

Framework 27 to the Scallop Fishery Management Plan

Draft Action Plan

Council: New England Fishery Management Council

Fishery: Atlantic Sea Scallop Fishery Management Plan (FMP)

Title of Action: Framework 27

Scope: Consider measures for fishery specifications for fishing year 2016, and default measures for fishing year 2017

Objective of Action:

Scallop fishery specifications are currently adjusted by framework action. Specifications include: ABC/ACLs, DAS, access area allocations for LA and LAGC, hard-TAC for NGOM management area, target-TAC for LAGC incidental catch and set-asides for the observer and research programs.

When the Council identified this action as a priority, there was discussion of including measures to modify scallop access areas to be consistent with Habitat Omnibus Amendment 2 decisions. Final action for the Omnibus Habitat Amendment has been delayed; therefore, it is becoming more and more problematic to consider possible modifications to GB scallop access areas in this action. Specifically, the proposed rule for the habitat action will no longer be published before the Council is scheduled to make final decisions on this specifications framework. The Council has been advised through the PDT that measures contingent on approval of another action cannot be considered; that is considered predecisional. Therefore, access in any area that is currently closed will *not* be considered in this framework. The Council should clarify what will and what will not be considered in this action based on changes in timelines.

No other issues were included for consideration in this action; it will include fishery specifications only. The Council is working on two other scallop priorities in 2015 under other actions: Amendment 19 to the Scallop FMP and development of a white paper and workshop to discuss inshore fishing issues between the limited access and limited access general category fisheries.

Likely Range of Alternatives:

Range of measures will likely include: an overall ABC, set-asides for observer and research programs, estimate of catch from incidental scallop permits, DAS allocations, access area trip allocations, overall quotas for the LAGC IFQ fishery and a hard TAC for the NGOM management program. All specifications and set-asides will likely be similar to levels from recent years.

Development and analysis of these specifications will require significant involvement of many members of the Scallop PDT. The SSC will need to review the ABCs and the Committee and Advisory Panel will need to provide input on the range of specifications considered. Analyses will include estimates of projected catch for several bycatch species, and some involvement of the Groundfish PDT may be necessary to consider the potential impacts of scallop fishery specifications on non-target species. The scallop fishery is currently allocated three sub-ACLs under the Multispecies FMP: GB YT, SNE/MA YT, and SNE/MA windowpane flounder. There is also a Council work priority to potentially consider measures to address bycatch of northern windowpane flounder in the scallop fishery, so this action will also estimate projected catches of that stock as well.

Applicable laws/issues:

NEPA Analysis (EIS/EA/CE/SIR): This action is expected to require an Environmental Assessment. A formal determination will be made once the range of alternatives is identified and analyzed.

Endangered Species Act/Marine Mammal Protection Act

Type of ESA Consultation Expected (Informal/Formal): This action is expected to have XXX ESA consultation. Typical issues and analysis are expected at this time focused on sea turtles and Atlantic sturgeon.

Other Applicable Laws and Regulatory Requirements: Typical issues and analyses are expected at this time.

Plan Development Team Membership: (All assignments are TBD pending approval by supervisors)

Organization	PDT Members	Responsibility
NEFMC	Deirdre Boelke	Chair of Scallop PDT and Scallop Plan Coordinator. Primary author of all FW27 related documents and meeting materials.
NEFMC	Demet Haksever	Economic Impact Analyses
NMFS GARFO Sustainable Fisheries	Travis Ford	Chair of Implementation Team, primary point of contact at GARFO for FW27. Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs and development of document.
NMFS GARFO Sustainable Fisheries	Emily Gilbert	Identify potential policy, regulatory, and administrative issues during development and review. Support with data needs.
NMFS GARFO APS	Benjamin Galuardi	Complete data requests for the PDT. Identify potential monitoring issues during development and review.
NMFS GARFO NEPA	Katherine Richardson	Review document for completeness in terms of NEPA requirements during development and review.
NMFS GARFO Protected Resources	Danielle Palmer	Consultation on development of measures and impacts on protected resources.
NMFS NEFSC Population Dynamics	Dvora Hart	Technical work associated with scallop resource. Consultation on development of measures and biological impact analyses.
NMFS NEFSC Social Science Branch	Min-Yang Lee	Complete data requests for the PDT. Support with Economic analyses
NMFS NEFSC Social Science Branch	???	Complete data requests for the PDT. Social Impact Analyses.
NMFS NEFSC Protected Species	Kimberly Murray	Consultation on development of measures and impacts on protected resources.
NMFS NEFSC Fisheries Sampling	Chad Keith	Complete observer program data requests for the PDT. Identify potential monitoring/observer program issues during development and review.
US Coast Guard	Lt. Josh O'Boyle	Identify potential enforcement issues during development and review.
MA Division of Marine Resources	Matthew Camisa	Provide state fishery and survey information. Consultation on development of measures and impacts on the resource and fishery.
Maine Department of Marine Resources	Kevin Kelly	Consultation on development of measures and impacts on GOM.
Maine Department of Marine Resources	Trisha Cheney	Provide state fishery and survey information. Consultation on development of measures and impacts on NGOM vessels.
Virginia Institute of Marine Science (VIMS)	William DuPaul	Consultation on development of measures and impacts on the resource and fishery.
Virginia Institute of Marine Science (VIMS)	David Rudders	Provide data from available scallop surveys. Consultation on development of measures and impacts on the resource and fishery.
UMASS Dartmouth (SMAST)	Emily Keiley	Provide data from available scallop surveys. Consultation on development of measures and impacts on the resource and fishery.

NMFS Implementation Team Membership:

Organization	Name	Responsibility
NMFS GARFO SFD	Travis Ford	Implementation Team Chair; primary GARFO contact
NMFS GARFO SFD	Emily Gilbert	GARFO contact
NMFS GARFO SFD	Shannah Jaburek	GARFO contact, website updates
NMFS GARFO APSD	Ben Galuardi	Update monitoring procedures
NMFS GARFO APSD	Anna Macan	Send out IFQ letters for March 1 default and FW 27 allocations. Update any changes to the transfer program
NMFS GARFO IRM	Ken Ortiz	Update databases with appropriate allocations
NMFS GARFO SHA	Greg Power	Update port agents on new regulations
NMFS OLE	Don Frei	OLE Outreach
NMFS GARFO SFD	Linda Giamanco	Send out bulletin
NMFS GARFO Comms	Allison Ferreira	Prepare email for public
NMFS GARFO IRM	Steve Cohen	Prepare address list for bulletins

Implementation Team Issues: TBD – to be developed by IT Chair

<i>Enforcement:</i>	TBD
<i>Information Resource Management (IRM):</i>	TBD
<i>Statistics:</i>	TBD
<i>Observer Coverage:</i>	TBD
<i>Administrative issues/costs:</i>	TBD
<i>Regulatory clarification/simplification:</i>	TBD
<i>Data Requirements:</i>	TBD
<i>VMS:</i>	TBD
<i>Protected Resources:</i>	TBD
<i>Plan for How to Measure the Effectiveness of the Action:</i>	TBD
<i>Other:</i>	TBD

Worksheet 1: Timeline for Framework 27

PROJECT PHASE	STARTING	ENDING	PROJECT PHASE	STARTING	ENDING
COUNCIL INITIATES FRAMEWORK	6.16.2015	6.18.2015	FORMAL EA SUBMISSION	2.8.2016	2.8.2016
DEVELOPMENT	5.1.2015	11.1.2015	PROPOSED RULE SUBMITTED TO HQ AND PUBLISHED	2.15.2016	3.4.2016
PDT MEETINGS (4)	5.1.2015	11.1.2015	PROPOSED RULE COMMENT PERIOD (15 DAYS)	3.4.2016	3.22.2016
ADVISORY PANEL/COMMITTEE MEETINGS (4)	5.15.2015	11.14.2015	FINAL RULE PREPARED (INCL. ADDRESSING PUBLIC COMMENTS)	3.22.2016	3.31.2016
COUNCIL TAKES FINAL ACTION	12.1.2015	12.3.2015	FINAL RULE SUBMITTED TO HQ AND PUBLISHED	4.1.2016	4.15.2016
COUNCIL STAFF FINALIZES EA	12.7.2015	1.4.2016	ACTION EFFECTIVE *PROVIDING RANGE IN CASE APA WAIVER NOT CLEARED AND FULL 30-DAY DELAY REQUIRED	4.18.2016	5.18.2016
EA PRE-SUBMITTED TO NMFS	1.5.2016	1.5.2016			
EA REVIEWED BY NMFS	1.6.2016	1.27.2016			
EA COMMENTS INCORPORATED BY COUNCIL STAFF	1.28.2016	2.4.2016			
REGS TO COUNCIL FOR DEEMING	1.18.2016	1.29.2016			

Worksheet 2: Timeline with milestones for all 2015 Scallop Work Items and estimated implementation dates in 2016

	2015												2016											
Action	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Amendment 19						Council Initiate Action			Council selects Preferred			Final Council Meeting								Target Implementation				
Framework 27						Council Initiate Action						Council Final Action					Target Implementation							
Discussion/workshop on ways to stabilize inshore catches			PDT develop white paper	AP/Cmte Discuss Issue			Planning with consultant and Steering Cmte							Workshop		Report to Council								
NEFSC Survey Methods Peer Review			Meeting March 17-19																					
Support with EFH Final Action		PDT provide input		Council Final Action		Council Final Action - GB			Council submits FEIS				Proposed Rule published				Target Implementation							
Approve RSA Priorities and Participate in RSA Management Review Panel						Council approve RSA priorities for 2016						Mangt Review Meeting for 2015 Awards												

If actions expand or the workload of these concurrent items is too much for current staff resources the schedule for Amendment 19 may slide back, and/or the workshop on inshore areas may be held later in the year. Timing for Framework 27 takes precedence.

Action Plan Versions:

Version	Date	Change Description
1	May 8, 2015	Initial Action Plan prepared for Scallop Advisory Panel meeting on May 14, 2015
2	August 1, 2015	FW27 timeline stayed the same but the timing of other actions has changed so Worksheet 2 was updated to reflect that (delay of workshop) Worksheet 3 added to discuss GB access area modification timing issues
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