

# Framework 22

Sea Scallop Fishery Specifications for 2011 and 2012

*New England Fishery Management Council Meeting*

*June 24, 2010, Portland, ME*



# Progress thus far

- Committee met to recommend list of alternatives to be considered on 5/19 (see Cte summary, doc 3)
  - Range kept relatively narrow because Committee work for A15 will need to be done this summer as well
- PDT met to discuss the Committee's work and discuss analysis of alternatives developed to date on 6/7 (see PDT summary, doc 4)

# Council Action on FW22

- Does Council agree with the range of issues identified for FW22?
- Should some be removed/added?
- Timeline for FW22:
  - Council final action in November 2010
  - Implementation likely around May 1, 2010

# Framework 22 (Doc 2) - Section 1.2

## Purpose and Need

- The purpose of this action is to prevent overfishing and improve yield-per-recruit from the fishery.
- The primary need for this action is to set specifications to adjust the day-at-sea (DAS) allocations, general category fishery allocations and area rotation schedule for the 2011 and 2012 fishing years.
- In addition, the scallop fishery is subject to requirements of the 2008 Atlantic Sea Scallop FMP Biological Opinion, so this action will also include specific measures to minimize impacts of incidental take of sea turtles.
- Sections 2.1 through 2.11 typical/required alternatives considered
- Sections 2.12 and 2.13 additional issues Cmte added

# Section 2.0 – Management Alternatives

- 2.2 No Action – in general 2010 measures rollover, but complicated by A15 and EFH action
- Also will need to address delay in FW22 implementation
- 2.3 ABC – PDT plans to present the same control rule developed in A15 and used for FW21, with updated survey data from 2010
- 25% chance of exceeding OFL is the control rule and risk is evaluated in terms the probability of overfishing compared to the fraction loss of yield

## 2.4 Fishery Specifications

- 5 AA trips may be available in 2011 and 2012 but PDT cautious until results from 2010 surveys are in – may only be a total of 4 trips each year
  - 2011: 1 Del, 1 ETA, 2 HC and 1 CA1
  - 2012: 2 Del, 2 HC, 1 CA2and if no access in ETA – 2011 trip moves to Delmarva
  - 2011: 2 Del, 2 HC, and 1 CA1
  - 2012: 2 Del, 2 HC, and 1 CA2
- Cte agreed to explore other areas/options within CA2
  - May not be enough biomass north of cod HAPC to support more effort, but PDT generally supportive of exploring options with survey data and could decrease YT catch
  - PDT discussed that winter flounder bycatch may be a problem in this area
  - If more access considered FW22 may need to become joint

## 2.5 Measures for Limited Access Vessels

- Standard access area trip numbers, DAS allocations for FT, PT and occasional permits

### 2.5.1.1 Adjustments when YTF catch reaches 10% TAC

- Compensation open area DAS awarded if TAC is reached as done in the past
- PDT also will consider a compensation scheme in which unused trips can be used in a different access area instead of open area DAS if there is sufficient resource available

## 2.6 Measures for General Category Vessels

2.6.1 Total poundage allocated and number of access area trips for LAGC IFQ vessels

2.6.2 NGOM Hard TAC

- Currently allocated 70,000 lbs
- Will use biomass estimate prepared at SAW50 to calculate an appropriate TAC for 2011 and 2012

2.6.3 Estimate of catch from LA incidental permits

- Currently allocated 50,000 lbs
- PDT plans to update this section based on landings data from incidental catch permits in 2009 and 2010 (if available)



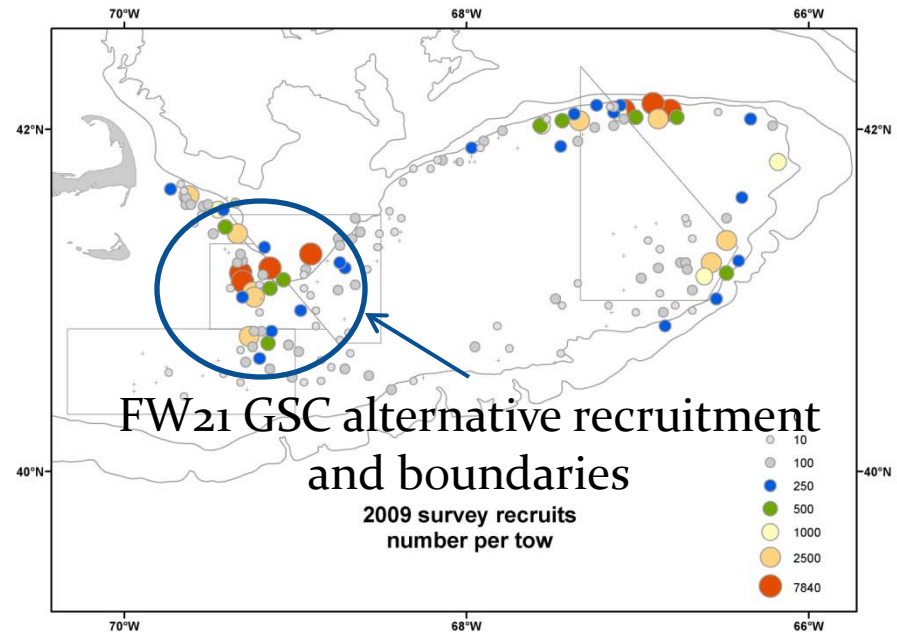
## 2.7 Research (2%) and Observer (1%) Set-asides

### 2.7.1 Research priorities for 2011 and 2012

- Priorities were approved by Committee in May
- Committee agreed to move two priorities from 'other' to 'medium' based on SAW input; these are:
  - Scallop biology, specifically studies aimed at understanding incidental gear mortality, discard mortality and seasonal growth
  - Other surveys, including areas not surveyed by the annual NMFS survey (i.e., federal waters in the Northern Gulf of Maine management area and Southern New England)

## 2.8 Consideration of New Rotational Area in GSC

- PDT automatically determines if any new areas qualify – if Channel qualifies again should the PDT develop as a separate scenario?
- Committee open to considering the GSC closure as an alternative, but not in the same manner as FW<sub>21</sub>
- Prefer smaller area/shorter closure ideas



## 2.9 Efforts to Minimize Sea Turtle Takes

### 2.9.1 Alternatives to minimize impacts of incidental take of sea turtles

- PDT still developing specific measures for this section; will likely be similar to what was considered in FW21
- Possible alternative that would limit open area DAS as well as access area effort during turtle season
- Specific measure within ETA may be considered if that area reverts to an open area

### 2.9.2 More than minor impact

- The PDT plans to use a similar approach to FW21 for assessing the alternatives considered in this action

## 2.10 Procedures to Reduce $F$ in 2012 if needed

- PDT is exploring which specific “notice action” alternatives should be considered if updated survey results suggest that biomass is much lower than predicted, or overall  $F$  is higher.
- PDT considering:
  - reduced trips in Delmarva and/or Hudson Canyon in 2012 if the survey results in 2011 are much lower than projected, and
  - if the survey in 2011 sees a large concentration of small scallops in ETA, the area could close for 2012 (seems unlikely).

## 2.11 Modifications to Overfishing Definition

- SAW<sub>50</sub> summary report is not available yet, but new reference points were approved and need to be integrated in the existing overfishing definition
- Potentially, current  $F_{max}$  will be replaced with a new estimate of  $F_{msy}$ , and biomass thresholds will be updated as well
- After assessment is final these will be integrated into FW<sub>22</sub>

## 2.12 Modifications to Vessel Monitoring Systems

- Two specific requests from public:
  - 2.12.1 Change VMS positioning requirement for IFQ and incidental permits to once per hour
  - 2.12.2 Alleviate VMS requirement for inactive vessels
  - PDT confirmed that there is minimal time required for development and analysis of these two alternatives
- Enforcement and AP input needed in development of alternatives
  - Increase polling close to closed area boundaries?
  - How define inactive? Require removal of dredge/block?
  - What about vessels that lease out IFQ?
  - Should there be consistent changes for LA vessels too?

## 2.13 Potential Measures that may be included based on AP input

### 2.13.1 Delay opening date of Mid-Atlantic access areas for general category vessels

- Mid-Atlantic access areas would open on May 1 rather than March 1 for LAGC vessels
  - PDT discussed that this may not be as necessary anymore; ETA ending soon as an access area, less derby fishing under IFQ, and pushing the start date too far back could be problematic with sea turtles
- The Committee felt that this was not a high priority and suggested the issue be forwarded to the AP to determine if this is a widespread issue necessary to address

## 2.13 Potential Measures that may be included based on AP input (continued)

### 2.13.2 Revisit provision to allow LAGC IFQ vessels to possess 100 bushels (bu) of in-shell scallops seaward of the VMS Demarcation Line

- There are reports that vessels are catching 100 bu of scallops – landing 50 bu and leaving 50 bu seaward of the VMS Demarcation Line, and returning for those scallops to land on the next day
- The severity of this problem will be discussed at AP meeting
- PDT planning to use observer data to determine a more accurate basket:meat weight conversion that would provide flexibility but not potentially induce fishing behavior changes



## 2.13 Potential Measures that may be included based on AP input (continued)

### 2.13.3 Provision to allow an incidental LAGC permit to be split from other permits

- PDT initially identified some concerns about consistency with A11
- Cmte did not feel very strongly about it either way but wanted to seek input from the AP in terms of how much the industry wanted this because permit splitting does raise policy issues (which requires time to develop)
- RO Staff identified this item as not frameworkable; will be moved to Considered But Rejected section

## 3.0 Considered but Rejected Alternatives

### 3.1 Extend exemption in GSC for LAGC IFQ vessels in April – June

- Rationale for rejection:
  - In April the Council passed a motion to include this alternative in Framework 45 to the Multispecies FMP

### 3.2 Gear modifications to reduce YT bycatch

- Rationale for rejection:
  - The Committee decided not to consider gear modifications in this action due to complexity and the time and analysis required
  - Research is planned for this topic and it would be more beneficial to wait to include the results

## 3.0 Considered but Rejected Alternatives (cont'd)

### 3.3 Revisit non-payment of observer provider issue

- Rationale for rejection:
  - No Committee support
  - NMFS has determined that this action of updating the provider reporting requirements does not require Council action, as it is a provision that would allow OLE an avenue to investigate, pursue, and, if ultimately necessary, enforce the permit sanction provisions at §308(g) in the MSA as it pertains to unpaid observer services

# Council Action on FW22

- Does the Council agree to initiate FW22 with the range of alternatives described?
- Does Council want to raise any other issues that have not been discussed?
- What's next?
  - AP will meet to provide input on alternatives under development
  - PDT will meet in August after survey results available to develop scenarios