

Other Business

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NEFMC Staff**

**Scallop Advisory Panel and
Committee Meeting
March 22/23, 2015**



Two Issues

1. NGOM management area
2. NOAA OLE Request – input on priorities

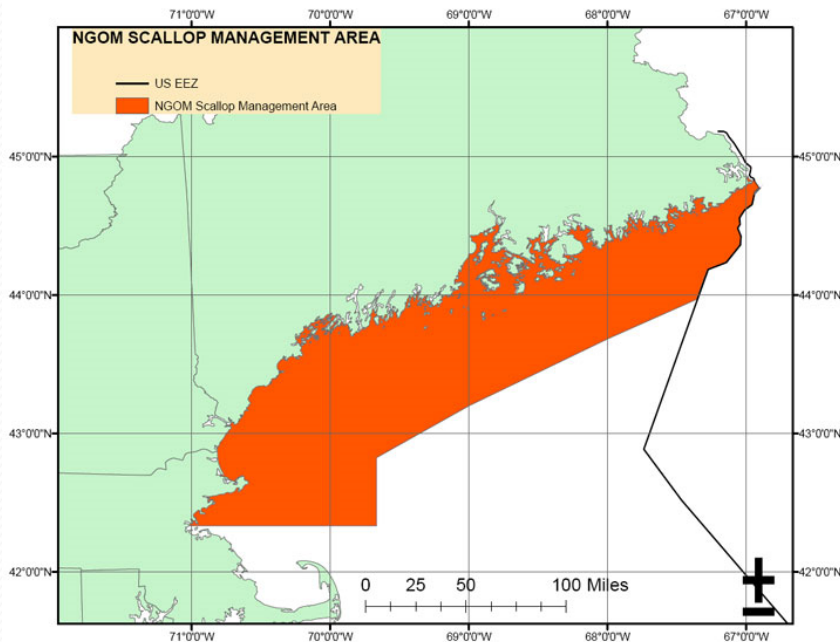


Issue #1 - NGOM

- 2 letters of correspondence received on this topic for these meetings
- Several phone calls to Council and NMFS staff (as well as AP and Council members)
- Increase in LAGC IFQ fishing in southern portion of NGOM management area, as well as increase in LA fishing activity in the same area.



NGOM Management Area - TAC



NGOM TAC

State Waters Catch

OFL = F of 0.48

- NGOM resource is not currently incorporated into the overall assessment of the scallop resource.
- ACL/TAC is treated separately – Two step process:
 - Estimated catch is added to the overall OFL value
 - Catch is later removed from OFL before setting ABC
- Hard-TAC of 70,000 lbs since All

NGOM Regulations

- All implemented NGOM management program – unique characteristics, abundance fluctuates, at times could support substantial fishery, but not during qualification years.
- Program needed to be compatible with state water fishery (predominantly seasonal in ME and MA)
- No landings criteria – had to have a GC permit on control date 11/01/04.
- 200 pound limit – to reduce incentive to fish in that area
- Hard-TAC of 70,000 pounds – area closes to all scallop fishing when TAC reached.
- Vessels restricted to a 10.5 ft dredge.
- VMS required

NGOM Regulations (cont.)

- RA raised concerns about this proposal – conservation, administrative burden, and enforceability.
- Not perfect - several measures added to address these concerns and approved as a “placeholder for future management of scallops in the NGOM if and when they return”.
- LAGC IFQ – landings count against IFQ and NGOM hard TAC, restricted to 200 pounds possession limit.
- No restrictions for LA vessels in NGOM except when the TAC is reached – then area closes to all scallop fishing.



LAGC IFQ Fishing in NGOM

	LAGC IFQ		LAGC NGOM		Total
2009	0	0%	5,793	100%	5,793
2010	4,762	55%	3,877	45%	8,639
2011	6,092	88%	816	12%	6,908
2012	894	12%	6,546	88%	7,440
2013	8,907	16%	46,501	84%	55,408
2014	11,911	22%	43,003	78%	54,914
2015	25,549	36%	45,982	64%	71,531

- Both categories have fished in this management area
- LAGC IFQ activity has almost exclusively been in southern area (north of Cape Ann and along southern boundary)
- Platt's Bank effort in 2013 and 2014 by NGOM vessels
- March 2016 higher than years past – 10,000 pounds already

LAGC IFQ Fishing in NGOM

	LAGC IFQ			LAGC NGOM		
	# trips	Avg. Lbs Landed	Avg. Revenue	# trips	Avg. Lbs Landed	Avg. Revenue
2009				41	141	883
2010	45	106	955	58	67	497
2011	80	76	759	16	51	445
2012	7	128	1,425	57	115	1,283
2013	102	87	1,006	381	122	1,450
2014	138	86	1,130	398	108	1,285
2015	248	103	1,286	440	105	1,217



LA Fishing in NGOM

- Essentially no LA effort in NGOM until very recently
- Late Feb / early March a few single dredge LA vessels began fishing near Cape Ann
- By March 15 eight LA vessels in that area, and that has increased since, including some double dredge vessels
- Total landings by LA vessels from NGOM unknown, dealer data not available for these trips.
- Based on VMS daily catch reports for the first few weeks – average catches reported around 1,200 pounds per day.



Issue #2 – NOAA OLE Priorities

• Document #9



NOAA's Office of Law Enforcement

National and Division Enforcement Priorities for 2012-2017

Pages 14-16

Northeast Division: Enforcement Priorities*

Magnuson-Stevens Act

HIGH PRIORITY

- Dealer and Vessel Reporting Requirements
 - Noncompliance with trip and cumulative limits and recordkeeping requirements directly for landings of federally managed marine species, and specifically catch share programs
- Sector/catch shares enforcement
 - Dockside monitoring
 - At-sea boardings in coordination with State and USCG partners
 - Trip/reporting analysis
- Limited access, fishery management plans, overfished, prohibited and protected species, for example:
 - Atlantic sea scallops
 - Northeast Multispecies
 - Atlantic bluefin tuna
- Fishing in closed or other prohibited areas
 - Commercial vessel incursions into closed areas or other Marine Protected Areas
- Criminal and civil/administrative investigations involving violations that could potentially cause significant damage to a fishery resource or the integrity of a management scheme
- Investigate complaints of observer assault, harassment and/or interference
- Maintain and foster relationships with industry and the general public through voluntary compliance assistance efforts, outreach and education events

MEDIUM PRIORITY

- At-sea enforcement of unlawful gear violations in coordination with state and USCG partners
- Deployment of unlawful gear utilized in commercial fisheries
- Fishing for and possessing Atlantic striped bass in EEZ

LOW PRIORITY

- Open access permit violations
 - Noncompliance with state/federal fisheries permitting requirements pertaining to fisheries under NOAA's jurisdiction (open access permits)
 - Operator permit violations
 - Charter/headboat permit violations

Endangered Species Act & Marine Mammal Protection Act

HIGH PRIORITY

- Atlantic Large Whale Take Reduction Plan
 - Review and analysis of Automatic Identification System (AIS) data for enforcement of right whale ship strike reduction speed rule
- Large Whale Disentanglement Program
 - Investigate non-compliant gear removed from entangled large whales
- Lethal takes and Level A harassment with the potential to injure marine mammal stock
- Atlantic sturgeon – Aid in plan development, outreach, and education

* NOAA will enforce any and all violations of the law as we are able to and all of these items are a priority for us. In the list above, High Priority includes items with low rates of compliance, or areas where there could be significant impact to the resources for non-compliance. Medium priorities includes items where there may be good levels of compliance, but a large risk of impact for non-compliance. Low priority may include items where there are good levels of compliance and lower levels of risk to the resource for non-compliance.



Issue #2 – NOAA OLE Priorities

- Office of Law Enforcement, through the Council's Enforcement Committee, is looking for feedback on Regional Enforcement Priorities for 2012-2017.
 - Seeking feedback at your ***next*** meeting under Other Business.
 - *Of the existing priorities, where do you think enforcement should be focusing its time/resources?*
- Enforcement update from Tim Donovan at the April Council meeting in Mystic.

