

3.7.1.1 GOM Option 1

DAS: Status quo allocation of DAS with one of the following three options for counting DAS:

1. Status quo, DAS counted as actual time between call in and call out
2. Count the first day of a trip as 24 hours
3. Count the first day of a trip as 15 hours

Options 2 and 3 above would work as follows:

- any vessel that calls the DAS line to start a trip may not call out to end the trip until 15 or 24 hours have elapsed
- a vessel that is calling in to end a trip after 15 or 24 hours may also start another trip at that time
- the 15-hour or 24-hour minimum requirement does not apply to vessels that return to port within three hours of starting the trip
- this provision applies to all vessels on a multispecies DAS regardless of species landed.

Area closures: Status quo area closures as contained in Frameworks 27 and 31. These area closures would remain in effect until modified by future Council action. The Western GOM Closed Area which is currently scheduled to end on April 30, 2001, would be extended for one additional year (expiring on April 30, 2002). Area closures are shown on Figure 2.

Trip Limit: Status quo trip limit as contained in Framework 31: 400 lbs./day with a maximum possession limit equal to ten times the daily limit (i.e. 4,000 pounds). Vessels may land a limited overage of cod as follows:

- Vessels not enrolled in the Gulf of Maine Cod Trip Limit Exemption Program are limited to 400 pounds for each day or part of a day on the trip. On trips under 24 hours a vessel may not land more than 400 pounds of cod, and may not land cod again until 24 hours have elapsed from the start of the prior trip, although the vessel may call-out of the DAS program before 24 hours have elapsed. On trips longer than 24 hours, a vessel may land 400 pounds of cod for each full day (24 hours) of the trip and 400 pounds for any part of a 24-hour period, provided it does not call out of the DAS program until the remainder of that 24-hour period has elapsed. A vessel on a trip longer than 24 hours and landing up to 400 pounds of cod for any part of a (24-hour) day, must call the hail line to report the overage and may not leave port or call out of the DAS program for the remaining part of the 24 hours.
- a vessel may not land more than 4,000 pounds, even if the trip duration exceeds ten days.

Layover Day Requirement: During May, June, July, November and December, all vessels not enrolled in the Gulf of Maine Cod Trip Limit Exemption Program, except Day Gillnet vessels, and fishing on a multispecies DAS must remain in port for a period of time

equal to the time of the previous trip but a minimum of 24 hours, measured between call in and call out of the DAS program.

Day Gillnet Vessels: During May, June, July, November and December, Day Gillnet vessels not enrolled in the Gulf of Maine Cod Trip Limit Exemption Program will be limited to fishing with 80 net tags (40 stand up nets or 80 flatfish nets, or any combination thereof).

Discussion: This option is based on the current management plan, with adjustments to reduce the “pulse” fishing effect that occurs on the re-opening of seasonally closed areas. The adjustment includes a 50-percent reduction, for one month following the re-opening, in the number of gillnets used by Day Gillnet vessels, and a layover day requirement for other vessels. The counting of the first day of a trip as 24 hours was intended to provide some additional conservation of groundfish, particularly those stocks such as GOM cod whose landings by day boats is proportionally larger. The counting of the first day of a trip as 15 hours has less of an impact.

The MSMC provided this option based on its analysis of the landings and effort in 1999. The analysis indicated that GOM cod fishing mortality in 1999 may be near the F_{max} target, although the analysis does not take into account any additional discarding that may have occurred under the low trip limits in effect. The discarding problem, based on industry comments, appears to be greatest during the period immediately following the re-opening of the rolling closures. This option would address this issue by slowing the rate of fishing effort. Option 1 and 2 would provide the greatest protection to endangered right whales, and encompass the most area in which harbor porpoise have been sighted. This option would not have a significant impact on essential fish habitat. The economic impacts of this option are slightly less than those of Option 2, which has some additional area closures, although the impact of the layover day cannot be quantified at this time.

The Council did not adopt this option primarily because it was concerned about the distribution of impacts, particularly on vessels fishing in the Gulf of Maine that do not catch significant amounts of cod. It was also concerned about the added complexity and enforceability of the layover provision. On the recommendation of the industry advisors and Groundfish Committee, the Council did not adopt the 15-hour and 24-hour counting of the first DAS of the trip because of the minimal conservation impact and the uneven distribution of impacts on some vessel groups. The advisors recommended, however, that the concept of modifying the DAS counting method be developed in Amendment 13.

3.7.1.2 GOM cod Option 2

While Option 2 is the proposed action, the Council considered and rejected within this option the same DAS counting alternatives as described in Option 1, above, and an alternative to the triggered backstop closures that would have closed the northern half of Block 124 year-round.

Discussion: The Council did not adopt the alternative DAS counting method for reasons discussed under Option 1. The Council also did not adopt the alternative area closure

proposal within this option because it would place the entire additional conservation burden on vessels that fish on Stellwagen Bank. These vessels are already impacted by the rolling closures and the Western Gulf of Maine Closed Area.

3.7.1.3 GOM cod Option 3

DAS: Status quo

Area Closures: In **Figure 4** Area I would be closed year round and Area II would be closed September 15 – November 15. The northern half of Block 124 would be closed March through August (Area III in **Figure 4** would not be closed), or for a longer period if needed. The Cashes Ledge Closed Area would remain as in the current program, July – October. In addition, the one-month rolling closures in effect in the 1998 fishing year (under Framework 25) would be in effect. These are described below:

- One-month rolling closure of areas described in Table 3 below (GM1- March, GM2-April, GM3- May and GM4- June, block numbers reference Figure 1)
- One month closure, June, of block 129

The coordinates of the area closures are as follows:

	AREA I	AREA II (9/15-11/15)	AREA III (Option 4 only)
A	70°15' 44340 (LORAN)	(LORAN) 13740 25790	13820 (LORAN) 42°25'
B	70°00' 44340 (LORAN)	(LORAN) 13650 25790	13750 (LORAN) 42°25'
C	70°00' 43°15'	(LORAN) 13650 25750	13750 (LORAN) 42°15'
D	70°10' 43°15'	(LORAN) 13740 25750	13820 (LORAN) 42°15'
E	70°10' 44385 (LORAN)		
F	70°15' 44385 (LORAN)		
A	70°15' 44340 (LORAN)		

The Northeast Closure Area is described by the following:

Northeast Closure Area

Point	N. Latitude	W. Longitude
NE1	(1)	68° 55.0'
NE2	43° 29.6'	68° 55.0'
NE3	44° 04.4'	67° 48.7'
NE4	44° 06.9'	67° 52.8'
NE5	44° 31.2'	67° 02.7'
NE6	(1)	67° 02.7'

(1)Maine shoreline.

This proposal will eliminate current groundfish GOM two-month rolling closures and the Western Gulf of Maine Closed Area.

BLOCK		MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.
GM1	124,125	■	■	■				
GM2	131,132, 133		■	■	■			
GM3	138,139, 140			■	■	■		
GM4	145,146, 147,152				■	■	■	■
GM5	129				■	■	■	■
NORTHEAST T CLOSURE							→ 8/15	← 9/13

Table 3 One-month rolling closures proposed in Options 3 and 4.

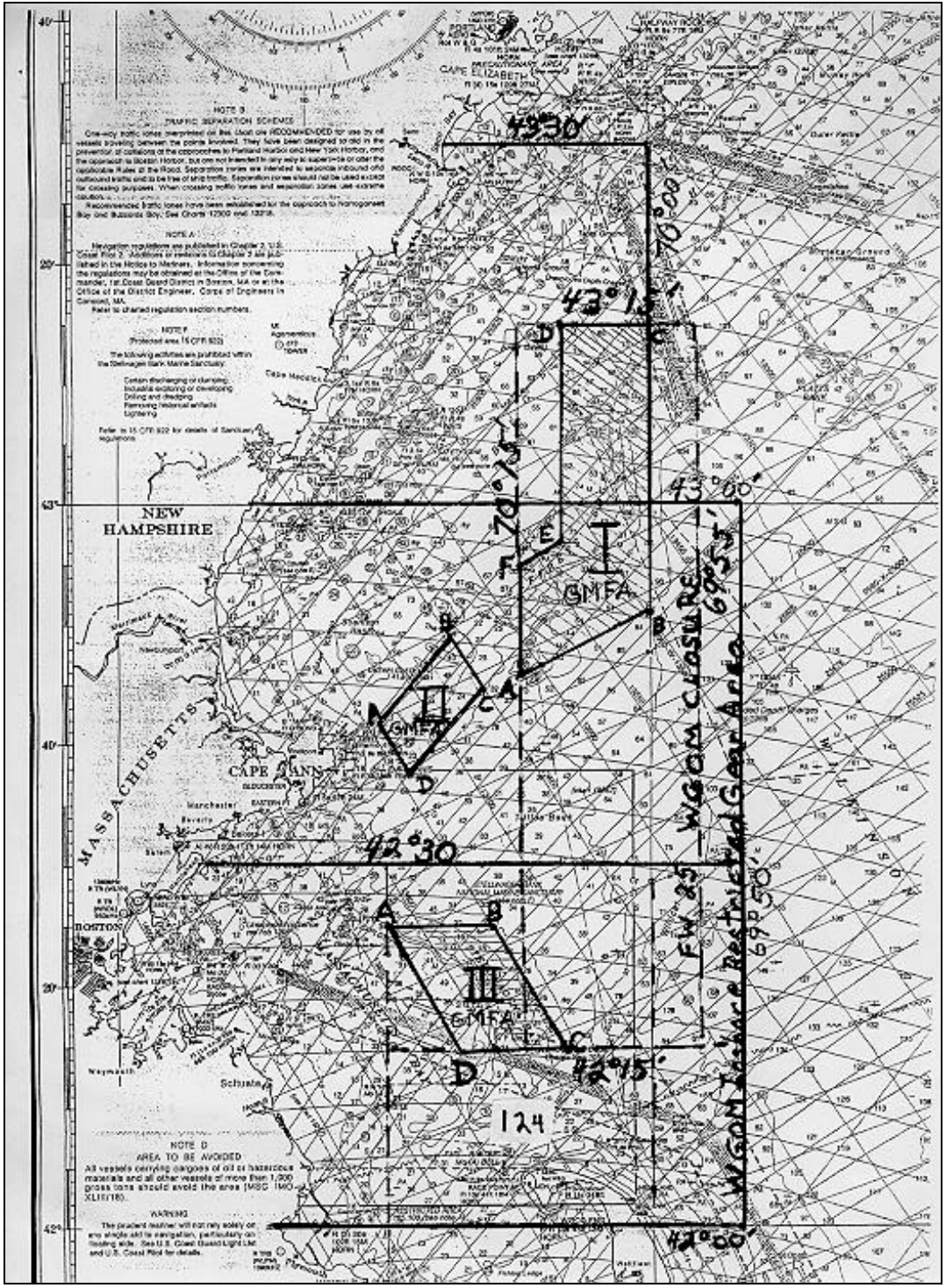


Figure 4 Area Closure Map – Options 3 and 4. In Option 3 Area I is a year-round closure and Area II is closed Sept. 15 – Nov. 15. Area III would be replaced with a March – August closure of the northern half of Block 124 (north of 42°15’). In Option 4 Areas I and III are year-round closures, Area II is closed Sept. 15 – Nov. 15.

Trip Limit: Status quo trip limit as contained in Framework 31: 400 lbs./day with a maximum possession limit equal to ten times the daily limit (i.e. 4,000 pounds).

Running clock and layover day: The Council is considering one of two options for allowing vessels to land overages of the cod trip limit:

1. A vessel may land overages of the per-day trip limit, not to exceed the 10-day limit. A vessel landing an overage must call the hail line and report the overage, and may not call out of the DAS program until sufficient time has elapsed to account for the overage. This is the “running clock” system that was in effect until August, 1999. In addition, a vessel that lands an overage, after calling out of the DAS program, must take two additional layover days (not on the DAS clock). The vessel may not start a trip for 48 hours after calling out of the DAS program and must remain in port [except for transiting?].
2. Vessels may land a limited overage of cod as allowed under the 1999 interim rule and in Framework 31 as follows:
 - Vessels not enrolled in the Gulf of Maine Cod Trip Limit Exemption Program are limited to 400 pounds for each day or part of a day on the trip. On trips under 24 hours a vessel may not land more than 400 pounds of cod, and may not land cod again until 24 hours have elapsed from the start of the prior trip, although the vessel may call-out of the DAS program before 24 hours have elapsed. On trips longer than 24 hours, a vessel may land 400 pounds of cod for each full day (24 hours) of the trip and 400 pounds for any part of a 24-hour period, provided it does not call out of the DAS program until the remainder of that 24-hour period has elapsed. A vessel on a trip longer than 24 hours and landing up to 400 pounds of cod for any part of a (24-hour) day, must call the hail line to report the overage and may not leave port or call out of the DAS program for the remaining part of the 24 hours.
 - a vessel may not land more than 4,000 pounds, even if the trip duration exceeds ten days.

Increase cod minimum size to 21 inches: The Council proposes to increase the minimum size of cod from 19 inches to 21 inches. If it adopts this GOM cod option, the minimum size increase would apply throughout the range of cod (all stock areas).

Discussion: The Council did not adopt this option because the analysis showed that it would not achieve the plan’s biological objectives. This option contains several proposals with Option 4. It does not, however, include the February – May limitation on DAS or trips in the proposed Western GOM Restricted Fishery, and the year-round GOM Area III and Cashes Ledge closures in Option 4. It also includes an option to continue the current trip limit overage provision (implemented under the interim rule and Framework 31) as an alternative to the running clock/layover day proposal in both options. This option also includes a seasonal closure of the northern half of Block 124 (March- August) and an increase in the minimum cod size.

Based on the analysis of Option 4 and the other elements described above, this option would not likely meet the fishing mortality objectives of the plan and constrain landings to below the TAC. Of the four options, Option 3's is in the middle in terms of impacts on marine mammals. The option may present an adverse impact on essential fish habitat due to the reduced size of the year-round closures, although the level of this impact cannot be quantified.

The analysis of economic impacts of this option (and Option 4) is not comparable to that of Options 1 and 2. However, Option 3 has about 45 percent of the revenue impact of Option 4, not accounting for the impact of the cod minimum size increase, differences in the running clock proposals, and the Option 4 proposal to prohibit party/charter fishing in the GOM closed areas.

By increasing the minimum size for cod, the Council intends to increase the spawning stock biomass per recruit and yield per recruit. This action will also align recreational and commercial fish sizes as the recreational minimum fish size has been 21 inches since 1996, under Amendment 7. The Council considered this action in Framework 30 rather than in this framework but did not adopt it because of uncertainty about the impact on regulatory discards.

Minimum fish size regulations are most effective when the size corresponds to the selectivity characteristics of the gear used to catch that species. Three primary gear types catch Georges Bank cod. In 1997 otter trawls caught 60 percent, gillnets 18 percent, and hooks 13 percent. Selectivity data for the different gears is limited, but based on comments from fishermen and landings data, 6-inch mesh gillnets reportedly catch the smallest proportion of 19-21 inch fish and hooks catch the greatest. In Framework 27, the Council increased the minimum mesh size of square mesh on trawl vessels to 6.5 inches, although vessels targeting roundfish, such as cod, generally use diamond mesh rather than square, so the square mesh size increase is not likely to significantly reduce the catch of small cod.

In the development of Framework 30, the PDT discussed the potential impact of an increase in the minimum size of cod from 19 inches to 21 inches. It agreed that the minimum fish size alone would not achieve any conservation benefit over current regulations without gear changes to increase selectivity or escapement (hook size and mesh size increases). If the range of gears in currently in use does not catch a significant proportion of 19 – 21 inch cod, then increasing the minimum size will not change the exploitation pattern. If, on the other hand, some gears are catching a significant proportion of fish in that size range, then the benefits of increasing the minimum size will not be realized unless the gear selectivity pattern is changed. Current rates of discarding across all gear sectors appear to be relatively low, but whether that is the result of a relative scarcity of small fish, given the very low recruitment in recent years, or due to current gear selectivity characteristics cannot be determined.