

Draft Management Measures

2.2 Measures to Restrict the Possession of Shell Stock Inshore of the Day-At-Sea Monitoring Line

2.2.1 No Action

There would be no change to existing restrictions on the possession of shell stock inshore of the day-at-sea demarcation line. A vessel with a limited access or general category scallop permit that fishes or transits any are south of 42°20' N latitude during any portion of a trip, it will be prohibited from possessing more than 50 US bushels when inshore of the day-at-sea monitoring line and from landing more than 50 US bushels from a fishing trip. Scallop shell stock must be compliant with the 3½-inch minimum size shell height standards (§648.50). Any vessel fishing in the state waters exemption program (§648.54) would also be exempt from the scallop shell stock limit.

Rationale: This measure is intended to allow a limited fishery to continue north of 42°20' N latitude by some vessels that have traditionally landed in-shell scallops.

2.2.2 Restrict the Possession of Shell Stock Inshore of the Day-At-Sea Monitoring Line

If a vessel with a limited access or general category scallop permit fishes or transits inshore of the day-at-sea monitoring line during any portion of a trip, it will be prohibited from possessing more than 50 US bushels when inshore of the day-at-sea monitoring line and from landing more than 50 US bushels from a fishing trip. Scallop shell stock must be compliant with the 3½-inch minimum size shell height standards (§648.50).

Any vessel fishing in the state waters exemption program (§648.54) would also be exempt from the scallop shell stock limit. NMFS would monitor trips through the VMS program.

Rationale: The FMP relies on day-at-sea restrictions and crew limits to achieve its mortality targets and prevent overfishing. As catch rates rise, it becomes more attractive for vessels to deckload sea scallops and shuck them inside of the day-at-sea monitoring line, thereby circumventing the regulation's intent. Recently, limited access vessels began fishing in areas north of 42°20' N latitude within the NGOM management area, where there is no limit on the number of bushels a vessel may possess inside the demarcation line. This measure would restrict the number of bushels that limited access or general category vessels can possess to 50 when inshore of the day-at-sea monitoring line, effectively expanding an existing provision that only applied to fishing activity south of 42°20' N latitude. Another adverse effect is that the discarded scallop shells and viscera may also cover important habitats and foul inshore waters, especially where temperatures are high and currents are slow. This measure will prevent scallop vessels from possessing excessive amounts of shell stock inshore of the day-at-sea monitoring line, eliminating the incentive to deckload and shuck scallops "off the clock". The 50 US bushel limit will enable the vessels to bring a moderate amount of shell stock in to avoid poor weather and/or to land some shell stock for a small market for whole scallops or scallop parts.

2.3 Modifications to Scallop ACL Flowchart

See Document 4, Section 5 – Draft Measures