



New England Fishery Management Council

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John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

MEMORANDUM

DATE: October 30, 2006
TO: Council
FROM: Paul Howard, Executive Director
SUBJECT: **Background information on initiating a scallop action for FY2008 and FY2009 (Framework 19)**

The primary components of scallop management are set on a biennial basis; individual DAS allocations and access area management measures are set every two years by framework action. Framework 18 was implemented in June 2006 and it set specifications for FY2006 and FY2007. The next biennial action (Framework 19) will consider measures for FY2008 and FY2009. In order to complete the framework document and give NMFS time to implement the action before the start of the 2008 fishing year the Council should consider initiating the framework as soon as possible. If the Council initiates action in November 2006 then more time can be spent developing measures for consideration.

Limited Access Vessels

First and foremost Framework 19 will consider open area DAS allocations and specifications for the area access program. While the scope of the action is limited, there are a number of issues that are likely to be considered in this framework. Specifically, several concerns have been raised related to how the access program could be implemented more effectively and using more precaution. For example, in order to reduce the potential for derby fishing in access areas, this action may consider measures to spread effort out for both the limited access and general category fisheries. Furthermore, additional bycatch reduction measures may need to be considered to reduce bycatch of yellowtail flounder and extend the time access areas remain open for limited scallop fishing. Safety issues will have to be considered including when access areas should open, if trips should be spaced out, etc. Most importantly, preliminary projections incorporating recent survey data from 2006 suggest that overfishing may be occurring. The results from these projections are going to be reviewed at the SARC in June 2007, but if it is determined that overfishing of the entire resource is occurring, additional limits on DAS allocations and the access area program may be necessary.

General Category Vessels

This framework will be the first biennial framework implemented after Amendment 11 is expected to be complete. Depending on which measures are selected under Amendment 11, this framework may have to include specific measures for general category fishing. In the past biennial frameworks would estimate total effort by the general category fleet and reduced that from the available TAC, but there was never an actual allocation of effort or catch attributed to the general category fishery. If Amendment 11 ends up allocating a portion of the total scallop resource to the general category fleet, specific measures to attain that TAC will have to be included (whether in the form of a hard TAC or level of access to individual vessels that qualify to fish under general category). In addition,

Amendment 11 is also considering implementing a limited entry program for the general category fishery with allocation of effort in a variety of forms, including tiered permit systems, overall TACs and on an individual basis. If any of these alternatives are selected under Amendment 11, Framework 19 will also have to include specifications for general category fishing based on which final measures are selected (i.e. specific number of trips or pounds per vessel, permit category or TAC fleetwide).

Completing work on Amendment 11, Amendment 13 (industry funded observer coverage action) and Framework 19 simultaneously will be challenging; therefore, additional staff are going to be assigned to the Scallops Committee. Keep in mind that the EFH Omnibus process will be Amendment 12 to the Scallop FMP. The table below describes potential timelines for all three actions if the Council decides to continue work on Amendment 11 and initiate the additional scallop actions.

Table 1 – Summary of timelines for upcoming scallop actions

	Amendment 11	Amendment 13	Framework 19	
2006	Sep	Council approves alternatives for analysis		
	Oct	Staff completes analysis of DSEIS		
	Nov		Council initiates FW	Council initiates FW
	Dec		Development of EA	PDT begins working on info for FW and SAFE
	Jan		Council chooses final alternative and submission of EA	Cmte, PDT and AP meetings to develop measures and complete analyses
	Feb			
Mar				
Apr	Council approves DSEIS for public hearings	NMFS Review		
May	Public hearings			
2007	Jun	Staff prepares document for final Council meeting	Potential Implementation	
	Jul			
	Aug			Staff prepares documents for Council decision
	Sep			Council selects final measures
2008	Oct	Staff completes FSEIS and submits to NMFS	NMFS Review	
	Nov			
	Dec			
	Jan	NMFS review		
	Feb			
	Mar		Implementation of Mar 08 - Aug 2010 measures (depending on FY decision)	
	Apr	Potential Implementation		