



New England Fishery Management Council

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

MEMORANDUM

DATE: July 28, 2009
TO: Scientific and Statistical Committee (SSC)
FROM: Paul J. Howard, Executive Director
SUBJECT: **Follow-up discussion to determine ABC in Amendment 15 and Framework Adjustment 21 to the Scallop Fishery Management Plan**

The SSC met on February 6, 2009 to review and provide input on the methods used for deriving ABC, ACL and ACT under consideration in Scallop Amendment 15. At that meeting the Scallop PDT presented a qualitative evaluation of scientific and management uncertainty and how different terms would be used in this plan. The PDT offered a recommendation that $ABC = 90\%$ of F_{max} to account for scientific uncertainty in the estimate of OFL.

The SSC agreed with the general process for setting ACLs that the Scallop PDT presented, but found that the proposed ABC of 90% of F_{max} does not explicitly account for uncertainty. The SSC made the following recommendations related to the review of methods for deriving ABC:

- *Managing the current fishery so that fishing mortality is less than F_{max} complies with National Standard 1 (preventing overfishing while achieving the optimum yield on a continuing basis).*
- *At this time, no analysis has been provided to demonstrate that the proposed ABC complies with National Standard 1 Guidelines. Uncertainty in the estimate of OFL has not been quantified, and performance of alternative ABC methods with respect to preventing overfishing has not been evaluated. Therefore, a method to derive ABC will be recommended at a later date.*

The SSC previously requested that the Scallop PDT present a modified analysis to the SSC for determining ABC, and that is the primary agenda topic for the scallop agenda item at the August 10/11 SSC meeting in Warwick, RI. The primary term of reference for this meeting is to review updated quantitative analyses of uncertainty of OFL, which is intended to enable the SSC to recommend a method for deriving ABC for the Scallop FMP.

Members of the Scallop PDT will present general changes to the process for setting ACLs that have been updated by the Council since the last SSC meeting in February. In addition, the PDT will present a quantified estimate of the uncertainty of OFL and the performance of different ABC

methods. After these presentations the SSC may recommend a final method for deriving ABC that can be included in Amendment 15 to the Scallop FMP.

The Scallop Committee is meeting on September 1, and the full Council is expected to approve the final range of alternatives and analyses in Amendment 15 DEIS at the September Council meeting (September 22-24 in Plymouth, MA). Compliance with the re-authorized Magnuson-Stevens Conservation and Management Act (MSRA) requiring that each fishery use annual catch limits (ACLs) to prevent overfishing, including measures to ensure accountability is the primary goal of Amendment 15.

The second term of reference for this meeting is to identify ABC for the 2010 fishing year.

The Council is also scheduled to approve final measures for Framework 21 at the September Council meeting. Framework 21 will set specifications for the 2010 fishing year only. Based on projections of exploitable biomass the PDT will identify which access areas should open in 2010, how many open area DAS the limited access fishery should be allocated, and measures for the general category fishery. Full implementation of ACLs is not required in the Scallop FMP until 2011 because overfishing is not occurring, but the Council is still required to include a specific ABC for 2010, based on SSC recommendations. Therefore, the PDT will present an estimate of ABC for 2010, based on the same quantitative approach the SSC is reviewing for Amendment 15.

Background Information

1. SSC memo to Scallop PDT, February 18, 2009
2. Excerpt from Scallop Amendment 15 DEIS – Description of ACL related alternatives only
3. Summary document on quantitative estimate of uncertainty of OFL
4. Estimate of ABC for fishing year 2010 for Framework Adjustment 21 to the Scallop Fishery Management Plan