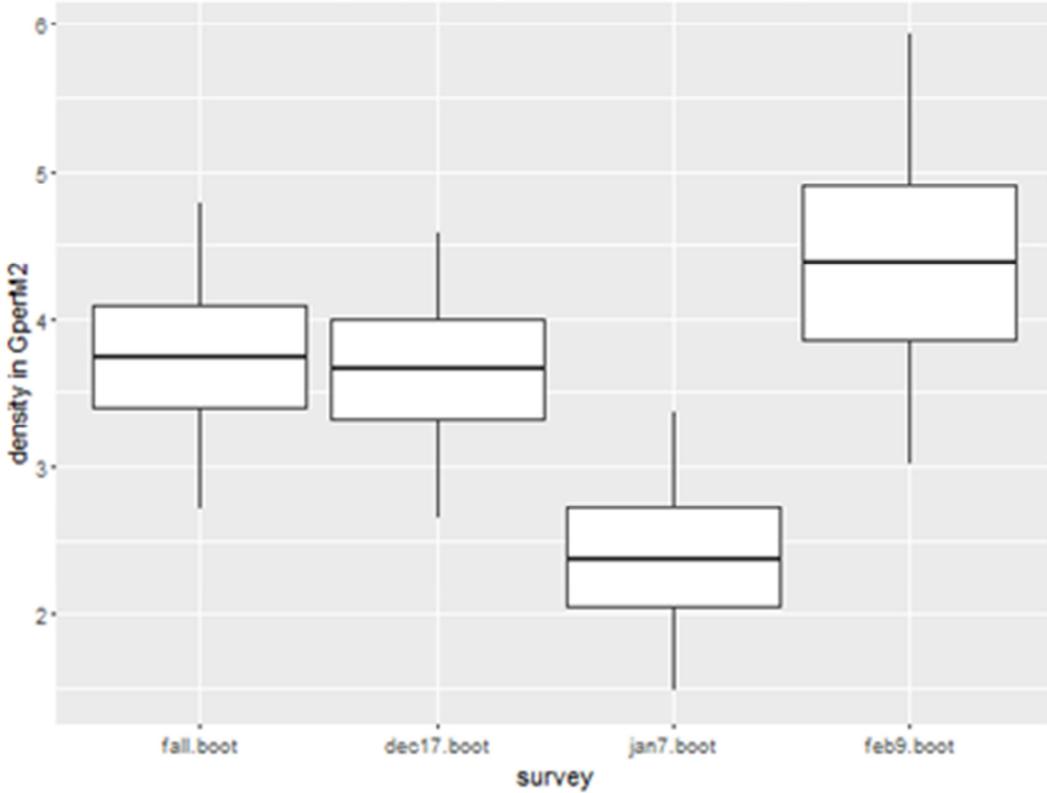






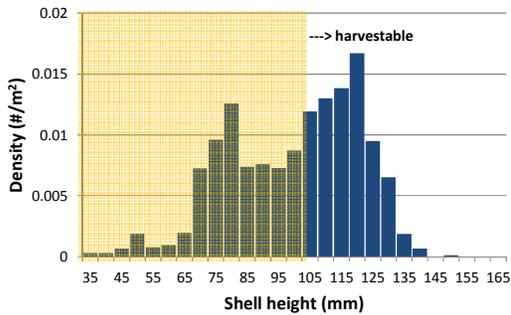


2015-6 Whiting Bay Survey means with bootstrapped 95% CI



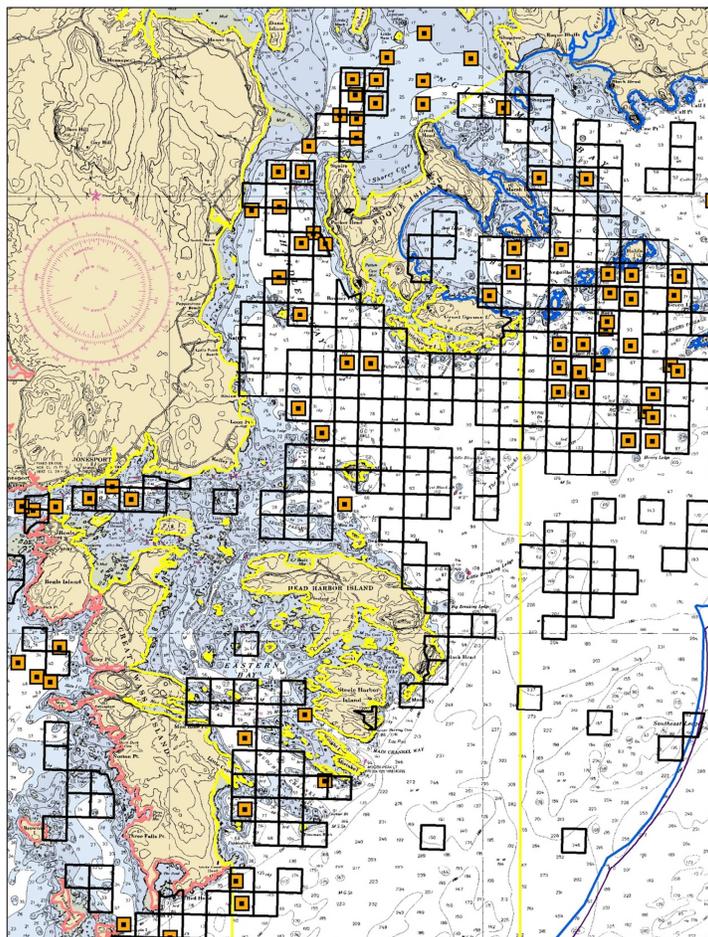
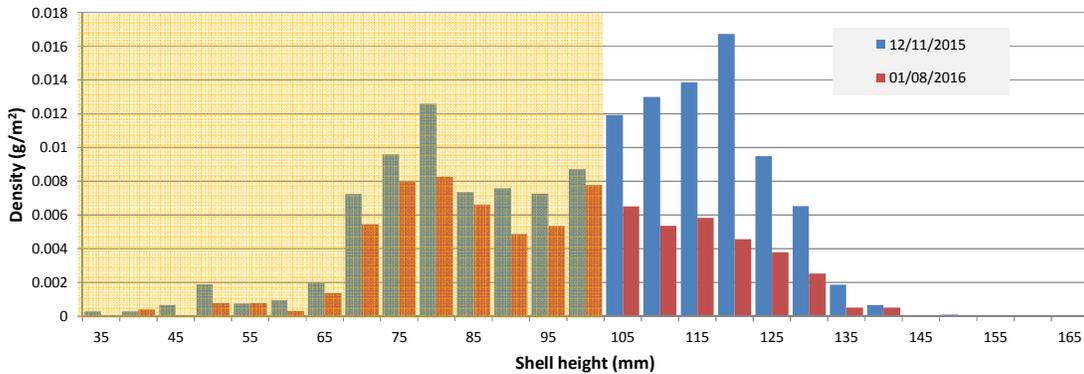
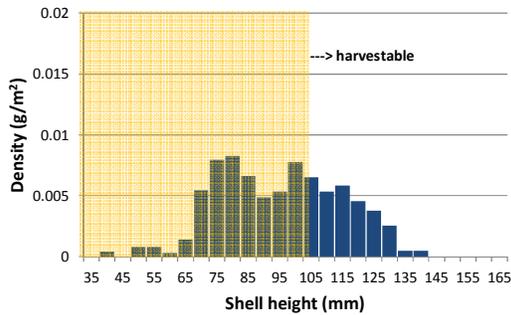
Vinalhaven scallop densities (n=1414)

12/11/2015 18 stations



Vinalhaven scallop densities (n=817)

01/08/2016 18 stations



Appendix C

Trish Cheney's Slides.

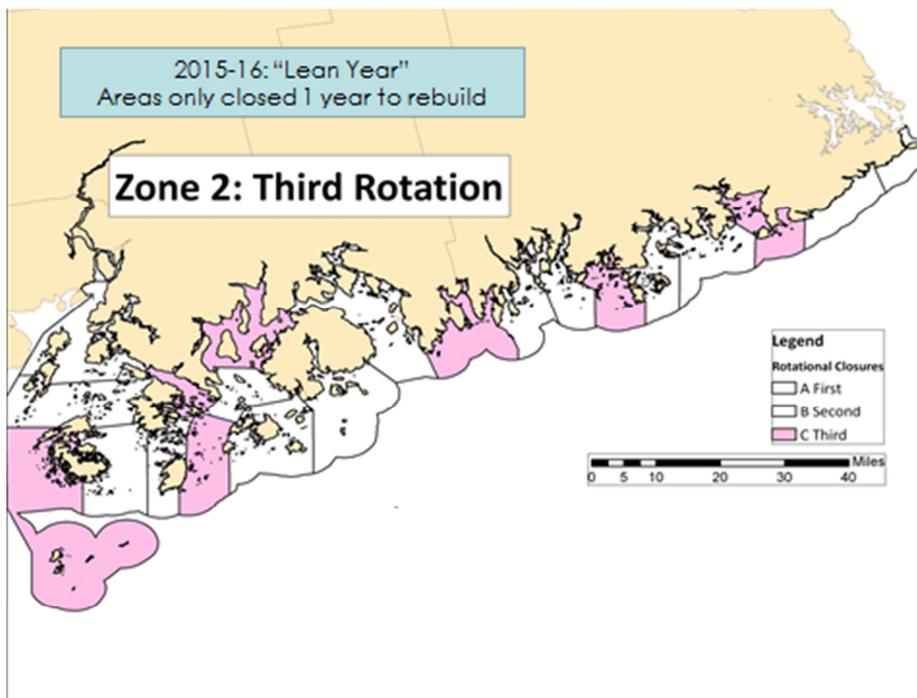
Scallop Advisory Council Meeting

March 31, 2015

Brewer, ME

- I. Welcome and review of agenda
- II. Approval of last meeting minutes (06/04/2015)
- III. DMR Updates
 - DMR In-Season & Spring Survey Update
 - 2015-16 Season/Landings Update
 - Legislative Update
 - NGOM Update
 - 2016-17 Season Outlook
- IV. Discussion: 2015-16 Season
- V. Discussion: 2016-17 Season
- VI. Other Business
- VII. Adjourn





2015-16 Maine Scallop Season Overview

IN-SEASON ACTIONS

March 18, 2016: [Notice of Emergency Rulemaking - Chapter 11.22 Targeted Closures \(21\)\(22\)\(23\)\(24\)\(25\)\(26\)\(27\) Inner Machias Area, Wohoa/Western Bay Rotational Area, Gouldsboro/Dyers Bay Rotational Area, Upper Blue Hill Bay/Union River](#) - pdf file, 1.08 MB

- [Inner Machias Area Closure](#) [Offshore remains open]
- [Wohoa/Western Bay](#) - Entire Rotational Area CLOSED
- [Gouldsboro/Dyer Bay](#)- Entire Rotational Area CLOSED
- [Upper Blue Hill Bay/Union River](#)- Entire Rotational Area CLOSED
- [Jericho Bay Closure](#) [Offshore remains open]
- [Eggemoggin Reach/Southeast Harbor](#)- Entire Rotational Area CLOSED
- [Casco Bay Area Closure](#) [Diving Allowed]

UPDATED LOCAL CHARTS

- [Zone 1 Charts](#)
- [Zone 2 West Charts](#)
- [Zone 2 East Charts](#)
- [Zone 3 Charts](#)

March 9, 2016: [New Approach to Scallop Monitoring Results in Re-Opened Fishing Grounds](#)

February 5, 2016: [Notice of Agency Emergency Rulemaking - Chapter 11.22 Targeted Closures \(18\)\(19\)\(20\) Cobscook Bay, St. Croix River and Owls Head - Effective Date February 6, 2016](#) - pdf file, 987 KB

In-Season Closure Area Charts:

- [Cobscook Bay Closure](#)
- [Owls Head Closure](#)

January 22, 2016: [Notice of Emergency Rulemaking - Chapter 11.22 Targeted Closures \(1\)\(17\) Muscle Ridge and Western Penobscot Bay - Effective date January 23, 2016](#) - pdf file, 4.57 MB

In-Season Closure Area Charts:

- [Muscle Ridge Closure](#)
- [Western Penobscot Bay Closure](#)
 - [UPDATED Western Penobscot Bay Chart](#)

January 16, 2016: [Notice of Agency Emergency Rulemaking - Chapter 11.22 Scallop Targeted Closures \(6\)\(15\)\(16\) South Portland Harbor, Vinalhaven & Fox Island Thorofare and Whiting & Dennys Bays. Effective Date January 16, 2016](#) -

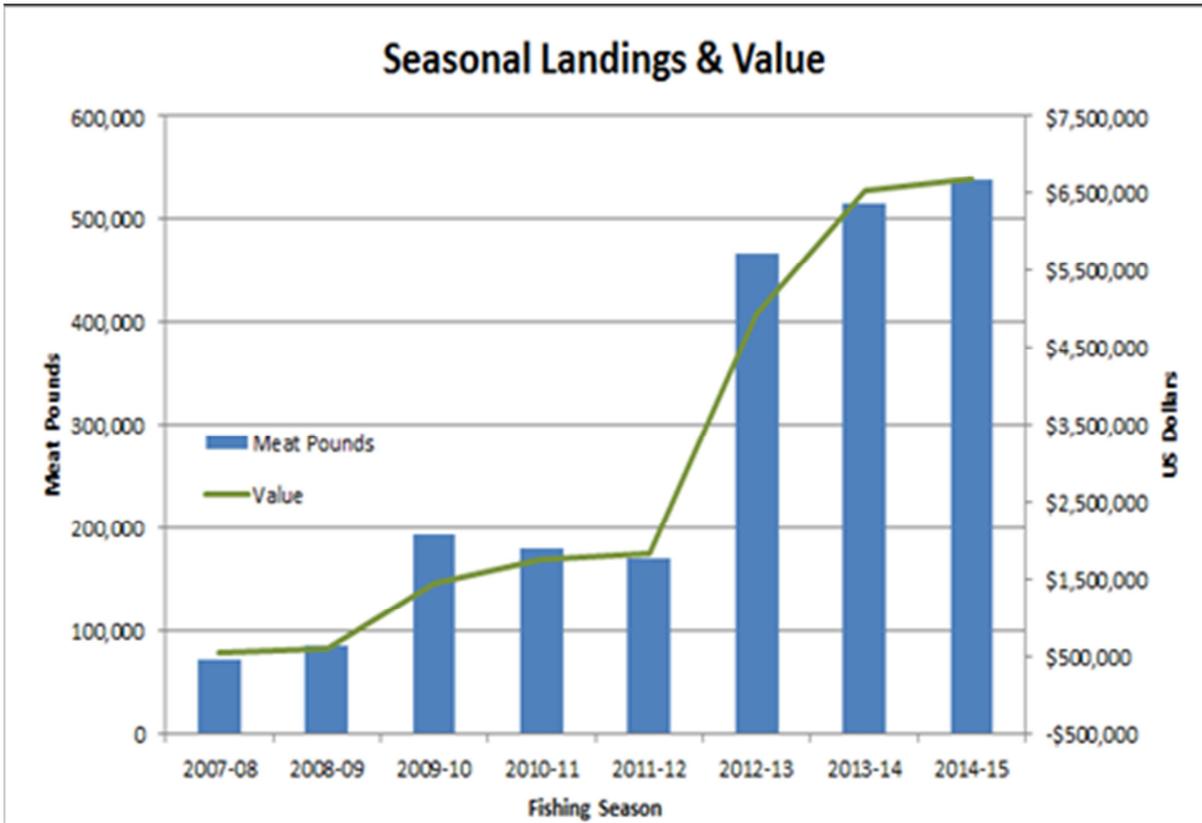
In-Season Closure Area Charts:

- [Vinalhaven & Fox Island Thorofare Closure](#)
 - [UPDATED Lower Penobscot Bay & Outer Islands Chart](#)
- [Whiting & Dennys Bays Closure](#)
 - [UPDATED Zone 3 \(Cobscook Bay & St. Croix\) Chart](#)

December 11: [Notice of Agency Emergency Rulemaking - Chapter 11.22 \(1\) \(12\) \(13\) \(14\) Muscle Ridge, Gouldsboro and Dyer Bays, Wohoa Bay and Jonesport Reach and Inner Machias Rotational Area. Effective Date December 13, 2015](#)

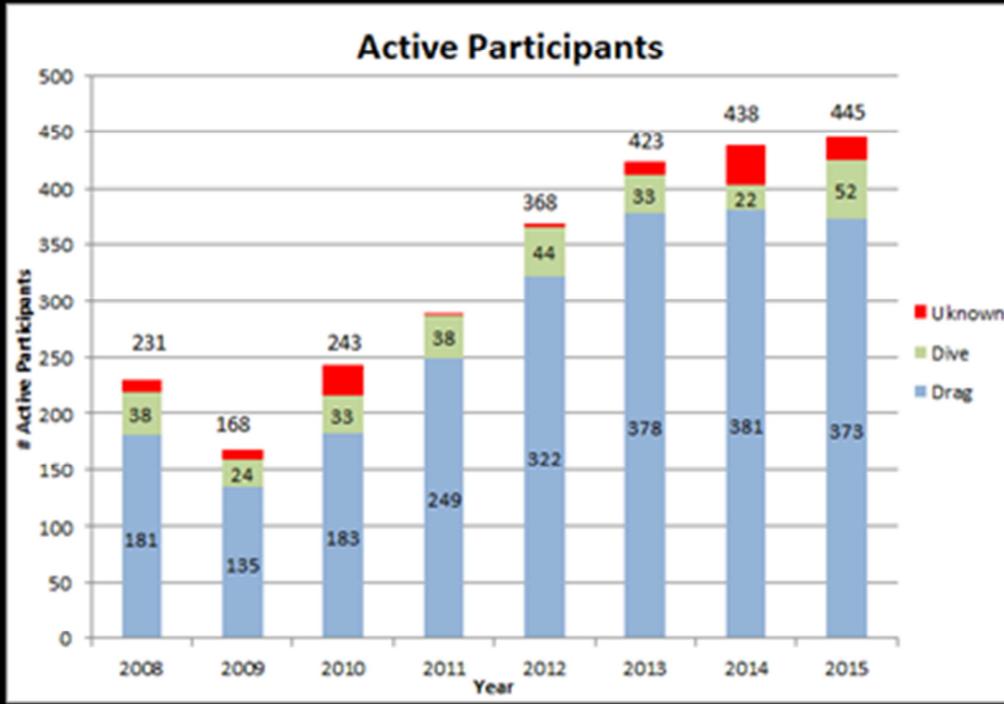
In-Season Closure Area Charts:

- [Gouldsboro and Dyer Bays Emergency Closure](#)
 - [UPDATED Gouldsboro Area Local Chart](#)
- [Wohoa Bay and Jonesport Reach Emergency Closure](#)
 - [UPDATED Addison/Jonesport Area Local Chart](#)
- [Inner Machias Bay Rotational Area Emergency Closure](#)
 - [UPDATED Machias Area Local Chart](#)



Increasing Participation

Driven by recovering fishery, shrimp fishery closure & historically high price (\$12.70/lb. in 2015)



NGOM Management Area - TAC



NGOM TAC
State Waters Catch

OFL = F of 0.48

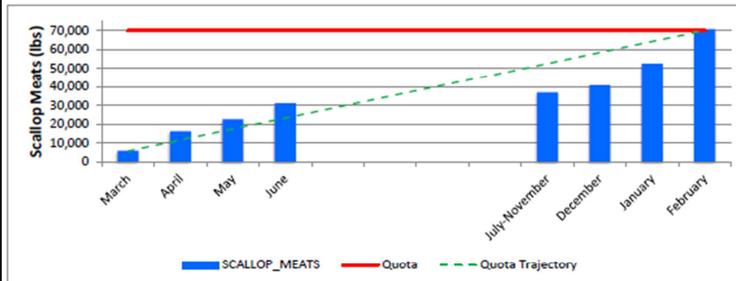
- NGOM resource is not currently incorporated into the overall assessment of the scallop resource.
- ACL/TAC is treated separately – Two step process:
 - Estimated catch is added to the overall OFL value
 - Catch is later removed from OFL before setting ABC
- Hard-TAC of 70,000 lbs since A I I

Limited Access General Category Scallop Northern Gulf of Maine Landings

Report run on: March 10, 2016
 For data reported through: March 9, 2016
 Quota period: 2015
 Quota period dates: 03/01/15 to 02/29/16

Month	Pounds	Cumulative Pounds*	Percent of quota (70,000 lb)
March	6,090	6,090	8.7%
April	10,360	16,450	23.5%
May	6,344	22,794	32.6%
June	8,379	31,173	44.5%
July-November	5,807	36,980	52.8%
December	3,880	40,860	58.4%
January	11,631	52,491	75.0%
February	18,256	70,747	101.1%

*In order to comply with data confidentiality requirements this table will no longer show weekly landings



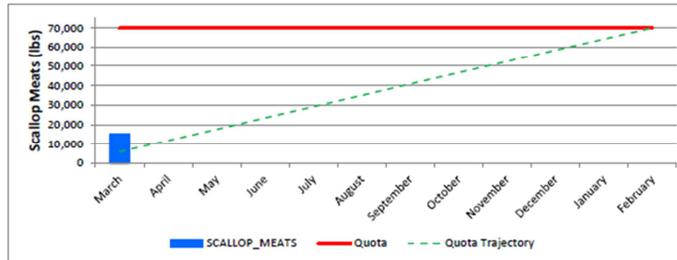
These data are the best available to NOAA's National Marine Fisheries Service (NMFS) when this report was compiled. Data for this report are supplied to NMFS from vessels via the Vessel Monitoring System, Scallop Pre-Landing Reports, and Vessel Trip Reports, and dealers via Dealer Electronic Reporting. Data may be preliminary. Discrepancies with previous reports are due to corrections made to the database.

**Limited Access General Category Scallop
Northern Gulf of Maine Landings**

Report run on: March 24, 2016
 For data reported through: March 23, 2016
 Quota period: 2016
 Quota period dates: 03/01/16 to 02/28/17

Month	Pounds	Cumulative Pounds*	Percent of quota (70,107 lb**)
March	15,158	15,158	21.7%
April			
May			
June			
July			
August			
September			
October			
November			
December			
January			
February			

*In order to comply with data confidentiality requirements this table will no longer show weekly landings
 ** Quota will be updated to reflect Framework 27



These data are the best available to NOAA's National Marine Fisheries Service (NMFS) when this report was compiled. Data for this report are supplied to NMFS from vessels via the Vessel Monitoring System, Scallop Pre-Landing Reports, and Vessel Trip Reports, and dealers via Dealer Electronic Reporting. Data may be preliminary. Discrepancies with previous reports are due to corrections made to the database.

2016-17 Season Outlook

- **Swipe Card Implementation**
- **Improve Diver Access**
- **Zone 1: Considering New Management Framework**
- **Zone 2: Spring & In-Season Survey Work**
 - Spring survey will inform pre-season targeted closures
 - High concentrations of seed
 - Spat Production/Broodstock closures
 - East side of Moosabec Reach? Others?
 - 5 Year review at end of next season
 - With swipe cards will have 2016-17 and finalized 2015-16 landings data to assist with evaluation of Rotational Management Program
- **Zone 3: Fall & In-Season Survey Work**
- **Continue Pilot Tracking Project**

