

Timelines for Scallop Actions for 2008-2012

#1

A15 – compliance with new requirements of the MSA (ACL's / AM's), rationalization of the limited access scallop fishery, revisions to the scallop overfishing definition, specific adjustments to the general category program, EFH areas if Phase II is delayed, adjustments to the research set-aside program, and changing the scallop fishing year.

FW21 – specifications for FY2010, adjustments to the observer program, and measure to comply with the turtle biop

FW22 – specifications for FY2011 and FY2012 (under ACL management)

Two timelines for A15 presented in the table on the next page because it is likely that more time will be needed to for A15 development primarily because resources have been spent on how best to comply with turtle biological opinion over the summer rather than A15 development

The original thought was to include specifications for FY2011 in A15, but that may not be realistic. The Council is scheduled to approve the DEIS before data will be available to set specifications for FY2010. While a placeholder could be put in the amendment and analyzed, it may be advantageous to leave the specifications for 2011 out of A15 so the action is not delayed, and instead initiate a second action (FW22) that could focus on specifications only. As a result more recent survey data could be used in setting specifications for 2011 and 2012.

There are serious concerns that major milestones for A15, FW21 and FW22 overlap as a result of this delay. Specifically, analysis for A15 and FW21 will need to occur simultaneously over the summer in 2009, Council identification of preferred alternatives for A15 and final action for FW21 are both scheduled for the same Council meeting in Sept 2009, and the Council will be selecting final measures for A15 and staff will be completing the action for submission the same time when FW22 needs to be developed and analyzed. There may also be implementation concerns with some of these actions because they are scheduled to be submitted around the same time.

The overlap of these actions will be very challenging; therefore, the Council needs to be restricted in identifying what can be included in each action so that all three can get through the process on time. Staff recommends that some alternatives be removed from A15 to help ensure that these deadlines can be met. For example, several alternatives were not strongly supported during scoping and will require more development and analysis. The Council should consider directing the Committee to refine the list of alternatives at the November 3 Scallop Committee meeting. The list below is a suggestion of alternatives currently in A15 that could impact timing because they are not fully developed and/or would require substantial analyses.

1. No restriction on the number of permits that can be stacked on one LA vessel
2. IFQ program for the limited access fishery
3. Convert open area DAS into access area trips in open areas

It is important for the Committee to include only measures that are seriously under consideration and workable within the timeline because A15 has to be implemented by March 1, 2011. Once the Committee gets a chance to discuss this first, the Council will be better informed for the priority setting discussion at the November 2008 Council meeting since several scallop actions are under consideration for 2009 and 2010.

		A15- original timeline	A15-longer development	ETA / DEL Review	FW21	FW22 (or spec package)	
2008	Jan	Develop scoping doc	Develop scoping doc				
	Feb	Council approve scoping doc	Council approve scoping doc				
	Mar	NOI for scoping	NOI for scoping				
	Apr	Scoping Hearings	Scoping Hearings				
	May	Develop alternatives					
	June						
	July						
	Aug						
	Sept			PDT review			
	Oct			Council review (8/7)			
	Nov			Council approve doc for analysis			
	Dec				Develop alternatives		Notice if necessary
2009	Jan	Prepare DEIS and PH doc	Develop alternatives				
	Feb		Council approve doc for analysis		Initiate action - 2/10		
	Mar						
	Apr						
	May		ID pref. alts				
	June		Council selects pref				
	July		Staff submits DSEIS	Prepare DEIS and PH doc		Develop and analyze alternatives	
	Aug			ID pref. alts			
	Sept			Council selects pref		Final action - 9/22	
	Oct			Staff submits DSEIS		Staff submits FW21	
	Nov		NMFS publish NOA				
	Dec		Public hearings				
2010	Jan	Consider input - ID pref alts					
	Feb		NMFS publish NOA			Initiate FW or start specs	
	Mar		Public hearings		IMPLEMENTATION		
	Apr		Consider input - ID pref alts				
	May						
	June		Staff submits DSEIS	Council Final action			
	July						
	Aug			Staff submits FSEIS			
	Sept						Final action
	Oct						Staff submits FW22
	Nov						
	Dec						
2011	Jan						
	Feb						
	Mar	IMPLEMENTATION	IMPLEMENTATION			IMPLEMENTATION	
	Apr					(or in May if FY change in A15)	
	May						