



## New England Fishery Management Council

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### MEMORANDUM

**DATE:** October 25, 2012  
**TO:** Scallop and Groundfish Committees  
**FROM:** Scallop Plan Development Team (PDT)  
**SUBJECT:** **Input on bycatch of windowpane and CC/GOM YT catch in the scallop fishery**

Groundfish FW48 is considering specifications for FY 2013-2015 including additional sub-ACLs for the scallop fishery. Currently the scallop fishery has two sub-ACLs from the Multispecies FMP: GB and SNE/MA YT flounder. This action is considering a sub-ACL for southern windowpane as well. As the GF PDT developed ACL recommendations for all species it requested input from the Scallop PDT related to several species with relatively higher catches from the scallop fishery. Specifically, the species that were identified were: GB YT, SNE/MA YT, northern and southern windowpane flounder and CC/GOM YT flounder. The last species was included not because the scallop fishery catches a large percent of the total catch, but because more open area scallop fishing effort is expected within the CC/GOM YT stock area compared to previous years based on scallop biomass levels.

#### Windowpane Flounder

The Scallop PDT estimated the catch of both northern and southern windowpane flounder in 2013-2015. The method used to estimate WP catches is similar to that used for YT, except there is no windowpane projection available, so the biomass for these stocks is assumed to remain the same. Neither of these stocks have projected biomass estimates, so the NEFSC trawl survey indices are used as proxies for biomass from the most recent assessments. The biomass is assumed to remain the same for the time period of the estimates. D:K ratios calculated using 2011 observer data for all areas, and 2010 for NL.

In 2011 the estimate of WP catch in the scallop fishery was 33 mt of N windowpane, and 135.3 mt of S windowpane. In 2011 there were 32 open area DAS and 4 access area trips (1.5 in CA1, 0.5 in CA2, and one in Delmarva and one in Hudson Canyon). The estimates of WP catch for 2013 under Alternative 4

in FW24 (33 open area DAS and 1 trip per vessel split between CA1, CA2, HC and NL) are 50 mt for N windowpane and 50.8 mt for S windowpane (Table 1). Alternative 2 estimates a bit more WP catch, due to higher access area allocations in GB access areas (CA1, CA2 and NL). Otherwise, the projections of catch are very similar for these two alternatives. These estimates are based on an assumption that 50% of open area effort will occur in the N Windowpane stock area and 50% will occur in the S Windowpane stock area, which is what the scallop fishery projection model assumes (50% in MA and 50% on GB and GOM).

Table 1 – Estimates of windowpane catch in 2013 and 2014 for Alternative 2 and Alternative 4

	Alt 2		Alt 4	
	2013	2014	2013	2014
Open North	29.9	27.5	29.9	27.5
CL1	22.4	0.0	20.1	0.0
CL2	3.3	4.3	1.3	1.4
<b>Total North</b>	<b>55.6</b>	<b>31.8</b>	<b>50.0</b>	<b>27.5</b>
SNELIOp	39.1	40.1	39.1	40.1
Open South	5.5	5.0	5.5	5.0
NLS	6.0	15.4	5.6	16.0
HCS	0.6	0.0	0.5	0.0
DMV	0.0	0.1	0.0	0.1
<b>Total South</b>	<b>51.2</b>	<b>60.6</b>	<b>50.8</b>	<b>61.2</b>

Currently in FW48 the allocation for “other subcomponent” catch for N windowpane is 44 mt (out of total ACL of 144). Therefore, scallop fishery catch could exceed the amount set aside for other subcomponent catch if the projected catch is realized by the scallop fishery.

For southern windowpane flounder, in 2011 the scallop fishery caught 135.3 mt, out of a total 400.5 mt caught by other sub-component fisheries. FW48 is considering allocating a sub-ACL to the scallop fishery for this stock because in some years the catch from the scallop fishery is large enough that the effectiveness of the AM could be undermined if catches by the scallop fishery are not subject to an AM. The GF FMP has an AM for the GF fishery, but there is no AM for the fisheries under the “other sub-component” catch.

If the Council does NOT give a sub-ACL to the scallop fishery it looks like the allocation will be 384 mt for all “other subcomponent catch”. That is similar to the 2011 allocation and the scallop fishery may catch less than 2011 levels. Therefore, that allocation may work and reduced risks of being exceeded due to large increases in catch from the scallop fishery. If the scallop fishery is given a sub-ACL, FW48 sets the allocation at 36%, equal to 186 mt for 2013. That is higher than the level caught in 2011 (135.3 mt) and more than the fishery is estimated to catch in 2013 (51 mt)(Table 1). With the southern windowpane

stock where it is, 36% of the total does not seem to be a constraining factor for the scallop fishery based on current estimates of southern windowpane bycatch.

#### CC/GOM YT flounder

The projections for the scallop fishery estimate that about 50% of open area effort will occur in the MA YT stock area, 20% on GB and 30% in the CC/GOM stock area. Scallop biomass within the CC/GOM YT stock area is higher and more fishing is expected there compared to the last few years. In 2011 about 2,100 mt of scallop meats landed from the CC/GOM stock area, but some of that catch from CA1 trips. About 25% of Closed Area I trips are typically removed from the CC/GOM area and 75% from GB. In 2011, 1.5 trips were allocated to CA1 so 25% of that is about 1,000 mt. If that is removed from the total CC/GOM catch, about 1,100 mt remains that were likely harvested from open areas within CC/GOM.

Open area catch is expected to increase in 2013 compared to 2011, so doubling the catch from 1,100 to 2,200 is probably a reasonable estimate of scallop catch from open areas within the CC/GOM YT stock area. Following this rationale, the Scallop PDT recommends that the GF PDT consider taking the scallop catch of CC/GOM YT from 2011 and doubling that catch for the estimate of CC/GOM YT catch by the scallop fishery in 2013. That amount should be incorporated in the overall catch set aside for the "other subcomponent catch of CC/GOM YT catch.