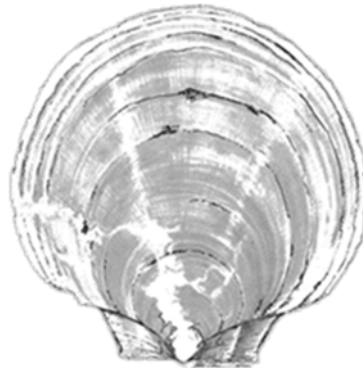


Scallop Fishery Management Plan

Framework Adjustment 32

Including an Environmental Assessment,
Regulatory Flexibility Analysis, and
Stock Assessment and Fishery Evaluation



[Version 1]

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Prepared by the
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In consultation with the
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3.0 BACKGROUND AND PURPOSE

3.1 BACKGROUND

This framework to the Scallop Fishery Management Plan (FMP) sets fishery specifications for fishing year (FY) 2020 and default measures for FY 2021. The New England Fishery Management (Council) decided to develop a one-year action only, including default measures for Year 2 only (FY2021).

The list of measures routinely addressed as part of scallop specifications has increased over the years to include overall annual catch limits, specific allocations for both limited access (LA) and limited access general category (LAGC) vessels. Below is a list of the measures included in scallop fishery specifications:

- Overfishing Limit (OFL) and Acceptable Biological Catch (ABC), which is approved by the SSC;
- Annual Catch Limits (ACL) (for both the limited access and limited access general category fisheries, Annual Catch Target (ACT) for the LA fishery; and Annual Projected Landings (APL) for LA and LAGC;
- Allocations for limited access vessels include DAS allocations, access area allocations with associated possession limits;
- Allocations for limited access general category vessels include an overall IFQ for both permit types, as well as a fleet wide, area-specific maximum number of access area trips available for the general category fishery;
- NGOM TAC(s);
- Incidental catch target-TAC; and set-aside of scallop catch for the industry funded observer program and research set-aside program.

The Council also has included other management measures for consideration in this action.

1.2 DRAFT PURPOSE AND NEED

This Framework (FW32) is intended to set specifications and to adjust management measures for the Atlantic Sea Scallop fishery. The need for this action is to achieve the objectives of the Atlantic Sea Scallop FMP to prevent overfishing and optimize yield by improving yield-per-recruit from the fishery, to manage total removals from the Northern Gulf of Maine management area, and to mitigate impacts on Georges Bank yellowtail flounder .

The purpose for this action is to set specifications including: OFL, ABC, scallop fishery ACLs and ACTs including associated set-asides, day-at-sea (DAS) allocations, general category fishery allocations, and area rotation schedule and allocations for the 2020 fishing year, as well as default measures for FY2021 that are expected to be replaced by a subsequent action (Table 1). The corresponding need for this action is to achieve the objectives of the Atlantic Sea Scallop FMP to prevent overfishing and optimize yield by improving yield-per-recruit from the fishery.

Table 1. DRAFT Purpose and need for Framework 32.

Purpose	Need
To set specifications including: OFL, ABC, scallop fishery ACLs and ACTs including associated set-asides, day-at-sea (DAS) allocations, general category fishery allocations, and area rotation schedule and	To achieve the objectives of the Atlantic Sea Scallop FMP to prevent overfishing and

allocations for the 2020 fishing year, as well as default measures for FY2021 that are expected to be replaced by a subsequent action.	improve yield-per recruit from the fishery.
To set landing limits for the LA and LAGC components in the Northern Gulf of Maine management area based on exploitable biomass	To manage total removals from the Northern Gulf of Maine management area.
To reduce scallop fishery interactions with Georges Bank yellowtail flounder.	To mitigate impacts on Georges Bank yellowtail flounder.

1.3 SUMMARY OF ANNUAL CATCH LIMITS

.Amendment 15 established a method for accounting for all catch in the scallop fishery and included designations of Overfishing Limit (OFL), ABC, ACLs, and Annual Catch Targets (ACT) for the scallop fishery, as well as scallop catch for the Northern Gulf of Maine (NGOM), incidental, and state waters catch components of the scallop fishery. The scallop fishery assessment will determine the exploitable biomass, including an assessment of discard and incidental mortality (mortality of scallops resulting from interaction, but not capture, in the scallop fishery).

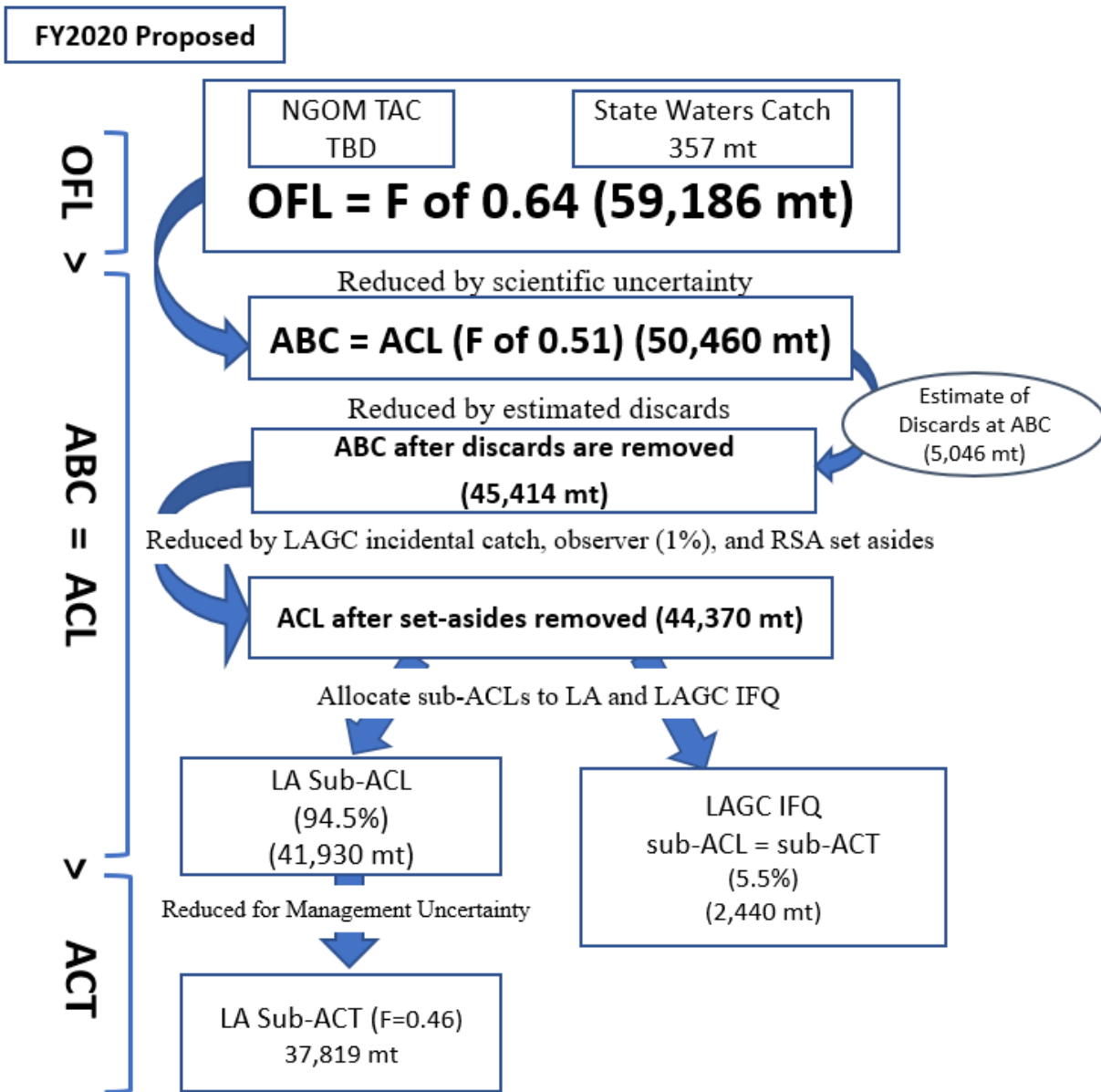
The OFL is specified as the level of landings and associated fishing mortality rate (F) that, above which, overfishing is occurring. The OFL will account for landings of scallops in state waters by vessels without Federal scallop permits. In 2018, SARC 65 approved an OFL equivalent to $F = 0.64$. To account for scientific uncertainty, ABC is set at a level with an associated F that has a 25-percent probability of exceeding the F associated with OFL (i.e., a 75-percent probability of being below the F associated with the OFL).

The ACL is equal to the ABC in the Scallop FMP. SARC 65 determined that the F associated with the ABC/ACL is $F=0.51$. Set-asides for observer and RSA are removed from the ABC (1 percent of the ABC/ACL and 1.25 mil lb. (567 mt) respectively). After those set-asides are removed, the remaining available catch is divided between the LA and LAGC fisheries into two sub-ACLs: 94.5% for the LA fishery sub-ACL, and 5.5% for the LAGC fishery sub-ACL. Figure 4 summarizes how the various ACL terms are related in the Scallop FMP.

Amendment 15 also established ACTs for each component in order to account for management uncertainty. For the LA fleet, the ACT will have an associated F that has a 25-percent chance of exceeding ABC (75% probability that the ACT will exceed the ABC/ACL). The major sources of management uncertainty in the LA fishery are carryover provisions including the 10 DAS carryover provision, and the ability to fish unused access area allocation within the first 60 days of the following fishing year. The F associated with the LA ACT is $F = 0.46$. For the LAGC fleet, the ACT will be set equal to the LAGC fleet’s sub-ACL, since this component is quota managed and is presumed to have less management uncertainty. The fishery specifications allocated to the fishery may be set at an F rate lower than the ACT, but fishery specifications may not exceed this level. For example, the Council’s preferred alternative for FY 2018 specifications is anticipated to result in an overall $F=0.175$.

Finally, catch from the NGOM is established at the ABC/ACL level, but is not subtracted from the ABC/ACL. Since the NGOM portion of the scallop fishery is not part of the scallop assessment, the catch will be added and specified as a separate Total Allowable Catch (TAC), in addition to ABC/ACL.

Figure 1 – Scallop ACL-Flowchart with proposed 2020 OFL, ABC, and ACL values.



4.0 ALTERNATIVES UNDER CONSIDERATION

1.4 ACTION 1 – OVERFISHING LIMIT AND ACCEPTABLE BIOLOGICAL CATCH

1.4.1 Alternative 1 - No Action for OFL and ABC

Under Alternative 1 (No Action), the overall OFL and ABC would be equivalent to default 2020 values adopted in Framework 30 (Table 2) that were calculated for FY2019 and FY2020 based on survey and fishery data through 2018. These would remain in place until a subsequent action replaced them. These values were selected based on the same control rules: 1) OFL is equivalent to the catch associated with an overall fishing mortality rate equivalent to FMSY; and 2) ABC is set at the fishing mortality rate with a 25% chance of exceeding OFL where risk is evaluated in terms of the probability of overfishing compared to the fraction loss to yield. These values include estimated discard mortality. Therefore, when the fishery specifications are set based on these limits (Table 5), the estimate of discard mortality is removed first and allocations are based on the remaining ABC available (Table 4, column to the far right).

Rationale:

Table 2 - Summary of OFL and ABC for FY 2020 (default) values approved by the SSC and Council in Framework 30 (values in mt).

Fishing Year	OFL (including discards at OFL)	ABC (including discards)	Discards (at ABC)	ABC available to fishery (after discards removed)
2020	59,447	50,943	4,915	46,028

Table 3 - Summary of default ACL related values for the scallop fishery based on 2019 OFL and ABC approved through Framework 29

Catch limits	2020 (mt)
Overfishing Limit	59,447
Acceptable Biological Catch/ACL (discards removed)	46,028
Incidental Catch	23
Research Set-Aside (RSA)	567
Observer Set-Aside	460
ACL for fishery	44,978
Limited Access ACL	42,504
LAGC Total ACL	2,474
LAGC IFQ ACL (5% of ACL)	2,249
Limited Access with LAGC IFQ ACL (0.5% of ACL)	225
Limited Access ACT (F=0.46)	38,337
APL***	(¹)
Limited Access Projected Landings (94.5% of APL)	(¹)
Total IFQ Annual Allocation (5.5% of APL)	1,122**
LAGC IFQ Annual Allocation (5% of APL)	1,020**
Limited Access with LAGC IFQ Annual Allocation (0.5% of APL)	102**
<p>*The catch limits for the 2020 fishing year are subject to change through a future specifications action or framework adjustment. This includes the setting of an APL for 2020 that will be based on the 2019 annual scallop surveys.</p> <p>**As a precautionary measure, the 2020 IFQ annual allocations are set at 75% of the 2019 IFQ Annual Allocations.</p> <p>***The APL value reflects the Council's preferred alternatives for specifications from FW30.</p>	

4.1.1 Alternative 2 – Updated OFL and ABC for FY 2020 and FY 2021 (default)

Alternative 2 would specify OFLs and ABCs for FY 2020 and set default values for FY 2021 based on the SSC and Council recommendations. The fishing mortality rates for OFL and ABC would be based on the results of SARC 65 (2018). The fishing mortality rate associated with the OFL would be $F=0.64$, while the F associated with the ABC would be $F=0.51$.

Once OFL and ABC are established, associated ACLs for the fishery can be defined. The table below summarizes the various ACL allocations for the fishery based on decisions made in Amendment 15 when ACLs were implemented.

Rationale:

Table 4 - Summary of proposed OFL and ABC values for FY 2020 and FY 2021 (default).

Fishing Year	OFL (including discards at OFL)	ABC (including discards)	Discards (at ABC)	ABC available to fishery (after discards removed)
2020	59,186	50,460	5,046	45,414
2021	47,503	40,430	3,995	36,435

Table 5 - Summary of ACL related values for the scallop fishery based on proposed 2020 and 2021 OFL and ABC (if approved by the Council and SSC).

Catch Limits	FY2019	FY2020
	mt	mt
OFL	59,186	47,503
ABC/ACL (discards removed)	45,414	36,435
Incidental Catch	23	23
RSA	567	567
Observer set-aside	454	364
ACL for fishery	44,370	35,481
Limited Access ACL	41930	33530
Limited Access ACT	37819	30242
LAGC Total ACL	2440	1951
LAGC IFQ ACL	2219	1774
LA w/ LAGC IFQ ACL (0.5% of ACL)	222	177