Flatfish Scallop Sub-ACLs and Accountability Measures

AP and CTE: See Scallop PDT Meeting Summaries from March 1, 2017 and March 21, 2017 for additional information and PDT discussion/recommendations.

1.1 Background

The Council has identified the creation and modification of flatfish accountability measures as a 2017 work priority. Currently, the scallop fishery has sub-ACLs and AMs in place for three flatfish stocks managed through the groundfish FMP: GB yellowtail, SNE/MA yellowtail, and southern windowpane flounder. The Council has recommended that a scallop sub-ACL for northern windowpane be established through Framework 56, with the development of accountability measures for this stock in the next available scallop action. Existing scallop fishery AMs vary by permit category and gear type. The Scallop AP, Committee, and full Council have expressed interest in redesigning the AMs for GB yellowtail flounder and SNE/MA yellowtail flounder to make AMs as consistent to the extent feasible with gear modification AMs for southern windowpane flounder (Council Motion #4a, June 22, 2016).

> Main motion:
> to recommend making all flatfish bycatch accountability measures consistent to the extent feasible with the gear modification accountability measure for southern windowpane flounder. In light of resource constraints with respect to FW 28, this recommendation should be considered as a priority for FW29.
>
> The main motion as amended ***carried*** unanimously on a show of hands (17/0/0).

The above motion was not pursued in 2016 because of resource constraints and because the Council felt that revisiting existing AMs could be done in concert in with a regulatory requirement to develop an AM for northern windowpane flounder. Based on this motion, and varying circumstances of each stock (potential for triggering current AM), it may be worth prioritizing development of AMs in the following way:

1. Northern windowpane flounder – Regulatory Requirement
2. GB yellowtail flounder – Projected catch in 2017 higher than sub-ACL (Table 1)
3. SNE/MA yellowtail flounder – Projected catch in 2017 lower than sub-ACL (Table 1)
4. Southern windowpane – N/A – Model AMs for other stocks on this approach?

1.2 Proposed Changes to Accountability Measure Triggers for GB YT and NWP flounder

The Council's scallop fishery AM implementation policy states that an AM will be implemented if the sub-ACL is exceed and the overall ACL is exceeded, or 150% of scallop sub-ACL is exceeded. This policy applies to all stocks with a designated sub-ACL. In groundfish FW 56, the Council voted to enact a "temporary exception with a two year sunset provision" on the 150% AM trigger for both Georges Bank yellowtail and Northern windowpane (Figure 1 and Figure 2).

In practice, this means that an AM will only trigger for these stocks if the scallop sub-ACL and overall ACL is exceeded. This sunset exception would not apply to southern windowpane flounder or SNE/MA YT. While these exceptions are recommended by the Council, they have not been codified in a final rule by NMFS.

These measures in FW56, if approved, would mean that the scallop fishery would be subject to an AM only in the event that the total ACL is exceeded by all fisheries (scallops, groundfish, small-mesh) for both Georges Bank yellowtail flounder and northern windowpane.

Figure 1 - Council Motion from November 2016 meeting on the scallop AM implementation policy for GB YT.

Framework Adjustment 56

Sea Scallop Fishery

13. Mr. Terry Alexander moved and Mr. Kendall seconded:
that the Council select in section 4.1.2 sub-Option 3A temporary exception with a two year sunset provision, to the scallop fishery AM implementation policy for the GB yellowtail flounder stock.

The motion ***carried*** on a show of hands (16/0/0/1).

Figure 2 - Council Motion from November 2016 meeting on the scallop AM implementation policy for northern windowpane flounder.

Northern Windowpane Flounder

15. Mr. Terry Alexander moved and Mr. Stockwell seconded:
that the Council select in Section 4.1.2.2.3.2 sub-Option 3B temporary exception with a two year sunset provision, to the scallop fishery AM implementation policy for the Northern windowpane flounder stock as preferred.

The motion ***carried*** on a show of hands (15/0/1/1).

1.3 Projected Scallop Fishery Catch and ACLs in 2017

The scallop fishery's sub-ACLs and projected catch for 2017 is shown in Table 1. While the fishery is anticipated to catch around 1/3rd of its sub-ACL for southern windowpane and SNE/MA yellowtail, projections indicate that the fishery may exceed the sub-ACL for GB YT and northern windowpane. The sub-ACL for northern windowpane is expected to be adopted in FW56 in the spring/summer of 2017. This means that the AM developed for NWP in the next available action could take effect in FY2018 if it is determined that the scallop fishery exceeds the sub-ACL and the overall sub-ACL is exceeded.

Table 1 – Comparison of estimated catch associated with FY 2017 sub-ACLs.

	GB YT	SNE/MA YT	So. Windowpane	N. Windowpane
2017 sub-ACL	32	34	209	38
Projected catch estimates	63.21	10.66	77.85	103.33
% of 2017 sub-ACL	198%	31%	37%	272%

Table 2 - Recent ABC, ACL, and catch of Northern windowpane flounder

				Northern Windowpane Flounder Catch (mt)				
				Groundfish Fishery		Sub-Components with No AMs		
FY	**ABC**	**ACL**	**Total Catch**	**Sector**	**Common Pool**	**Scallop Fishery**	**State Waters**	**Other**
2010	169	161	162.6	151.7	1.8	*8.2*	0	9.1
2011	169	161	191.3	156.5	0.3	*33.0*	0	34.8
2012	173	163	208.9	129.5	0.1	*75.7*	2.3	77
2013	151	144	280.1	237.3	0.2	*40.7*	0.9	41.6
2014	151	144	269.3	157.4	0.3	*99.7*	2.7	108.9
2015	151	144	189.8	73.6	0.0	*114.6*	1.3	114.9

Source: NMFS Greater Atlantic Regional Office, Final Year End Catch Reports for 2010, 2011, 2012, 2013, 2014, 2015. http://www.greateratlantic.fisheries.noaa.gov/aps/monitoring/nemultispecies.html
Note: 'Other' sub-component catch includes scallop catch, in addition to other fisheries. Scallop fishery catches are shown for comparison purposes.

Table 3 - Comparison of recent scallop bycatch estimates and estimated catch, with 2017 projections.

		GBYT	SNE/MA YT	SWP	NWP
2013	Allocated	41.5	43.6	183	
	Projected	85.3	66	N/A	
	Actual	37.5	48.6	129.1	
2014	Allocated	50.9	66	183	
	Projected	62.4 - 103.7	61.1 - 67.7	74.4	
	Actual	59	63	136	
2015	Allocated	38	66	183	n/a
	Projected	27.9 - 48.6	54	134	45 - 94
	Actual	29.8	34.6	210.6	114.6
2016	Allocated	42	32	209	n/a
	Projected	26.3	40.4	179.2	88.1
	Actual (YTD)	10	20	86	
2017	Allocated	32	34	209	38 (Council Pref.)
	Projected	62.8 - 63.2	10.66 - 11.9	77.85 - 85.08	102.1 - 103.33
	Actual				

1.4 Seasonal Catch of Northern Windowpane and Georges Bank Yellowtail Flounder

Northern Windowpane AM: The NWP flounder stock boundary overlaps completely with the GB YT stock boundary, and also includes SRA 521 and the Gulf of Maine.

- The majority of federal scallop landings in the Gulf of Maine come from SRA 514 for both the LA and LAGC components. However, total landings from this area represent a fraction of the overall scallop fishery landings. (March 1, 2017; Figure 11)
- Both LA and LAGC encounter more NWP in the Q4 (Oct, Nov, Dec) in SRA 514 than at other times of the year. (March 1, 2017; Figures 9 and 10)
- The majority of dredge hauls by LA and LAGC vessels in SRA 521 encountered very little windowpane, if any. (March 1, 2017; Figures 9 and 10)

George Bank Yellowtail AM: The GB YT stock boundary includes four SRAs on Georges Bank, and extends into Canadian waters.

- The Council has taken several actions that may impact the (haul level) catch of YT flounder, including a seasonal closure of CAII AA, and (for a brief time) required retention of yellowtail flounder. These management actions need to be taken into account when reviewing fishery dependent data.

Closed Area II South:

- The stock boundaries of NWP and GBYT overlap in four SRAs. On March 1, 2017 the PDT considered whether or not AMs could be optimized in time and space to reduce both the catch of both stocks, while accounting for seasonal variation in scallop meat weights. Data from the Coonamessett Farm Foundation's seasonal bycatch survey suggests temporal differences in the presence of yellowtail flounder and windowpane flounder in Closed Area 2 South. The existing seasonal closure in Closed Area II S coincides with the presence of yellowtail flounder, but not when catches of northern windowpane are highest.

Figure 3 - CFF catch of yellowtail and NWP and the theoretical weight of a 130 mm scallop in relation to the current closure time frames for CAII S. (Source: Dr. Liese Siemann presentation to Scallop PDT, March 1, 2017. Coonamessett Farm Foundation)

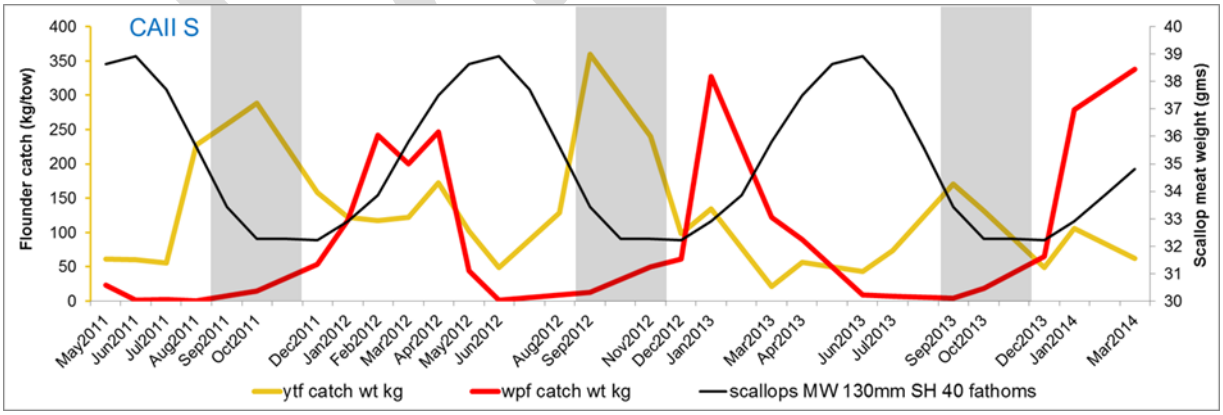

Figure 4 –Scallop landings from SRA in the Gulf of Maine by LA and LAGC vessels based on VTR landings data.