

## **Cobscook Scallop Fishermen's Meeting**

*Sponsored by the Cobscook Bay Fishermen's Association and the Cobscook Bay Resource Center*

**Pembroke Elementary School**

**February 27, 2012**

*About 30 participants. Please refer to participant's list.*

Scott Emery, chair of the Cobscook Bay Fishermen's Association opened the meeting and asked Will Hopkins to moderate. Will reminded the group of the three rules of CBFA meetings:

1. Everyone gets a chance to speak.
2. Only one person speaks at a time.
3. Don't make it personal.

When asked, the group had no problem with these rules.

Will explained that participants at the Scallop Advisory Council meeting held on February 15, 2012 considered many questions about opening the closed areas in December 2012 and other scallop management issues. All Cobscook Bay scallopers received an invitation to this meeting tonight to be sure that they understand what is being discussed at the state level. He noted that Barry Huckins who is on the SAC, as well as Tom Pottle and Scott Emery, had attended the SAC meeting and that they would be speaking about what they heard at that meeting.

Will pointed out that minutes from the SAC meeting had been emailed by DMR to interested parties and some graphs and other information from the minutes would be projected during tonight's meeting. The SAC minutes included not only ideas that people agreed on, but any idea that was proposed. The listing of an idea in the SAC minutes does not mean that it is accepted by the SAC or DMR, only that at least one person proposed it as an idea.

Barry Huckins reported from the Scallop Advisory Council meeting held on February 15, 2012:

- He proposed a 32 day season for 2012-13 for Cobscook Bay only. The state is now interested in this idea for the entire coast. This proposal calls for three fishing days per week - Mon, Wed, Fri.
- The state wants the Cobscook Bay Fishermen's Association to participate more in rulemaking.
- He has worked with Pat Keliher for about 12 years and feels that Pat is someone who will work with fishermen.
- Cobscook fishermen are talked about as the most organized in the state.
- The SAC is talking about scallop "areas" or zones. Fishermen would pick the area they want to fish in each year.
- 72% of all scallop licenses are from Washington and Hancock counties.
- There was not much fishing in Cobscook Bay this year because it was beat up so bad last year.

Tom Pottle, Scott Emery and Jimmy Ackley reported other ideas presented at the SAC meeting:

- Installing a black box (Locus Traxx) to track your boat. You wouldn't have to fish on specific days, you could choose the day with the best weather to fish. DMR has said that use of black box would be voluntary in the first year and is proposed only for scalloping. You rent the box for \$40/month and only for the months when you are fishing.
- Open all closed areas on the same day.
- Apply the meat count statewide.
  - *Discussion:* Scallops are the only fishery product brought to shore where there is no measurement required.

What about areas where the meats don't grow big? Each area should have its own meat count. Enforcement is a problem. Not if we institute the black box.

What if you are fishing in two areas, which meat count applies? The most restrictive meat count should apply.

- Change statewide catch limits to somewhere between 90-135 lbs per day from the current 200 lb statewide catch limit.
- Call Trish DeGraaf at DMR to get on the email list for receiving information from SAC meetings.

### Port Sampling

Will noted that in the SAC minutes there was a report on port sampling. When asked if anyone in the group had participated in port sampling, only three or four fishermen replied that they had at one time or another.

### Scallop Assessment Surveys Conducted by DMR

The guys who were at the SAC meeting said that Kevin Kelly had presented his closed areas survey results from 2010 and 2011, but even Kevin himself said he was not sure of the numbers he was presenting at the SAC meeting and would need to review them.

#### *Discussion:*

- The DMR is towing bottom where they know there aren't any scallops.
- They find scallops in the places where there have traditionally been scallops.
- The state has closed 10% of the coast, but how much of that is actual scallop bottom?
- When surveying in closed areas, do they take into account the fact that kelp will jam up the drag and adjust their method? No, all tows are the same length and time. Then they are not getting an accurate count.
- Cobscook fishermen did not get an opportunity to participate in the state surveys because the survey in Cobscook was done in 2010 before fishermen were invited to participate.
- Mike Griffin was hired to take the DMR out to survey in 2009 and 2010 in the St. Croix River. In 2009, they found approximately 1500 count of scallops and in 2010 they found approximately 500 count of scallops. (There was general agreement that Canadian fishermen had crossed the international boundary and fished the area out.)

### What do stocks in the closed areas look like and how might they be opened?

The state is using the Kevin Kelly stock assessment numbers to plan for how to open the closed areas. Their assumption is that if you take 50% of the harvestable stock you are overfishing an area.

Graphs from the DMR stock assessment in the closed areas were projected on the wall which showed the following:

- Gouldsboro: 80,162 pounds of legal sized scallops (based on 2011 survey). If 100 boats fish in that area and catch 135 pounds day, the harvestable stock will be overfished in four days.
- Machias: 77,930 pounds of legal sized scallops (based on 2011 survey). If 100 boats fish in that area and catch 135 pounds day, the harvestable stock will be overfished in four days.
- Whiting/Dennys: 44,900 pounds of legal sized scallops (based on 2010 survey). If 50 boats fish in that area and catch 135 pounds day, the harvestable stock will be overfished in four days. DMR flagged opening of the Whiting/Dennys closure as having safety concerns.

#### *Discussion:*

- Most participants at this meeting did not seem to believe the stock assessment numbers.
- Is the state is using these calculations to lead to not opening the closed areas at all?
- The question is do you want to fish the legal size stock down to nothing every year? Or do you want to leave some legal size scallops on the bottom until the next year.

- Let's open all the closed areas at once. This will spread out the boats.
- Opening all the closed areas at once might lead to a glut of scallops on the market at one time and then the price would drop. The catch limit should take care of that.
- Zones would be beneficial, then we can manage based on what works for us and not worry about fighting with the guys down the coast.
- The Calais river closure was a mistake. Enforcement of Canadians illegally fishing in these waters hasn't been effective. Lesson learned: don't make any future closures on the international boundary if we can't enforce it.
- There were 583 scallop licenses issued in 2011. Of these 242 were actively fished. There were 341 latent licenses. Many of these latent licenseholders are gearing up to fish in 2012. The latent license concern is why the proposal for only one day per week fishing in the closed areas was proposed. There has to be some way to deter latent licenses.

The list of suggestions for Reopening of Closed Areas from the SAC meeting was reviewed

**Suggestions:**

- Declare into an area, limited to one or two areas only - This applies only to closed areas. It means you could only fish in one or two of the closed areas. The closed areas would all be open at the same time.
  - Discussion:*
    - This is zoning the closed areas.
    - Before the season starts, you would declare to the DMR which closed area you want to fish, the DMR would give you a pass to fish in a particular closed area.
    - But there isn't enough enforcement now, how is DMR going to enforce this?
    - With making people declare, the DMR will know how many boats are planning to fish in each closed area.
    - You would have to declare for a closed area before a certain date, if you didn't declare then you wouldn't get to fish in a closed area at all.
    - It is unclear what the state is going to do if too many people declare for a particular closed area.
    - They should only allow Cobscook licenseholders to fish in Whiting/Dennys Bay.
    - They should limit the number of pounds per day based on how many boats have declared for that area. If it's too many boats, then it should be a really low daily catch limit. Don't allow people to change to another closed area after the catch limits are determined. This should deter people from choosing that area the next year.
- Daily reporting may be required for a closed area.
- Black box (Locus Traxx)
- Increase minimum age of scallops to 5 years old
- Statewide meat count - same number coastwide
- 50 pound daily catch limit statewide when closed areas are open
- Close the rest of the state and only open closed areas
- Reduce the daily catch limit for the rest of the state from 200 lbs
- Barry's Cobscook season proposal
  - Discussion:*
    - Why not just allow fishing for three straight days rather than this every other day scheme?
    - This proposal does not include the closed areas.
- Jim's season proposal: Tues, Thurs, Sat in December; Mon, Wed, Fri in January; Tues, Thurs, Sat in February and March. 42 days total.
- Swipe card system - like a credit card - swipe it at the dealer when you are selling your day's catch. It records that you went fishing that day and how much you caught.
  - Discussion:*
    - Won't work for peddle market.

- Leave closed areas closed, close more areas
- Any new closures will only be for one year
- Shorten the season
- Rotational closures, statewide
- Expand closures to similar gear types - closed areas are closed for all the same gear i.e. dragging and diving regardless of the targeted species.
- Col. Fessenden has mentioned going to 4' gear. Gear reductions have been mentioned many times.

Email Trish DeGraaf with your comments. The DMR will make their decision by June 15th. The reason for the rush is to have the decision made before early urchin season.

Paul Cox reported that Trish DeGraaf is available to come to Cobscook for a meeting in the middle two weeks of March.

The next Sea Urchin Zone council meeting is March 29.

The next Scallop Advisory Council meeting is March 7, 2PM at the DOT building in Bangor.

The Maine Fishermen's Forum in Rockland is March 1 - 3.

### Cobscook Ideas

There are 88 scallop licenseholders of legal age in Cobscook Bay. There is general agreement that about 55 are active fishermen.

#### **Suggestions:**

- Leave the scallops on bottom for longer, then you get more spawning time.
- Leave the season alone, people need to make money.
- Move the start date for the season to November 1st, just for Cobscook. It's not as cold which is better for the scallops and it gets product on the market before Christmas.
- All closed areas open on the same day. **(There was general agreement for this.)**
- Pick the area you want to fish in.
- Declare into one closed area. **(There was general agreement for this.)**
- If closed areas are open, all other areas are closed.
- Reducing the number of fishing days preserves the resource.
- Making people declare for an area is a good idea.
  - If there are 100 boats that declare for an area, how do we deal with that?
- It's been suggested that the closed areas be opened on a different day for divers.
- Have a Cobscook zone with a council like the lobster fishery does. Let us manage ourselves.

How will we determine how many days we'll get in the closed areas?

- DMR is using Kevin Kelly's stock assessment numbers as the basis for this decision.
- Even if only 50 boats are allowed in Whiting/Dennys Bay it is not safe.
- Open the closed areas one day per week for 14 weeks.
- If it's open and the product is not there, the Commissioner can close it.
- If the closed area is open only one day per week then you have time to close it if the resource is getting depleted.
- DMR is concerned with safety in Cobscook Bay.

When should Whiting/Dennys Bay open for urchins?

Three people were in favor of the beginning of October, one person was in favor of the same time as scallops - all other participants were uncomfortable in stating their position on this issue.

There seemed to be a general assumption that the season would be shorter next year. There have been two different proposals for season length, any thoughts?

- Any proposal should include three fishing days in a row.
- Allow one day per week in the closed area.
- One of the fishing days should be a Saturday.

What do you think of the black box proposal?

- There are too many ways to get around the black box.
- They are too expensive.
- The boxes are rented, you don't have to buy them.
- The black box might not work in Cobscook but it might work elsewhere. Everyone should decide for their own area.
- One size does not fit all in fisheries management. (**There was general agreement on this.**)
- If you have a black box and you are caught fishing without it you will lose your license.

When a Cobscook proposal is brought to the SAC, have a proposal that everyone agrees with and one person to present it.

All agreed to meet again on Monday, March 5th to try to come to an agreement about what we want for the Cobscook scallop fishery and opening the closed areas. We will also discuss when the Whiting/Dennys Bay closure should be opened for urchins.