#3a Revised

DECISION DOCUMENT

For

Amendment 21 to the

Atlantic Sea Scallop Fishery Management Plan



This document was developed to help the Council select final preferred alternatives for Amendment 21.

September 28, 2020

Version 1.3 - Council Copy

Anticipated Council Action:

Prior to selecting final preferred alternatives, the Council will receive a presentation on measures under consideration in Amendment 21 and their analyzed impacts on target species, non-target species, protected resources, the physical environment (EFH), and human communities (economic and social impacts). Council staff will also summarize input received during the public comment period.

- 1. Select the *preferred alternative* for Northern Gulf of Maine catch limits (Section 4.1).
- 2. Select the *preferred alternative* for Northern Gulf of Maine allocations (Section 4.2).
- 3. Select the *preferred alternative* for monitoring directed scallop fishing in the Northern Gulf of Maine Management Area (Section 4.3).
- 4. Select the *preferred alternative* for supporting scallop research from scallops in the Northern Gulf of Maine (Section 4.4).
- 5. Select the *preferred alternative* for fishing season in the Northern Gulf of Maine (Section 4.5).
- 6. Select the *preferred alternative* for the cumulative maximum dredge width that can be fished in the NGOM Management Area (Section 4.6).
- 7. Select the *preferred alternative* for increasing the LAGC IFQ possession limit (Section 4.7).
- 8. Select the *preferred alternative* for increasing the amount of observer compensation available for LAGC IFQ vessels (Section 4.8).
- 9. Select the *preferred alternative* for one-way transfers of quota from LA with IFQ to LAGC IFQ-only vessels (Section 4.9).
- 10. Select the *preferred alternative* for Action 10: Specifications and Framework Adjustment process (Section 4.10).
- 11. Motion to submit Amendment 21 to NOAA Fisheries.

4.1 - Action 1 - Northern Gulf of Maine Catch Limits

Section 4.1 – Action 1 – Northern Gulf of Maine Catch Limits Choose one alternative.		Council	Preferred by	
		Prelim Pref.	AP	CTE
Alternative 1 (Sec. 4.1.1)	No Action			
Alternative 2 (Sec. 4.1.2)	Account for the Northern Gulf of Maine as part of the Acceptable Biological Catch and Annual Catch Limits.	x	Х	X

Decisions/Questions/Information to Consider

Action 1 considers how the scallop biomass in the Northern Gulf of Maine should be accounted for in the legal limits of the fishery (OFL, ABC, ACL). Since the Council will set specifications for the Northern Gulf of Maine through a future action, the preferred alternative in Action 1 will not limit what the Council can choose as preferred alternatives in other sections of Amendment 21.

Other important Considerations/Draft EA References

• Biological impacts: Section 6.2.1

Non-target species impacts: Section 6.3.1

Protected resource impacts: Section 6.4.1

• Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.1

Economic impacts: Section 6.6.1.1

4.2 - Action 2 - Northern Gulf of Maine Allocations

The Scallop Committee recommended a new option of a 600k lb trigger, with 95/5 split. See below.

Se	ction 4.2 – Action 2 – Northern Gulf of Maine Allocations	Council Prelim	Prefe	rred by
	If Alternative 2 is selected, choose one option.		AP	CTE
Alternative 1 (Sec. 4.2.1)	No Action			
Alternative 2 (Sec. 4.2.2)	Create Northern Gulf of Maine set-aside to support research and a directed LAGC fishery, share additional NGOM Allocation between the NGOM Set-Aside and NGOM APL (LA and LAGC IFQ	x	x	x
Option 1 (4.2.2.1)	NGOM set-aside trigger of 1 million pounds Pounds over the trigger would be split 5% for the NGOM set-aside and 95% for the NGOM APL			
Option 2 (4.2.2.2)	NGOM Set-Aside Trigger of 600,000 pounds Pounds over the trigger would be split 25% for the NGOM set- aside and 75% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL.	Х		
NEW Option CTE Preferred	NGOM Set-Aside Trigger of 600,000 pounds Pounds over the trigger would be split 5% for the NGOM set-aside and 95% for the NGOM APL			x
Option 3 (4.2.2.3)	NGOM Set-Aside Trigger of 500,000 pounds Pounds over the trigger would be split 5% for the NGOM set-aside and 95% for the NGOM APL		x	
Option 4 (4.2.2.4)	Set-aside trigger of 200,000 pounds Pounds over the trigger would be split 25% for the NGOM set- aside and 75% for the NGOM APL up to 3 million pounds, then 5% for the NGOM set-aside and 95% for the NGOM APL			

Decisions/Questions/Information to Consider

There are two key decision points imbedded within each Option associated with Alternative 2:

- 1. At what level of exploitable biomass in open areas of the NGOM should the NGOM allocation be allocated to the LA and LAGC IFQ as NGOM APL (i.e., the trigger)?
- 2. How should the allocation above the trigger be shared between the NGOM Set-Aside and the LA and LAGC IFQ components (i.e. what percentage should each group get at different allocation levels?)

The Amendment 21 EA analyzes the impacts of allocation sharing arrangements over a range of values:

- From 500,000 pounds up to 1,000,000 pounds for the NGOM set-aside trigger, sharing additional NGOM Allocation between the NGOM Set-Aside (5%) and NGOM APL (95% for the LA and LAGC IFQ).
- From 200,000 pounds up to 600,000 pounds for the set-aside trigger, sharing additional NGOM Allocation up to 3,000,000 pounds better the NGOM Set-Aside (25%) and the NGOM APL (75%). Over 3,000,000 pounds the NGOM Allocation would be split 5% for the NGOM set-aside and 95% for the NGOM APL.

Other important Considerations/Draft EA References

Biological impacts: Section 6.2.2

Non-target species impacts: Section 6.3.2

Protected resource impacts: Section 6.4.2

- Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.2
- Economic impacts: Section 6.6.1.2
- Social impacts: Section 6.6.2.2

4.3 - Action 3 - Monitoring Directed Scallop Fishing in the Northern Gulf of Maine Management Area

Section 4.3 – Action 3 – Monitoring Directed Scallop Fishing in the Northern Gulf of		Council Prelim	Prefe	rred by
	Maine Management Area Choose one alternative.		AP	CTE
Alternative 1 (Sec. 4.3.1)	No Action			
Alternative 2 (Sec. 4.3.2)	Monitor directed scallop fishing in the NGOM by expanding the Scallop Industry Funded Observer program, use a portion of the NGOM Allocation to off-set monitoring costs.	х	х	х
Alternative 3 (Sec. 4.3.3)	Monitor directed scallop fishing in the NGOM with observers from the NEFOP program.			

Decisions/Questions/Information to Consider

Alternatives 2 and 3 would initiate monitoring for LAGC vessels fishing in the Northern Gulf of Maine Management Area. LA vessels would continue to be monitored using the Scallop Industry Funded Observer program.

Other important Considerations/Draft EA References

Biological impacts: Section 6.2.3

Non-target species impacts: Section 6.3.3

Protected resource impacts: Section 6.4.3

Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.3

• Economic impacts: Section 6.6.1.3

Section 4.4 – Action 4 – Support Scallop Research using Scallops from the Northern			Preferred by	
Choo	Gulf of Maine se one alternative. If Alternative 2 is selected, choose one option.	Prelim Pref.	AP	CTE
Alternative 1 (Sec. 4.4.1)	No Action			
Alternative 2 (Sec. 4.4.2)	Allocate a portion of the NGOM Allocation to increase the overall Scallop RSA and support Scallop RSA compensation fishing.	x	x	х
Option 1 (4.4.2.1)	Allocate 5% of the NGOM Allocation to increase the overall Scallop RSA			
Option 2 (4.4.2.2)	Allocate 10% of the NGOM Allocation to increase the overall Scallop RSA			
Option 3 (4.4.2.3)	Allocate 15% of the NGOM Allocation to increase the overall Scallop RSA			
Option 4 (4.4.2.4)	Allocate 25,000 pounds of NGOM Allocation to increase the overall RSA to 1.275 million pounds	x	х	Х

Action 4 considers whether a portion of the NGOM Allocation would be added to the 1.25-million-pound Scallop RSA and made available for RSA compensation fishing. Under No Action, compensation fishing would be in addition to the NGOM Allocation, and not accounted for in the catch setting process.

Other important Considerations/Draft EA References

• Biological impacts: Section 6.2.4

Non-target species impacts: Section 6.3.4

• Protected resource impacts: Section 6.4.4

Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.4

Economic impacts: Section 6.6.1.4

4.5 – Action 5 – Northern Gulf of Maine Fishing Season

Sect	Section 4.5 – Action 5 – Northern Gulf of Maine Fishing Season			rred by
The Council car	The Council can select any combination of alternatives as preferred unless it chooses No Action.		AP	CTE
Alternative 1 (Sec. 4.5.1)	No Action	x	х	x
Alternative 2 (Sec. 4.5.2)	Limit the number of landings per LAGC vessel per week in the Northern Gulf of Maine Management Area.			
Alternative 3 (Sec. 4.5.3)	Limit vessels to one sailing per day.			
Alternative 4 (Sec. 4.5.4)	Establish a seasonal closure of the NGOM management area from September 1 – November 31 annually.			

Decisions/Questions/Information to Consider

Alternatives 4.5.2 (Alternative 2) and 4.5.3 (Alternative 3) would apply solely to LAGC vessels fishing at 200 lbs a day in the NGOM management unit. The proposed seasonal closure in Alternative 4 would apply to all directed scallop fishing in the NGOM. The Council plans to address additional details of how the NGOM APL could be fished by LA and LAGC IFQ vessels in a future action.

The magnitude of the impacts associated with Action 5 could be expected to increase if the Council selects multiple alternatives as preferred.

Other important Considerations/Draft EA References

Biological impacts: Section 6.2.5

Non-target species impacts: Section 6.3.5
 Protected recovered impacts: Section 6.4.5

Protected resource impacts: Section 6.4.5

Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.5

• Economic impacts: Section 6.6.1.5

4.6 – Action 6 – Cumulative Maximum Dredge Width That Can Be Fished in The Northern Gulf of Maine Management Area

Section 4.6 – Action 6 – Cumulative Maximum Dredge Width That Can Be Fished in		Council	Prefe	rred by
	The Northern Gulf of Maine Management Area Choose one alternative.	Prelim Pref.	AP	CTE
Alternative 1 (Sec. 4.6.1)	No Action	х	х	х
Alternative 2 (Sec. 4.6.2)	Limit the combined dredge width of all federally permitted scallop vessels operating in the Northern Gulf of Maine management area to a maximum of 10.5 ft. Limit full-time Limited Access double dredge permits to 10.5 ft maximum dredge width.			
Alternative 3 (Sec. 4.6.3)	Limit the combined dredge width of Full Time Limited Access Scallop vessels operating in the Northern Gulf of Maine management area to a maximum of 15.5 ft. Limit full-time Limited Access double dredge permits to 15.5 ft maximum dredge width.			

Decisions/Questions/Information to Consider

Currently, all LAGC vessels and Limited Access vessels participating in the small dredge program can fish a maximum combined dredge width of 10.5 feet in the NGOM management area. Full Time Limited Access vessels fishing in the NGOM management area can fish a maximum combined dredge width of 31 feet. Alternatives 2 and 3 would reduce the combined maximum dredge width of Full Time Limited Access vessels. The Council plans to develop measures for how the NGOM APL (LA and LAGC IFQ allocations) can be harvested by the LA and LAGC IFQ components in a later action.

Other important Considerations/Draft EA References

Biological impacts: Section 6.2.6

Non-target species impacts: Section 6.3.6
Protected resource impacts: Section 6.4.6

• Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.6

Economic impacts: Section 6.6.1.6Social impacts: Section 6.6.2.6

Section 4.7 – Action 7 – Increase the LAGC IFQ Possession Limit			Preferred by	
Choose one alternative. If Alternative 2 or 3 is selected, choose one option.		Prelim Pref.	AP	СТЕ
Alternative 1 (Sec. 4.7.1)	No Action		х	
Alternative 2 (Sec. 4.7.2)	Increase the LAGC IFQ possession limit to 800 pounds per trip.	х		Х
Option 1 (4.7.2.1)	Open and Access Area Trips. Increase the LAGC IFQ possession limit to 800 pounds per trip for open and access area trips.			
Option 2 (4.7.2.2)	Only Access Area Trips. Increase the LAGC IFQ possession limit to 800 pounds per trip for only access area trips.	х		x
Alternative 3 (Sec. 4.7.3)	Increase the LAGC IFQ possession limit to 1,200 pounds per trip.			
Option 1 (4.7.3.1)	Open and Access Area Trips. Increase the LAGC IFQ possession limit to 1,200 pounds per trip for open and access area trips.			
Option 2 (4.7.3.2)	Only Access Area Trips. Increase the LAGC IFQ possession limit to 1,200 pounds per trip for only access area trips.			

The Amendment 21 EA analyzes the impacts of the LAGC IFQ possession limit from 600 pounds up to 1,200 pounds.

If the Council selects Alternative 2 or Alternative 3 as preferred, it will also need to choose if the possession limit increase applies to all areas (Option 1: open and access area trips), or just to access areas (Option 2: only access areas).

Other important Considerations/Draft EA References

• Biological impacts: Section 6.2.7

Non-target species impacts: Section 6.3.7Protected resource impacts: Section 6.4.7

Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.7

• Economic impacts: Section 6.6.1.7

Section 4.8 – Action 8 – Increase the amount of observer compensation available for		Council	Prefe	rred by
	LAGC IFQ vessels Choose one alternative.	Prelim Pref.	AP	СТЕ
	Choose one alternative.			
Alternative 1 (Sec. 4.8.1)	No Action		Х	
Alternative 2 (Sec. 4.8.2)	Prorate daily compensation rate in 12-hour increments for observed LAGC IFQ trips longer than one day (capped at 48 hours).	х		х
Alternative 3 (Sec. 4.8.3)	Allow a second day of compensation for trips over 24 hours (capped at 48 hours).			

This action considers adjusting the amount of observer compensation that LAGC IFQ vessels are eligible to receive when carrying an observer. Alternative 2 and Alternative 3 would allow for additional compensation for observed LAGC IFQ trips to account for potentially longer trip times should the Council elect to increase the LAGC IFQ possession limit through this action. Alternative 2 and Alternative 3 cap the total amount of compensation a vessel can receive at two days.

Other important Considerations/Draft EA References

Biological impacts: Section 6.2.8

Non-target species impacts: Section 6.3.8Protected resource impacts: Section 6.4.8

• Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.8

Economic impacts: Section 6.6.1.8Social impacts: Section 6.6.2.8

Section 4.9 – Action 9 – One-Way Transfer of Quota from LA with IFQ to LAGC IFQ-			Prefe	erred by
Choose	Only Choose one alternative. If Alternative 2 or 3 is selected, choose one option.			СТЕ
Alternative 1 (Sec. 4.9.1)	No Action			
Alternative 2 (Sec. 4.9.2)	Allow temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only.	Х	х	х
Option 1 (4.9.2.1)	No change to quota accumulation caps. No change to pool of quota LAGC IFQ quota accumulation caps apply to, 5% of APL.	x	х	x
Option 2 (4.9.2.2)	Increase quota accumulation caps. Increase pool of quota LAGC IFQ accumulation caps apply to 5.5% of APL.			
Alternative 3 (Sec. 4.9.3)	Allow permanent and temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only.			
Option 1 (4.9.3.1)	No change to quota accumulation caps. No change to pool of quota LAGC IFQ quota accumulation caps apply to, 5% of APL.			
Option 2 (4.9.3.2)	Increase quota accumulation caps. Increase pool of quota LAGC IFQ accumulation caps apply to 5.5% of APL.			

Action 9 considers allowing LA vessels that hold LAGC IFQ permits to transfer their quota to LAGC IFQ-only vessels. Alternative 2 would allow temporary transfers (annual leasing) only, while Alternative 3 would allow for permanent and temporary transfers. There would be no change to the overall LAGC IFQ allocation (5.5% of the APL).

For both Alternative 2 and Alternative 3, Option 2 would increase the pool of quota that the LAGC IFQ accumulation caps apply to from 5% of the APL to 5.5% of the APL.

Other important Considerations/Draft EA References

• Biological impacts: Section 6.2.9

Non-target species impacts: Section 6.3.9

Protected resource impacts: Section 6.4.9

Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.9

Economic impacts: Section 6.6.1.9

4.10 - Action 10 - Specifications and Framework Adjustment Process

The Council did not select a preliminary preferred option.

Section 4.10 – Action 10 – Specifications and Framework Adjustment Process			Preferred by	
Choose one alternative.		Prelim Pref.	AP	CTE
Alternative 1 (Sec. 4.10.1)	No Action			
Alternative 2 (Sec. 4.10.2)	Expand the list of measures that can be addressed through specifications and/or framework adjustments.		x	X

Decisions/Questions/Information to Consider

Council did not select a preferred option for Action 10. The current list of measures to in Alt. 2 could be completed already (without action) using broad interpretation of existing regulatory authority. Alt. 2 would specify details about what can be done through existing authority. Selecting Alternative 1 (No Action) would not limit the range of issues that the Council could consider in the future.

Other important Considerations/Draft EA References

Biological impacts: Section 6.2.10

Non-target species impacts: Section 6.3.10
 Protected resource impacts: Section 6.4.10

• Impacts on Physical Environment and Essential Fish Habitat: Section 6.5.10

Economic impacts: Section 6.6.1.10Social impacts: Section 6.6.2.10

				mpacts			
Actions & Alternatives		Options	Target Species	Non-target Species	Protected Resources	Physical Env. (EFH)	Economic and Social Impacts
Action 1: NGOM Catch	Alt. 1 – No Action	-	Low -	Negligible	Negligible	Negligible	Economic: Negligible Social: Negligible
Limits	Alt. 2 – Account for of ABC & ACL	r NGOM as part	Low +	Negligible	Negligible	Negligible	Econ: Low + to negl. Social: Negligible
Action 2: NGOM	Alt. 1 – No Action		Negative	Low -	Low –	Low -	Economic: Low - Social: Mixed
Allocations	Alt. 2 – Create NGOM Set-Aside for directed fishery,	Option 1 – 1 Million Ib trigger; 95/5 split	Positive	Positive	Low –	Low +	Economic: Mixed Social: Positive
	research, monitoring	Option 2 - 600k lb trigger; 75/25 split	Positive	Positive	Low –	Low +	Economic: +, mixed Social: +, mixed
		Option 3 – 500k lb trigger; 95/5 split	Positive	Positive	Low –	Low +	Economic: +, mixed Social: +, mixed
		Option 4 – 200k lb trigger; 75/25 split	Positive	Positive	Low –	Low +	Economic: +, mixed Social: +, mixed
Action 3 – Monitor	Alt. 1 – No Action		Low -	Negative	Low -	Negligible	Economic: Negligible Social: Negative
Directed Scallop	Alt. 2 – Expand the Program	Scallop IFO	Positive	Positive	Positive	Negligible	Economic: Mixed Social: Positive
Fishing in NGOM	Alt. 3 – Monitor using NEFOP		Positive	Positive	Positive	Negligible	Economic: Negligible Social: Positive
Action 4 – Support	Alt. 1 – No Action		Low -	Negligible	Negligible	Negligible	Economic: Low – Social: Negl. to Low –
research using scallops from	Alt. 2 - Allocate a portion of the NGOM Allocation	Option 1 – 5% of NGOM allocation	Low +	Negligible	Negligible	Negligible	Economic: Low + Social: Low +
NGOM	to increase the overall Scallop RSA and support	Option 2 – 10% of NGOM allocation	Low +	Negligible	Negligible	Negligible	Economic: Low + Social: Low +
	Scallop	Option 3 – 15% of NGOM allocation	Low +	Negligible	Negligible	Negligible	Economic: Mixed Social: Low +

			Direct and indirect impacts						
Actions & Alte	rnatives	Options	Target Species	Non-target Species	Protected Resources	Physical Env. (EFH)	Economic and Socia Impacts		
	RSA compensation fishing	Option 4 – 25,000 lbs; increase RSA to 1.275 mil. lbs	Low +	Negligible	Negligible	Negligible	Economic: Low + Social: Low +		
Action 5 –	Alt. 1 – No Action		Mixed	Negligible	Negligible	Low +	Economic: Low + Social: Low +		
Fishing Season	Alt. 2 – Limit num per week	ber of landings	Mixed	Negligible	Negligible	Low – to negligible	Economic: Negative Social: Low +		
	Alt. 3 – Limit vess	els to one sailing	Mixed	Negligible	Negligible	Low – to negligible	Economic: Negative Social: Low +		
	Alt. 4 – Seasonal Closure from Sept. 1 – Nov. 31 annually		Low +	Negligible	Negligible	Low +	Economic: Mixed Social: Low +		
Action 6 - Cumulative	Alt. 1 – No Action		Negligible	Negligible	Low +	Low + to negligible	Economic: Positive Social: Low +		
Max Dredge Width	Alt. 2 – 10.5' Max. Dredge with in the NGOM		Negligible	Negligible	Low -	Mixed, Uncertain	Economic: Negative Social: Negative		
	Alt. 3 – Limit FT L dredge width in th		Negligible	Negligible	Low -	Mixed, Uncertain	Economic: Negative Social: Negative		
Action 7 – _AGC IFQ	Alt. 1 – No Action		Negligible	Negligible	Negligible	Negligible	Economic: Mixed Social: Low -		
Possession Limit	Alt. 2 – Increase to 800 lbs per trip	Option 1 – Open and Access Areas	Negligible	Negligible	Negligible	Low +	Economic: Mixed Social: Mixed		
		Option 2 – Access Areas Only	Negligible	Negligible	Negligible	Low +	Economic: Mixed Social: Mixed		
	Alt. 3 – Increase to 1,200 lbs per trip	Option 1 – Open and Access Areas	Negligible	Negligible	Negligible	Low +	Economic: Mixed Social: Mixed		
		Option 2 – Access Areas Only	Negligible	Negligible	Negligible	Low +	Economic: Mixed Social: Mixed		

			Direct and indirect impacts				
Actions & Alternatives Opt		Options	Target Species	Non-target Species	Protected Resources	Physical Env. (EFH)	Economic and Social Impacts
Action 8 – Increase the Amount of Observer	Atl. 1 – No Action		Low -	Negligible	Negligible	Negligible to Low -	Economic: Negligible Social: Low -
	Alt. 2 - Prorate daily compensation rate in 12-hour increments for longer than one day		Low +	Low + to negligible	Negligible	Low + to negligible	Economic: Mixed Social: Low +
	Alt. 3 - Allow a second day of compensation for trips over 24 hours		Low +	Low + negligible	Negligible	Low + to negligible	Economic: Mixed Social: Mixed
Action 9 – One-way transfer of quota from LA with IFQ to LAGC IFQ Only	Alt. 1 – No Action		Negligible	Negligible	Negligible	Negligible	Economic: Negligible Social: Mixed
	Alt. 2 - Allow temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only	Option 1 - No change to quota accumulation caps	Negligible	Negligible	Negligible	Mixed	Economic: Positive Social: Mixed
		Option 2 - Increase quota accumulation caps	Negligible	Negligible	Negligible	Mixed	Economic: Positive Social: Mixed
	Alt. 3 – Allow permanent and temporary transfers of quota from LA vessels with IFQ to LAGC IFQ-only	Option 1 - No change to quota accumulation caps	Negligible	Negligible	Negligible	Mixed	Economic: Positive Social: Mixed
		Option 2 - Increase quota accumulation caps	Negligible	Negligible	Negligible	Mixed	Economic: Positive Social: Mixed
Action 10 – Specs and FW	Alt. 1 – No Action		Negligible	Negligible	Negligible	Negligible	Economic: Negligible Social: Negligible
adjustment process	Alt. 2 - Specify details about what can be done through a FW or specs using existing authority		Negligible	Negligible	Negligible	Negligible	Economic: Negligible Social: Negligible