



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543-1026

June 10, 2008

MEMORANDUM FOR: NEFOP Observers

FROM: Amy S. Van Atten
Acting Branch Chief, FSB

SUBJECT: Turtle Excluder Experimental Dredge

This memo is to inform observers of an experimental dredge design in use on selected scallop vessels. This modified dredge frame has fewer support bars on the bale and the cutting bar is moved forward (See Figure 1).



Figure 1. Photograph of experimental dredge by Matthew Weeks.



The Northeast Fisheries Science Center (NEFSC), Protected Species Branch (PSB) is working collaboratively with Ron Smolowitz/Coonamessett Farm and Industry Members to determine if this modified dredge design will be effective in reducing the amount of incidental sea turtle takes.

Vessels participating in this study, will fish with one standard dredge frame and one modified dredge frame in the chain-mat regulated area (waters south of 41° 9.0' N. latitude from the shoreline to the outer boundary of the Exclusive Economic Zone (EEZ)). These vessels may only operate in the Access Areas between June and November 2008. The two Access Areas open to scallop fishing during that time frame are the Elephant Trunk Access Area (ETAA), open as of June 1st, and the Nantucket Lightship Access Area (NLCA) which opens June 15th. Under this study, these vessels will be exempt from the chain-mat regulation when fishing with the modified dredge, but must fish according to all other scallop fishing regulations.

Vessels using this modified dredge will not be targeted specifically for coverage, but if the vessel is selected for observer coverage and you are deployed on one of these vessels, you will be considered a Co-Investigator under the NEFSC Endangered Species Act (ESA) Permit #1576. The NEFSC ESA permit #1576 authorizes the operation of the vessel without chain mats as well as any incidental takes that may occur. Your Northeast Fisheries Observer Program (NEFOP) ESA Permit #1448 authorizes all subsequent turtle handling and sampling. You must carry your ESA Permit #1448 with you for all trips.

It is important to maintain good communication with the captains of these vessels so they are aware that you have been briefed on this experiment and the captains understand the importance of taking advantage of the time you have to sample turtles, if takes occur. It is also critical to clearly document the gear configuration so that Population Dynamics analysts can incorporate this information into their analysis.

Observers deployed on a vessel participating in this research project, using one standard dredge and one modified dredge, must complete the Scallop Dredge Gear Characteristics Log, following normal protocols. For the modified dredge, write "**Turtle Excluder Dredge - PSB Research Project**" in the appropriate dredge's COMMENTS section along with the modified dredge number which will be stamped into the frame. This information should also be recorded in the COMMENTS section of your Vessel & Trip Log.



Standard scallop sampling protocols should be followed for every haul. If an incidental turtle take occurs, it should as always, be given the highest priority. During your off-watch, the vessel will continue to collect data and you will be called if a turtle is taken. It should be noted that turtles observed interacting with the dredge gear are considered takes even if they are not captured.

The modified dredge is currently being used by vessels that are not involved in this study. Therefore, it is possible to be deployed on a vessel towing the modified dredge and using chains, either a standard configuration or a chain-mat configuration depending on the area fished. Write **"Turtle Excluder Dredge"** in the appropriate dredge's COMMENTS section along with the modified dredge number which will be stamped into the frame. This information should also be recorded in the COMMENTS section of your Vessel & Trip Log. Analysts will be able to determine the difference between this situation and the vessels involved in the study because there will be rock and tickler chains listed on your Scallop Dredge Gear Characteristics Log.

The following table contains vessel names and hull numbers that have the potential of participating in this experiment. They may be using the modified dredge without chains under the ESA permit #1576 in the chain-mat regulated area or may be using the modified dredge with chains and not fishing under the ESA permit #1576. Be sure to follow the instructions above depending on the details of the gear.

VESSEL NAME	HULL NUMBER
Ambition	609113
Challenge	595041
Nordic Pride	911804
Friendship	623188
Celtic	591971
Heritage	626591
Neskone	1168933
Araho	606424
Tradition	921057
Arcturus	612543
Decisive	943737
Expectation	602888
Foremost	606623
Frontier	618711
Generation	621756
Monomoy	692922



VESSEL NAME	HULL NUMBER
Nashira	553032
Norseman	921663
Polaris	1198545
Ranger	1143738
Reflection	606849
Resolution	1141511
Rost	621918

Please review the attached summary of the experiment for a more detailed description.

A copy of the Co-Investigator Permit Letter is attached for your reference and should be with you on all scallop trips during the study period. Fisheries Sampling Branch staff will compile the necessary data for the Protected Species Branch once your OBSCON information is received. Please follow normal OBSCON protocols for these study trips.

If you have additional questions, please contact either Sara Wetmore: (508) 495-2227 office, (508) 642-6005 mobile, Sara.Wetmore@noaa.gov or Erin Kupcha: (508) 495-2031 office, (508) 367-8256 mobile, Erin.Kupcha@noaa.gov.

Thank you.

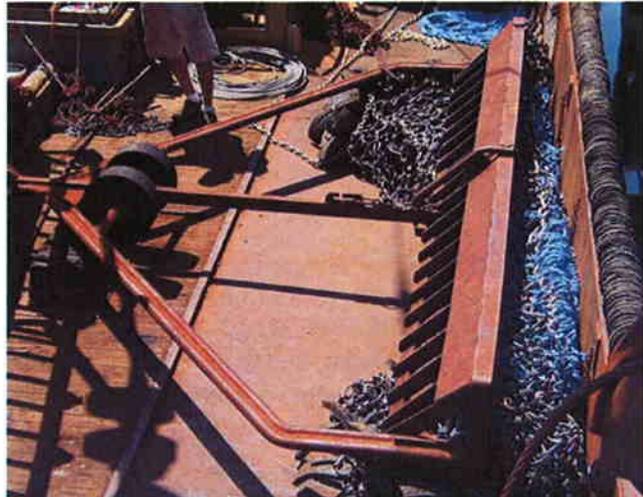
Attachments:

2008 Experiment Dredge Description
Co-Investigator Permit Letter



The Northeast Fisheries Science Center (NEFSC) of the National Marine Fisheries Service (NMFS) is working collaboratively with Ron Smolowitz (Coonamesset Farm) and the scallop dredge industry to test a dredge that has been modified to mitigate turtle bycatch (called the “turtle excluder dredge”). The experimental design uses paired dredges, one with a standard dredge and one with the turtle excluder dredge. Both dredges will be towed without chainmats so turtle captures can be monitored.

The turtle excluder dredge (Photo by Smolowitz) has fewer support bars on the bale, and the cutting bar was moved forward. The dredge is designed to decrease harmful benthic interactions with sea turtles by allowing the turtles to move up and over the frame rather than forcing them under the cutting bar. The use of the turtle excluder dredge is currently allowed in the scallop fishery.



NEFSC has an ESA scientific research permit (#1576) which provides an exemption to the chain mat regulation and allows fishing without the chain mats in order to capture turtles to determine if the turtle excluder dredge is effective.

NEFSC is planning to add NEFOP observers assigned to scallop dredge trips as CoInvestigator’s under the NEFSC’s ESA Permit #1576. The NEFSC ESA permit #1576 will authorize the operation of the vessel without chain mats as well as any capture takes (including observed interactions between the vessel and a turtle even if the turtle is not captured). The NEFOP ESA Permit #1448 will authorize all subsequent turtle handling and sampling (handle, photograph, ID, measure, flipper tag, etc). Observers carry NOAA ID, and enforcement can check with Amy Van Atten 508-495-2266 to confirm that an observer has been assigned by NEFOP. When NEFOP assigns a certified observer to a scallop dredge vessel, that vessel is exempt from the chain mat requirement when the vessel meets the following criteria:

- 1) Prior to departure, the vessel name and departure date must be reported to NEFSC PSB whenever the permit is being invoked (whenever a vessel will be operating under the NEFSC ESA #1576 permit).
- 2) The NEFOP trip ID must be reported to NEFSC PSB no later than 24 hours after the trip ends.
- 3) The vessel must carry ESA Permit #1576 & 1148, Co-Investigator letters under both permits, and a statement from Ron Smolowitz that verifies the modified dredge meets specifications.
- 4) The standard (New Bedford style) and turtle excluder dredge (matching the specifications of the Coonamesset Farm / NEFSC experimental dredge) must be the same size and fished simultaneously and similarly (e.g. same scope ratio, set and hauling speed, time on bottom) whenever fishing without turtle chains.
- 5) The vessel must report any observed turtle interactions to NEFSC PSB as soon as possible, and no later than 24 hours after the trip ends. When feasible, injured turtles should be transferred to rehabilitation facility, and carcasses should be salvaged for necropsy.
- 6) If an observer is off-duty, data will continue to be collected by the vessel and the vessel agrees to immediately call the observer if a turtle is taken. Note that turtles that are observed interacting with the dredge gear are considered takes even if they are not actually captured.
- 7) The vessel may only operate in controlled access areas S of 41° 09’ N from 1 June - 30 November 2008.
- 8) The vessel must stop experimental work (ie. immediately put on chains as per current regulations) if a Kemp’s ridley, green, or leatherback turtle is observed interacting with the dredge gear.

NEFSC PSB Contact: Henry Milliken 508-495-2294, henry.milliken@noaa.gov



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June 9, 2008

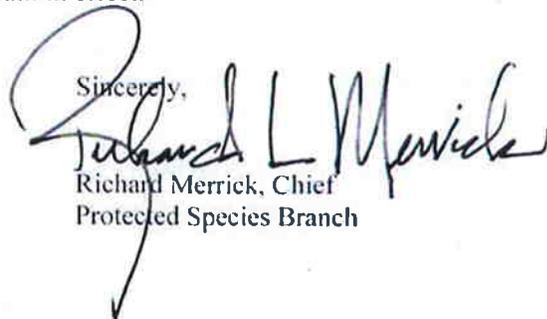
NMFS Scientific Observer
Northeast Fisheries Observer Program
NEFSC Fisheries Sampling Branch
166 Water Street
Woods Hole, MA 02543

The Northeast Fisheries Science Center (NEFSC), under the provisions of the Endangered Species Act, is a permittee under Permit No. 1576-01 dated May 14, 2008. You, as a NMFS Scientific Observer, are hereby designated by the NEFSC to act as a Co-investigator under this permit to fish for Atlantic sea scallops without chain mats, and to capture and release up to a 5 loggerhead turtles taken in association with NEFSC sponsored scallop dredge gear research in controlled access areas of the Mid-Atlantic region (south of 41° 09' N latitude) during the period 1 June through 30 November 2008.

This authorization shall be subject to the following conditions:

- 1) Prior to departure, the vessel name and departure date must be reported to NEFSC PSB whenever the permit is being invoked (whenever a vessel will be operating under the NEFSC ESA #1576-01 permit).
- 2) The NEFOP trip ID must be reported to NEFSC PSB no later than 24 hours after the trip ends.
- 3) The vessel must carry copies of NEFSC ESA Permits 1448 and 1576, Co-Investigator letters under both permits, and a statement from Ron Smolowitz that verifies the modified dredge meets specifications.
- 4) The standard (New Bedford style) and turtle excluder dredge (matching the specifications of the Coonamesset Farm / NEFSC experimental dredge) must be the same size and fished simultaneously and similarly (e.g. same scope, set and hauling speed, time on bottom) whenever fishing without turtle chains.
- 5) The vessel must report any observed turtle interactions to NEFSC PSB as soon as possible, and no later than 24 hours after the trip ends. When feasible, injured turtles should be transferred to rehabilitation facility, and carcasses should be salvaged for necropsy.
- 6) If an observer is off-duty, data will continue to be collected by the vessel and the vessel agrees to immediately call the observer if a turtle is taken. Note that turtles that are observed interacting with the dredge gear are considered takes even if they are not actually captured.
- 7) The vessel must stop experimental work (i.e. immediately put on chains as per current regulations) if a Kemp's ridley, green, or leatherback turtle is observed interacting with the dredge gear.

Please recognize that all fishery regulations applicable to the scallop dredge fisheries in the times and areas where you are operating remain in effect.

Sincerely,

Richard Merrick, Chief
Protected Species Branch

cc: Payne (F/PR), Colligan (NERO), Haas, Milliken

